TOWN OF VALDESE
TOWN COUNCIL REGULAR MEETING
January 8, 2024

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

Absent:

A quorum was present.

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

OPEN FORUM/PUBLIC COMMENT:

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

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

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

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

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

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

following remarks and provided a copy to the Town Clerk:

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

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

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

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

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

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

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

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

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

Thank you for your time.

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

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

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

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

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

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

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

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

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

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

CONSENT AGENDA: (enacted by one motion)

APPROVED REGULAR MEETING MINUTES OF DECEMBER 4, 2023

APPROVED CLOSED SESSION MINUTES OF DECEMBER 4, 2023

APPROVED SPECIAL MEETING MINUTES OF DECEMBER 18, 2023

APPROVED REVISED AGREEMENT BETWEEN THE WESTERN PIEDMONT COUNCIL OF GOVERNMENT AND THE TOWN OF VALDESE FOR THE PROVISION OF STRATEGIC PLANNING ASSISTANCE, JANUARY 1, 2024 – APRIL 30, 2024.

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

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

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

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

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

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

1. Personnel. That during the period of this Contract, the Planning Agency will furnish the necessary trained personnel to the Local Government.

2. Travel/Printing. Normal travel and training for Planning Agency staff is included in this Proposal and no additional travel is expected unless requested by the Local government. If requested and approved in advance by Town Council, the Local Government will pay for expenses related to conferences, conventions, seminars, or other unexpected expenses related to the Local Government's planning program, or if it is beneficial to both parties, the costs will be shared on an agreed-upon ratio.

3. Compensation. That for the purpose of providing the funds for carrying out this Contract, the Local Government will pay the Planning Agency as indicated in Attachment A: Work Plan/Budget.

4. **Termination/Modifications.** The Local Government may terminate the Contract with or without cause by giving the Planning Agency a thirty-day written notice. Furthermore, if there is a need to amend the proposal outlined in Attachment A, either party may do so with the written consent of the other.

5. **Time of Performance.** The Planning Agency shall ensure that all services required herein shall be completed and all required reports, maps, and documents submitted during the period beginning January 1, 2024, and ending April 30, 2024.

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

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

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

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

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

LOCAL GOVERNMENT:
TOWN OF VALDESE

By: _____
Mayor

By: _____
Manager

PLANNING AGENCY:
WESTERN PIEDMONT COUNCIL OF GOV'TS.

By: _____
Executive Director

PLANNING AGENCY:

By: _____ Interim Town
Chair

Pre-audit statement:

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

By: _____ Local Government Finance Officer

ATTACHMENT

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

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

WORK PROGRAM

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

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

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

- The beginning date for the project will be the 1st day of the month following Council's approval of the Agreement for the Provision of Strategic Planning Assistance
- WPCOG will construct and release/circulate a public survey to the citizens of Valdese to obtain public feedback concerning public ideas and concerns regarding the Town's future action plan, fiscal year budget, and/or capital improvement plan, with a closing date for the survey to be set prior to the Council work session for WPCOG data analysis.
- WPCOG will attend and participate in two to three public input sessions (SWOT Analysis) for Town businesses and residents to be held in January 2024 at the Old Rock School. WPCOG will work with the Town to schedule ideal dates and times for these events.
- WPCOG will attend and participate in two Town Council meetings as follows:
    - One work session to be held at the end of February 2024 to review the public input feedback and conduct the Council SWOT assessment/Council identification of priorities.
    - Presentation of the final document and findings to the Town Council in early March2024.
- The time of performance under the Agreement for the Provision of Strategic Planning Assistance will be January 1, 2024 - April 30, 2024, and will allow for any transfer of information, needed clarification, and/or reasonable delays not otherwise foreseeable by the parties
- Travel, supplies, and all other associated costs to facilitate this project will be included in the contract price as set forth below, except the printing and mailings, for which the Town of Valdese will pay for the paper, ink, and staff time to mail letters/postcards.
- As part of the process outlined herein, WPCOG will provide a brief demographic analysis within

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

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

BUDGET

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

_____ Total proposal cost without WPCOG providing mailings.
The contract budget, including all salaries, fringe benefits, travel expenses, and indirect costs, totals $3,770.00 (Three thousand seven hundred seventy dollars) during the period beginning January 1, 2024, and ending April 30, 2024. This fee will be billed lump sum in April 2024.

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

APPROVED RESOLUTIONS ESTABLISHING NEW TOWN OF VALDESE AD HOC COMMITTEES

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

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

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

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

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

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

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

(SEAL)

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

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

WHEREAS, the Town Council is committed to making the Town of Valdese a desirable and inviting community for all citizens and desires to establish an Ad Hoc Drug and Homeless Advisory Task Force Committee to explore ways to address substance abuse and homelessness in the Town of Valdese.
NOW, THEREFORE, BE IT RESOLVED that there is hereby established the Ad Hoc Drug and Homeless Advisory Task Force Committee, the membership of which shall be appointed by Town Council and shall include five (5) members who shall have special interest, experience and/or expertise in addressing homelessness and/or the issues surrounding drug use and related criminal activity.

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

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

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

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

(SEAL)

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

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

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

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

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

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

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

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

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

(SEAL)

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

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

End Consent Agenda

ITEMS REMOVED FROM CONSENT AGENDA: None

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

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

TOWN OF VALDESE

Financial Highlights
Years Ended June 30, 2023 and 2022

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

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

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

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

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

TOWN OF VALDESE
NORTH CAROLINA'S FRIENDLY TOWN

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

January 8, 2024

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

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

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

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

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

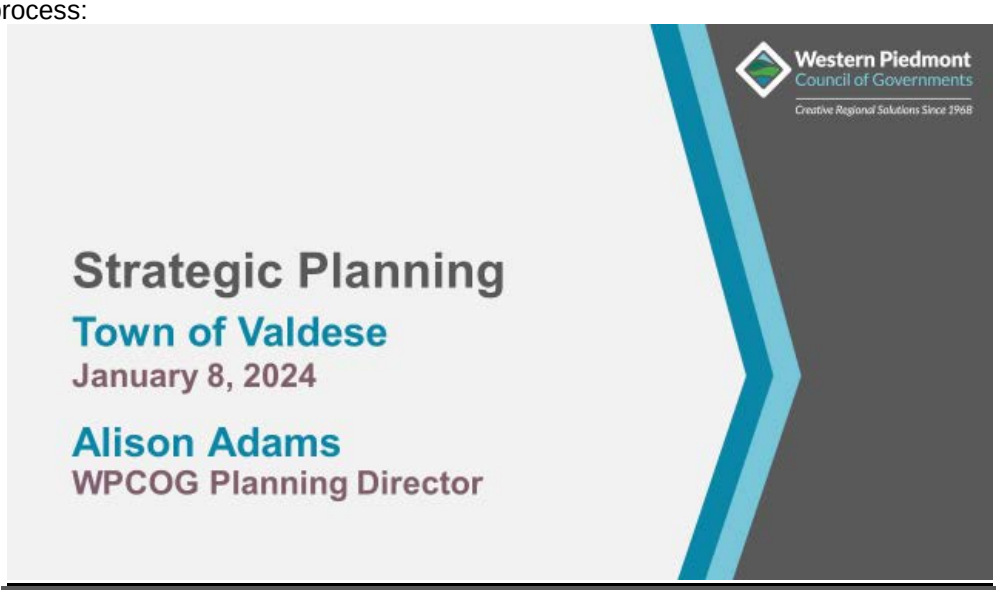
Sincerely,
Town of Valdese Council

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

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

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

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



Strategic Planning Process

Purpose:

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

Public Input:

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

Promotion:

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

Survey Questions

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

1. How would you rate Valdese on the following?

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

Survey Questions

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

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

Survey Questions

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

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

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

Survey Questions

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

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

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

Survey Questions

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

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

Survey Questions

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

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

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

Survey Questions

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

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

_____ **Downtown Vitality** - examples: Brewery, Social District, Residences/Apartments, Signage & Lighting

_____ **Housing Options** - examples: New Neighborhoods, Town Homes, Downtown Living, In-Fill Development

_____ **Arts and Culture** – examples: Theater, Fridays at Five, Festivals, Christmas Events

_____ **Recreation** – examples: New features such as splash pad, trails, and programs

_____ **Economic Development** – examples: New businesses and industry and Downtown revitalization

_____ **Safety and Security** – examples: new equipment, additional safety personnel, code enforcement

_____ **Infrastructure** – examples: road improvements, water and sewer system improvements

_____ **Communications** – examples: online forms, educational social media content, social media marketing, tourism development

Survey Questions

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

_____ Schools (K-12)
_____ Colleges & Universities
_____ Non-profits
_____ County Government
_____ State Government
_____ Federal Government
_____ Private Business
_____ Faith-based Groups

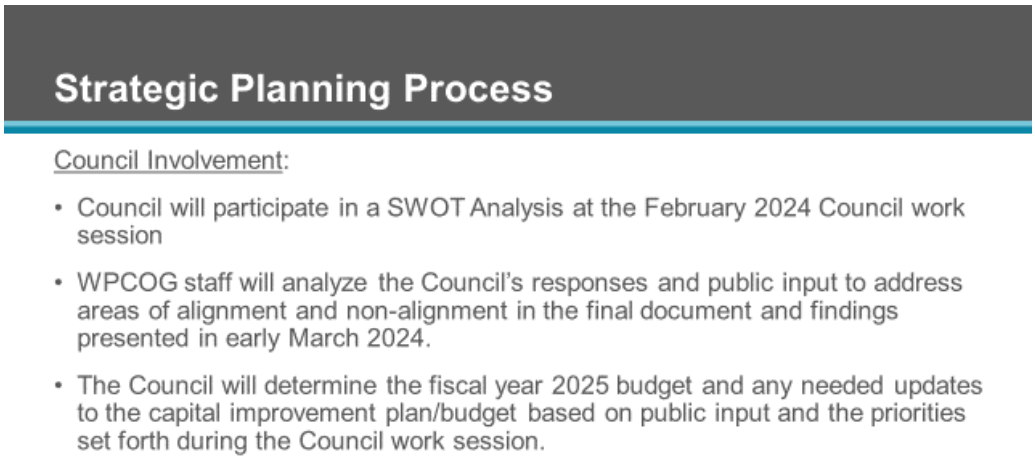
Survey Questions

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

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

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

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



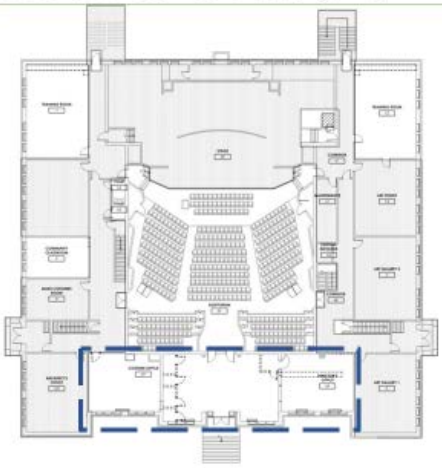
Mr. Starr said that Merchants and Business Owners would be able to participant in the survey and input sessions.

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



Scope of Work: *first floor*

SGA | NW



LOBBY / RESTROOMS / ACCESSIBILITY ACCESS

---

existing lobby

SGA | NW





---

existing accessible path to lobby / exit door deficency

SGA | NW

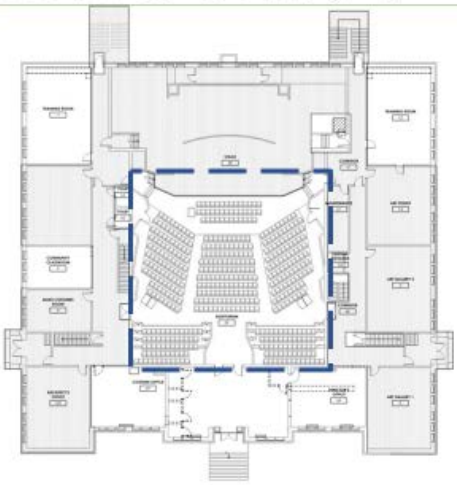






Scope of Work: *first floor*

SGA | NW



AUDITORIUM FINISHES, LIGHTING, SEATING

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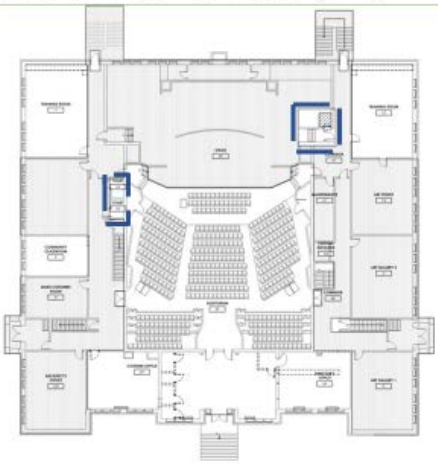
existing auditorium

SGA | NW



Scope of Work: *first floor*

SGA | NW



ACCESSIBLE ACCESS TO STAGE

RESTROOM FINISHES

existing stage access and toilet

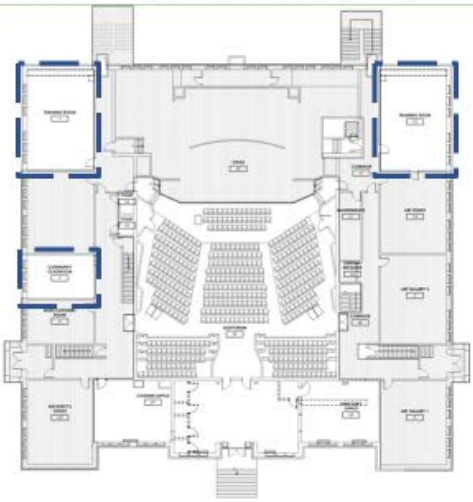
SGA | NW





Scope of Work: *first floor*

SGA | NW



NEW COMMUNITY ROOM / TRAINING ROOM IMPROVEMENTS

existing training room areas

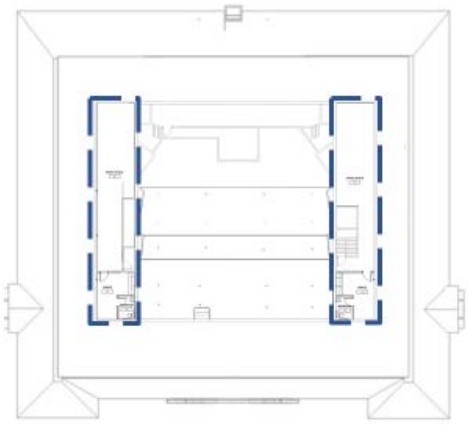
SGA | NW





Scope of Work: *second floor*

SGA | NW



NEW OFFICE SPACE – LIGHTING & HVAC / RESTROOMS

---

existing upper floor areas

SGA | NW

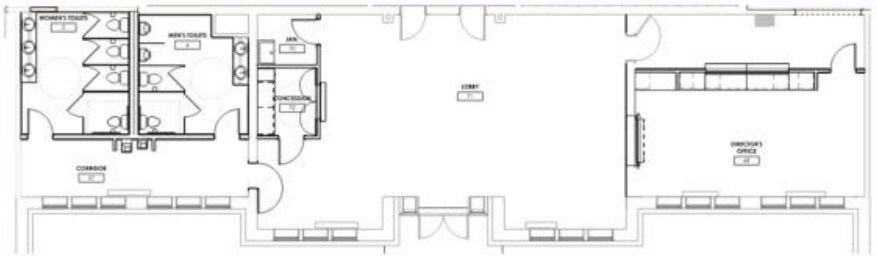




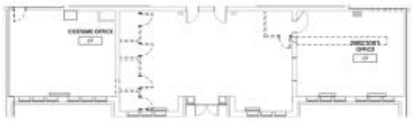


Scope of Work: *lobby area*

SGA | NW



Proposed



Existing / demo

Schedule

SGA | NW

Currently Out for Bids

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

Cost

SGA | NW

Total Construction Costs Estimate: $1,233,251.00

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

Alternate 1-
Auditorium, Stage, Toilets, Training & Community Rooms, Doors 2,3,4

Alternate 1A-
Auditorium Seating

Alternate 2 -
Upper Floor Restrooms

Financial Update - SGA Contract
OLD ROCK SCHOOL RENOVATIONS

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

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

Total of green subtotals above	**$**	**67,203**

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

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

STATUS REPORT ON ENGINEERING SERVICES CONTRACT FOR WATER PLANT UPGRADES

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



PROJECT OVERVIEW




North Carolina Department of Environmental Quality
Division of Water Infrastructure
Request for Funding
for S.L. 2023-134 Water/Sewer Directed Projects

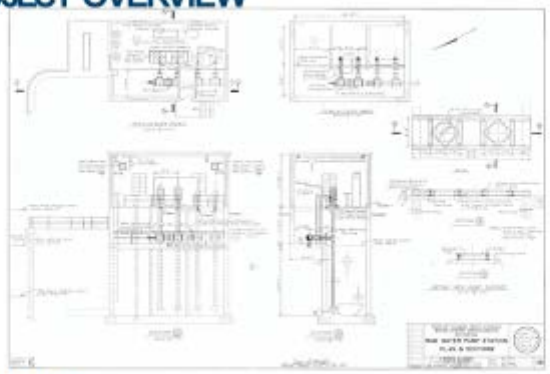
PROJECT OVERVIEW

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

PROJECT OVERVIEW



PROJECT OVERVIEW



RAW WATER INTAKE
PUMP STATION

PROJECT OVERVIEW

RAW WATER INTAKE
PUMPS

200 HP - 600 HP
2.0 MGD – 12.0 MGD



PROJECT OVERVIEW

FLOW
DIRECTIO



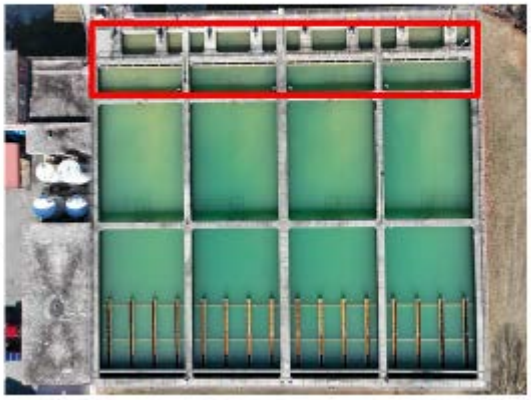
FLASH MIXING
BASINS & EQUIPMENT



PROJECT OVERVIEW

FLOCCULATION BASINS & EQUIPMENT

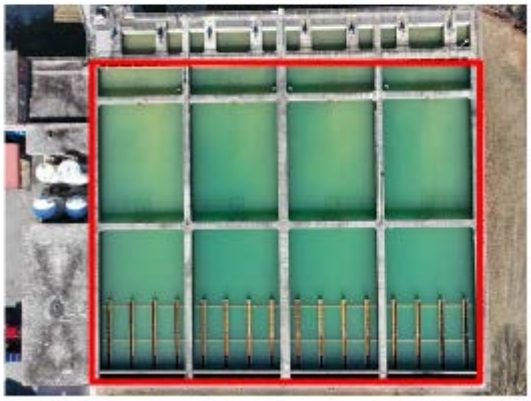
FLOW DIRECTION



PROJECT OVERVIEW

SEDIMENTATION BASINS

OVERFLOW TO FILTERS



PROJECT OVERVIEW

DUAL-MEDIA FILTER BASIN



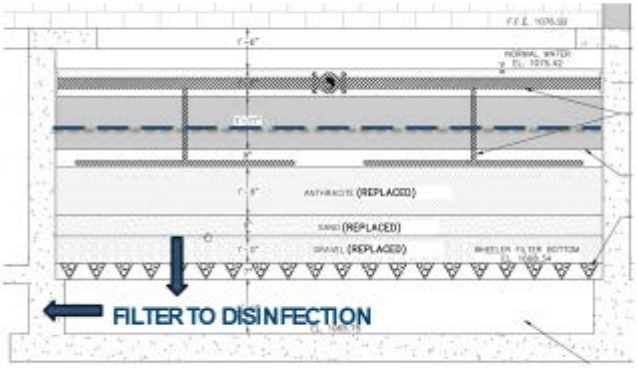
PROJECT OVERVIEW

DUAL-MEDIA FILTER CONTROL CONSOLE



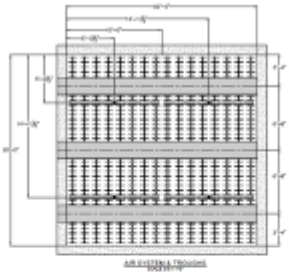
PROJECT OVERVIEW

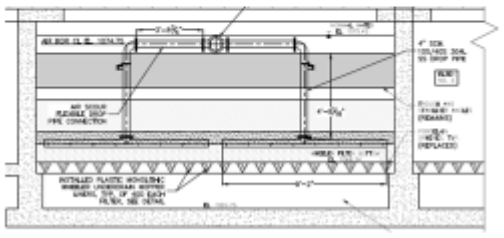
DUAL-MEDIA FILTER SECTION VIEW (EXAMPLE)

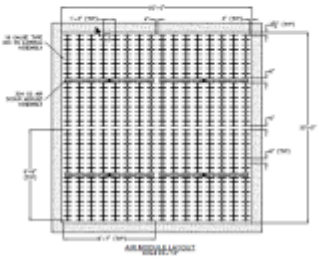


PROJECT OVERVIEW

AIR SCOUR BACKWASH SYSTEM







PROJECT OVERVIEW

AIR SCOUR
BACKWASH SYSTEM



PROJECT OVERVIEW

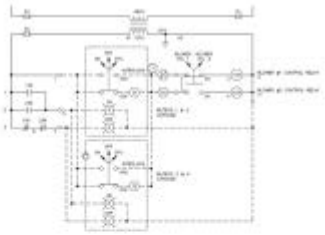
CHEMICAL FEED ROOM



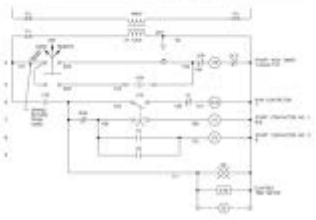
PROJECT OVERVIEW



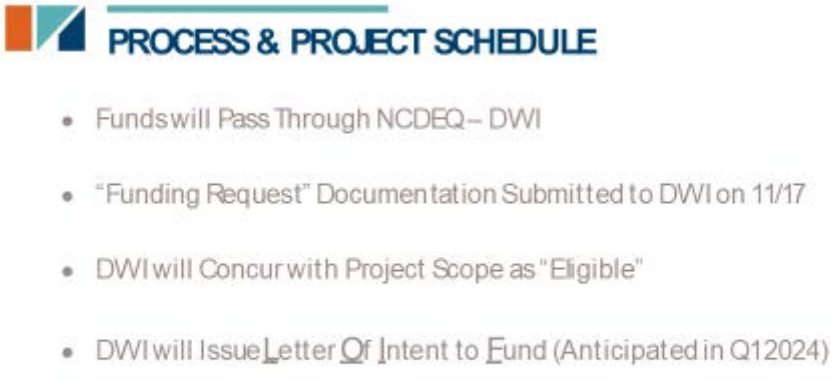
EXISTING FILTER CONSOLE NO. 1 CONTROL ONE-LINE IMPROVEMENTS

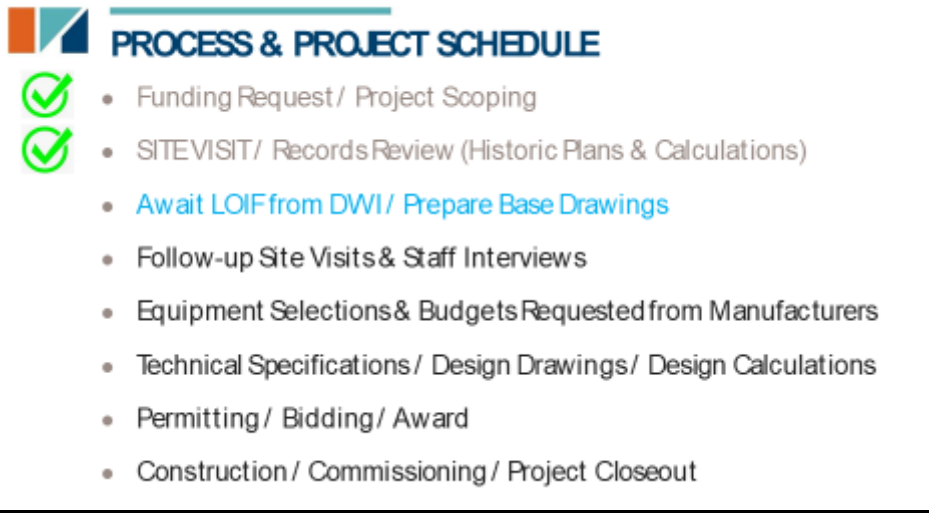


AIR BLOWER CONTROL DIAGRAMS - MODIFICATIONS



MODIFIED ELECTRICAL
CONTROLS





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

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

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

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

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

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

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

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

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

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

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

Rule 32. Committee, Board and Other Appointments.

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

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

Section 2-1021 Committees generally.

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

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

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

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

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

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

(SEAL)

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

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

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

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

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

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

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

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

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

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

Rule 4. Agenda.

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

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

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

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

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

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

(SEAL)

/s/ Charles Watts, Mayor

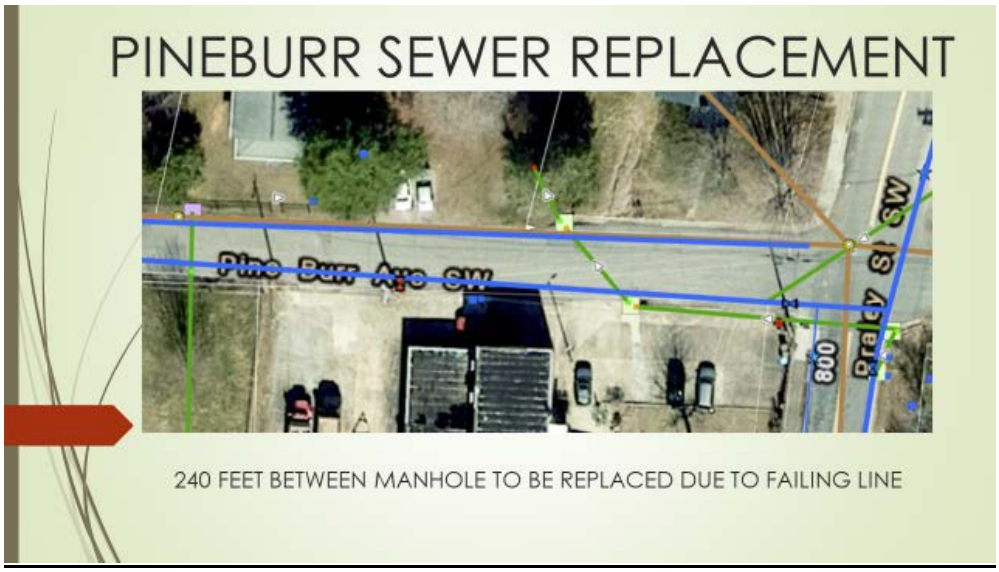
ATTEST:
/s/ Town Clerk

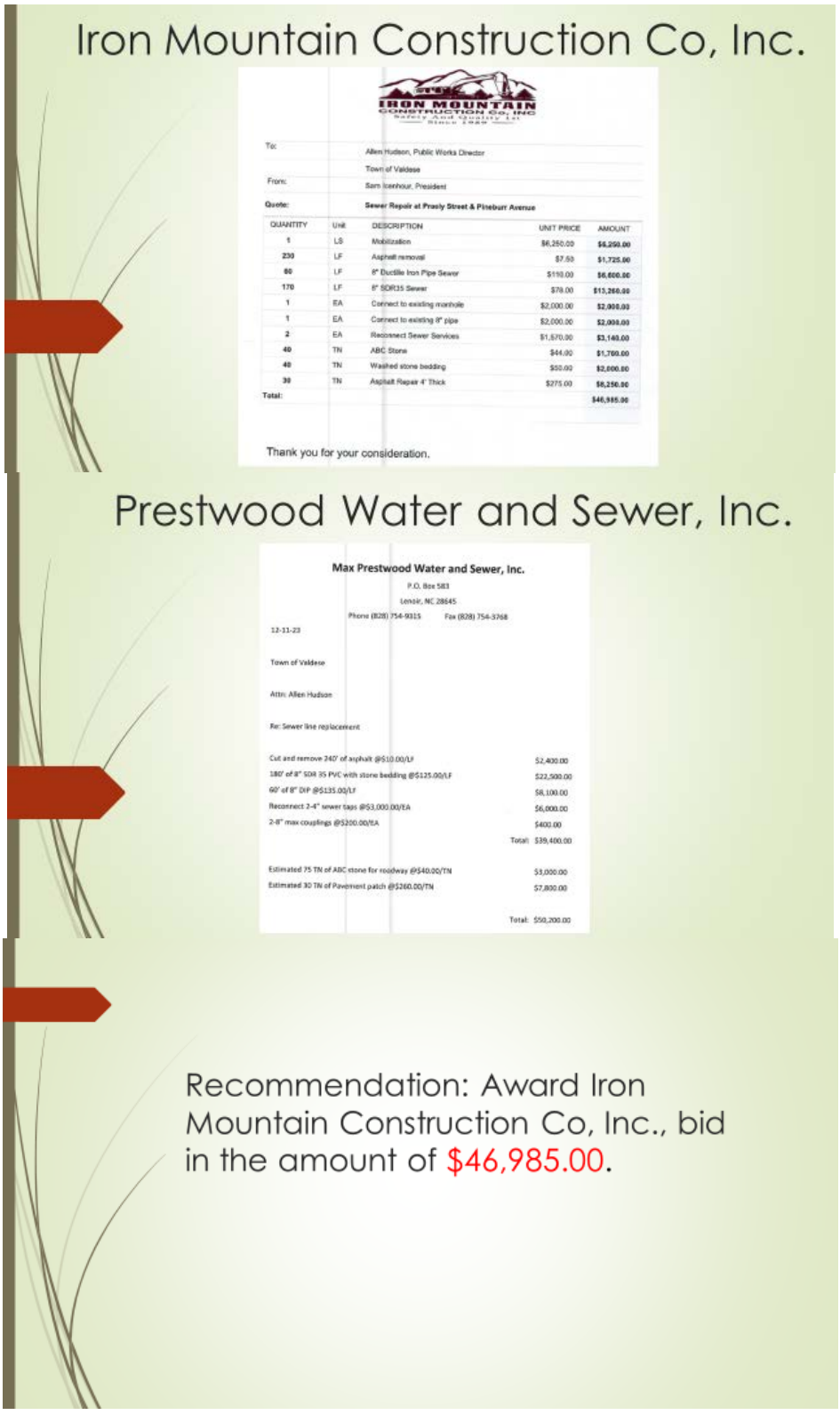
Mayor Watts asked for a motion to approve the Resolution of the Town of Valdese amending the Valdese Town Council Rule 4 of the Rules of Procedure. Councilman Harvey made a motion, seconded by Councilwoman Ward.

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

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

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





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

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

Valdese Town Council Meeting — Monday, January 8, 2024

Budget Amendment # 8-10

Subject: Pineburr Sewer Replacement

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

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

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

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

Amounts appropriated for expenditure are hereby amended as follows:

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

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

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

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

Valdese Town Council Meeting — Monday, December 18, 2023

Budget Amendment # 6-10

Subject: Board of Elections fees

Description: This amendment covers the unexpected fees charged by the County Board of Elections. In years past the average cost for an election year was $1,500-2,000. This is what is included in the budget. Due to a change in election cycles, Valdese now bears more of costs from the Board of Elections which was unknown to Valdese until billed.

Proposed Action:

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

Section I:

The following revenues available to the Town will be increased:

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

Amounts appropriated for expenditure are hereby amended as follows:

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

Section II:

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

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

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

Valdese Town Council Meeting — Monday, January 8, 2024

Budget Amendment # 9-10

Subject: Contract with Interim Manager

Description: This amendment covers the salary and taxes for the Interim Manager

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

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

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

Amounts appropriated for expenditure are hereby amended as follows:

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

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

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

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

Valdese Town Council Meeting — Monday, January 8, 2024

Budget Amendment # 10-10

Subject: Cameras with streaming equipment

Description: This amendment covers the materials and labor to install cameras in the Council Chambers for streaming meetings in real- time to YouTube

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

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

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

Amounts appropriated for expenditure are hereby amended as follows:

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

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

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

Mayor Watts introduced Interim Town Manager Bryan Steen.

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

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

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

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

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

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

VALDESE PATH TO TRANSPARENCY IN GOVERNANCE – LET THE CITIZENS DECIDE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

THE TOWN OF VALDESE,

a North Carolina Municipal Corporation

(SEAL)

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

January 8, 2024

VIA ELECTRONIC DELIVERY

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

ATTORNEY-CLIENT COMMUNICATION
RETAINER AGREEMENT ("Agreement")

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

Condition
This Agreement will not take effect, and We will have no obligation to provide legal services, until You return a signed copy of this Agreement to Co-Counsel.
Key Deliverables
Co-Counsel will provide legal representation in identifying and pursing Your potential claims for injuries and/or property damages arising out of the contamination of water supplies, wastewater treatment facilities, and/or solid waste facilities by emerging hazardous contaminants including, but not limited to, per- and polyfluoroalkyl and related substances (PFAS/PFOA), 1,4 Dioxane, and micro-plastics, including representation in connection with any claim made in the Aqueous Film-Forming Foams (AFFF) Products Liability Litigation MDL No. 2873 pending in the United States District Court, District of South Carolina ("Cases").
We have identified the key deliverables that we will provide to you in connection with the Cases:

a) Represent Your interests in pursuing a claim in the Cases and recovering the maximum amount of compensation You may be entitled to under the controlling law.

b) Represent Your interests in the litigation and pursuit of claim recovery, with Co-Counsel's respective responsibilities defined in the following subsections.

In consideration for these services, Client agrees to pay the contingency fee set forth in Section 5.A.
Additional Services
Your matter is complicated and it is difficult to predict how your claim eligibility and potential recovery may unfold. The Key Deliverables above do not include assisting You, by way of example, in any administrative or regulatory agency proceedings outside of the defined Cases. We are not agreeing to represent You in any other matter other than as set out in this agreement; any additional representation must be agreed to in writing.

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

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

Co-Counsel Fees

Contingency Fee

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

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

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

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

1. Milberg/NS Responsibilities. Milberg shall be responsible as lead litigation counsel, including entering any and all appearances in, and leading the prosecution of, any court proceedings as may be required to recover any claim for the Client. Milberg shall be responsible for communicating to CS all pertinent procedural, litigation and settlement updates concerning the Client's claim so that CS may be appropriately informed and globally advise the Client in its settlement considerations. The parties agree that all tactical decisions regarding litigation shall be determined by Milberg who will be lead counsel on all filings. NS shall assist Milberg in all aspects of the litigation.

2. CS Responsibilities. CS shall be responsible for advising the Client on legal strategy concerning its claim(s) in the Cases, claim valuation, and settlement valuation. This includes communicating with the Client's attorney and council / board about the Cases. CS shall further be responsible for liaising with Milberg and NS regarding litigation in order to give the foregoing advice to Client and advising the Client on all litigation developments pertinent to prosecuting or settling the Client's claim for the maximum recoverable value permitted under controlling law.

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

Costs

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

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

Statute of Limitations

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

Discharge and Withdrawal

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

Disclaimer of Guarantee and Negotiability

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

Effective Date, Severability and Subsequent Written Modifications

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

Document Retention Policy; Privacy of Information

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

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

Governing Law
The laws of the State of North Carolina shall govern this Agreement, without regard to North Carolina's choice of conflict of law provisions.
Co-Counsel Status
You acknowledge that Co-Counsel are neither partners nor joint venturers nor otherwise affiliated with one another, and that neither Co-Counsel firm guarantees any obligation of the other the firm and that Co-Counsel does not assume joint or several liability for the actions or omissions of the other firm.

* * * *

[SIGNATURE PAGE FOLLOWS]

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

Date: _____, 2023

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

By: _____
Charles Watts, Mayor

ATTEST: (SEAL)

_____
Jessica Lail, Town Clerk

Date: _____, 2023

CRANFILL SUMNER LLP

_____
By: F. Marshall Wall
Its: Managing Partner

Date: _____, 2023

MILBERG COLEMAN BRYSON PHILLIPS GROSSMAN, LLC

_____
By: Marc D. Grossman _____
Its: Senior Partner

Date: _____, 2023

Napoli Shkolnik, PLLC

_____
By: _____
Its: _____

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

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

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

_____ Town Clerk

_____ Mayor

jl

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

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

Absent: None

A quorum was present, but no action was planned.

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

There were approximately 67 people in attendance.

SWOT ANAYLSIS TOP PRIORITIES FROM STICKER PLACEMENT:

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

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

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

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

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

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

_____ _____

Town Clerk Mayor

jl

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

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

Absent: None

A quorum was present, but no action was planned.

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

There were approximately 47 people in attendance.

SWOT ANAYLSIS TOP PRIORITIES FROM STICKER PLACEMENT:

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

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

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

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

At 7:00 pm the public input session ended.

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

_____ _____
Town Clerk Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL PRE-AGENDA MEETING
JANUARY 29, 2024

The Town of Valdese Town Council met on Monday, January 29, 2024, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The Council meeting was live-streamed on YouTube @townofvaldese. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilman Glenn Harvey, and Councilman Paul Mears. Also present were: Interim Town Manager Bryan Steen, Town Attorney Tim Swanson, and various Department Heads.

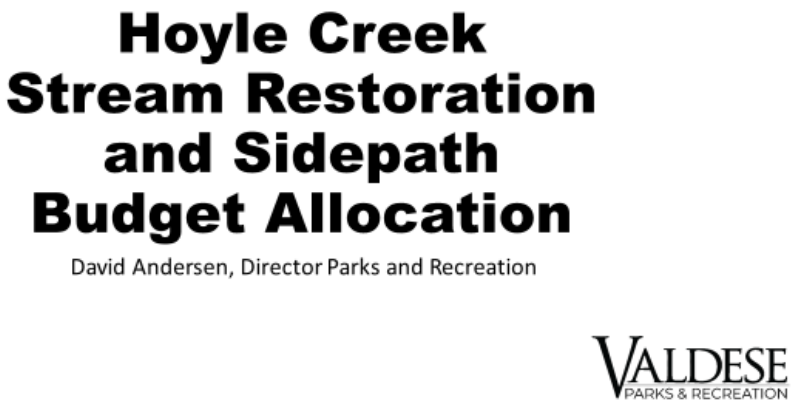
Absent: Town Clerk Jessica Lail

A quorum was present.

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

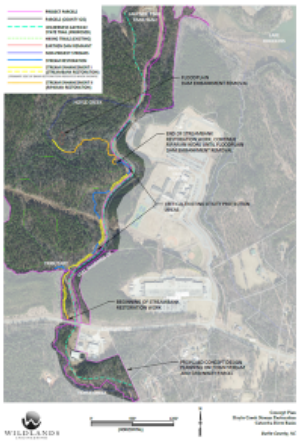
Mayor Watts said that we would be discussing the February 5, 2024 agenda and started under New Business.

PRESENTATION OF HOYLE CREEK RESTORATION: Parks and Recreation Director David Andersen shared that this presentation was presented to the Parks & Recreation Commission this past Monday. Mr. Andersen shared the following PowerPoint:



What are we talking about?

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



VALDESE PARKS & RECREATION

Why is this needed?

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



VALDESE PARKS & RECREATION

Piece of the Pedestrian Puzzle

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



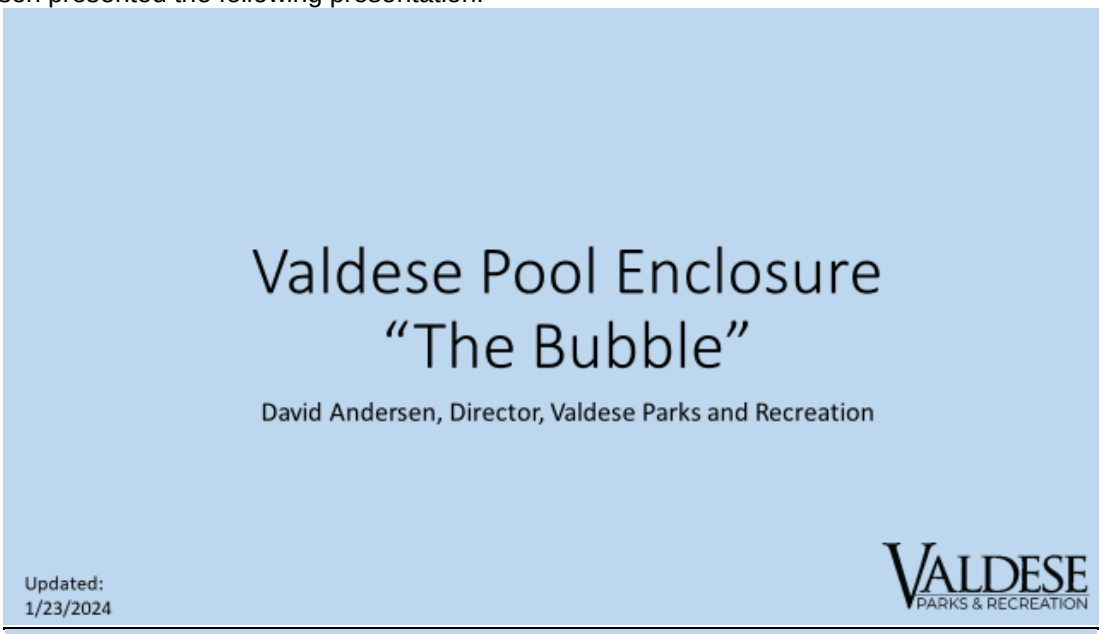
VALDESE PARKS & RECREATION

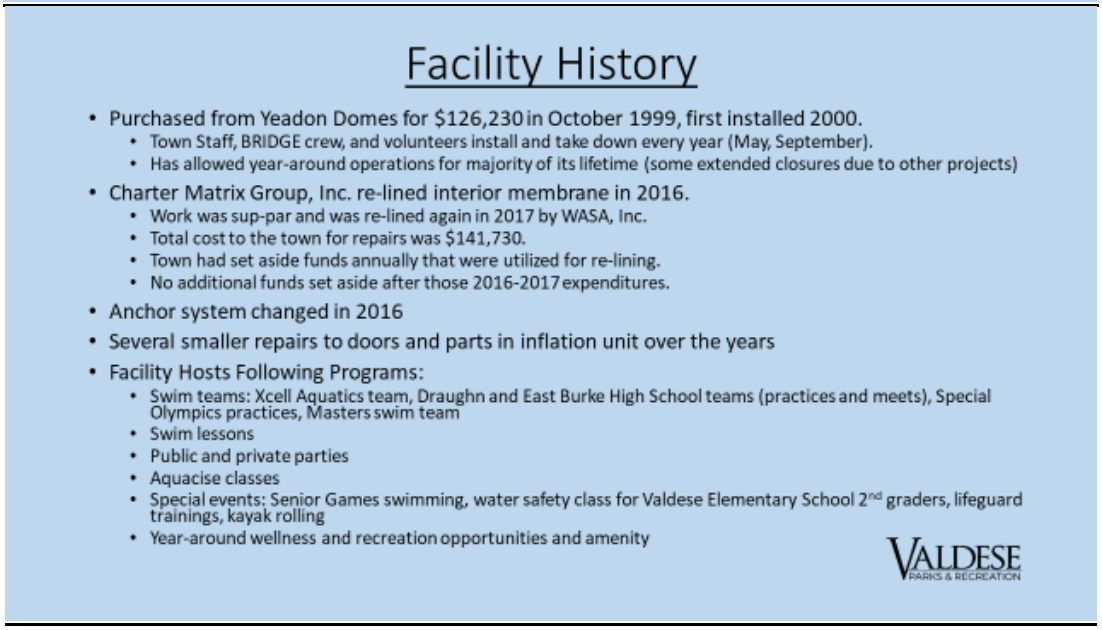
Councilman Mears asked if there would be additional parking added or if it was just a sidepath. Mr. Andersen answered that most of the cost would be for the stream restoration. Councilman Harvey asked how long the trail was and who owned the property. Mr. Andersen said it is approximately a mile long and

all property of the Town of Valdese. Mr. Andersen shared that Representative Hugh Blackwell supported this in the recent budget allocation.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON FEBRUARY 5, 2024, AT 6:00 P.M.

POOL ENCLOSURE DISCUSSION Parks and Recreation Director David Andersen shared that the following PowerPoint presentation is just for informational purposes. Mr. Andersen went over the history of the pool bubble, its setup and takedown, temporary solutions, and possible options for the future. Mr. Andersen presented the following presentation:





Facility History: Set Up/Take Down Process





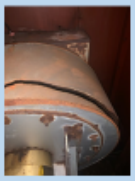


- Staff prep for several days ahead of install/removal to stage and check systems/anchors
- Recommend 35 people (Staff, BRIDGE crew, volunteers) to pull Bubble
- 10-12 people to anchor and remove items from pool and remove second cover
- Annual material/tool costs: forklift rental, rope, replacement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

VALDESE PARKS & RECREATION

Recent History

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

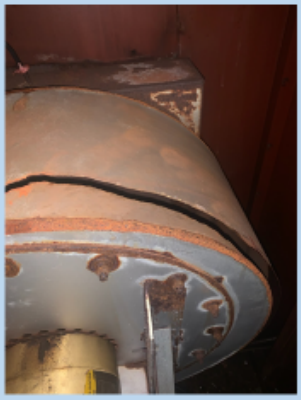




VALDESE PARKS & RECREATION

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

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

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



VALDESE PARKS & RECREATION

Temporary Solutions Being Attempted:

Anchors through Bubble Membrane at Inside Corner Tear

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

Rent Indirect Heating Unit and Duct in to Bubble

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

Repair Exhaust Blower

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

VALDESE PARKS & RECREATION

Summary of Points for Discussion

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

VALDESE PARKS & RECREATION

Possible Solutions – Replace Mechanical Cabinet

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

VALDESE PARKS & RECREATION

Possible Solutions – Direct Replacement

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

VALDESE PARKS & RECREATION

Possible Solutions – Retractable Permanent Structure

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



VALDESE PARKS & RECREATION

Possible Solutions – Fixed Permanent Structure

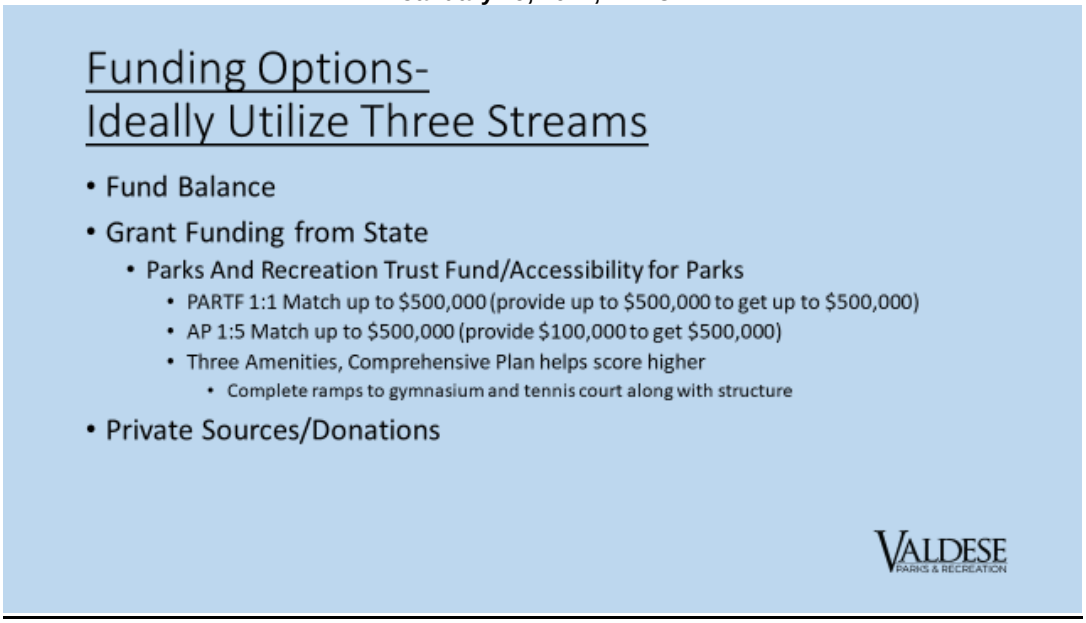
- Budget Cost: $37/sq.ft. - $60/sq. ft.
  - (For 12,300 sq.ft. before site prep: ~$455,000-$750,000)
- What's Included: Rigid Frame Structure with Heat and Fans for Summer, Doors/Side panels to open outside for ventilation and natural light
- Pros:
  - Lower annual operating costs
  - Ease maintaining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







VALDESE PARKS & RECREATION



Councilman Harvey asked several questions: When we knew the bubble would wear out, why was there no plan to replace it? Why did we spend $150,000 to replace a vent system to inflate and heat? How many citizens use the bubble? Do we need the full-size pool all winter long? What do our neighboring Towns do? We need data such as how many people use it and what it costs to heat and operate it. Are these our only options, and what impact will they have? Mr. Andersen shared that we have around 660 individual users that come in a month, but because we have had several interruptions with COVID, renovations, and now bubble issues, it is hard to capture accurate data. Councilman Harvey said he did not expect Mr. Andersen to answer all the questions tonight. Councilwoman Ward shared that she has had questions from citizens asking if the pool can be opened during the winter and what happens to their membership fees. Mr. Andersen said that the department offers extensions on memberships or credit towards renting one of the Parks & Rec facilities. Councilwoman Ward asked if we receive funds from the Burke County Public Schools or other entities that use it. Mr. Andersen said that Burke County Public School pays $2,000 annually for two groups. The private aquatics club pays rent, and all swimmers have a membership.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON FEBRUARY 5, 2024, AT 6:00 P.M.

PUBLIC SAFETY BUILDING Assistant Town Manager Bo Weichel requested guidance from the Council on how they want staff to proceed with the existing Public Safety Building. Mr. Weichel asked if they want staff to go with an RFQ process for shoring up the building, get a structural architect to look at it again, ask the structural engineer from the past to look at it again, or other options. Councilwoman Lowman asked if Mr. Steen had any recommendations. Mr. Steen thinks we need to evaluate where we are and how we want to do that. Mr. Steen feels we have a few options: get a new structural engineer or ask the previous one to look at it again. Councilman Harvey asked if we could have an RFQ for a complete evaluation and design of a renovation to repair the building. Mayor Watts thinks getting a new set of eyes on the building would be a good idea. Mr. Weichel went through the RFQ process. Councilman Harvey would like to have a committee put together to help advise staff and Council members.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON FEBRUARY 5, 2024, AT 6:00 P.M.

RECRUITMENT OF A TOWN MANAGER DISCUSSION Interim Town Manager Bryan Steen shared that he contacted a group out of Virginia, and they charge 28% of the position's salary. Mr. Steen talked to a group in North Carolina and said depending on the Council's level of involvement, they would be between $7,000 and $25,000. Mr. Steen said we still have the WPGOG in the $3,500 range. Mr. Steen shared that we can also post a job ad in different associations. Mr. Steen asked if the Council had a direction that he should pursue. Mr. Steen thinks it would be around July before we could get a manager hired if we start advertising in February. Councilwoman Lowman says utilizing the NCLM, ICMA, and the County Association/MPA would be a good start if we do not use the WPCOG. Councilman Harvey shared that

there are different levels of support in using search firms. Mr. Steen will send the Council a Town Manager job description to review.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON FEBRUARY 5, 2024, AT 6:00 P.M.

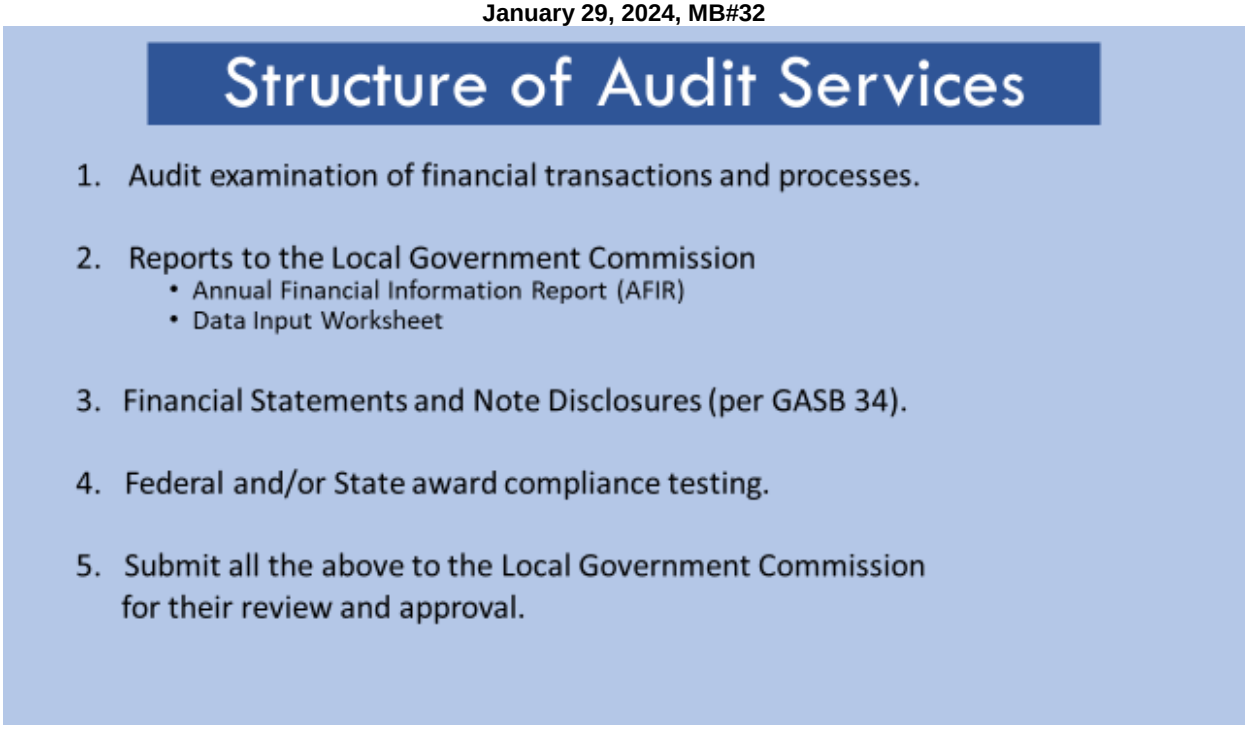
POTENTIAL VALDESE TOWN CHARTER AMENDMENT FOR FUTURE CONSIDERATION BY CITIZENS Councilman Harvey shared this for citizens to consider for the future. Councilman Harvey shared that the other people who represent us, like the US House of Representatives, have a two-year term, and in the State of NC, we have two legislative bodies that have two-year terms. Councilman Harvey noted that the Mayor in the Town of Valdese used to be a two-year term but was changed in the year 2000. Councilman Harvey said there was a Town in Rolesville NC with all the Council members and the Mayor on two-year terms. Councilman Harvey shared that this came to light during this campaign season when the entire Council was campaigning, as well as some of the staff, and it may have some advantage by having the entire Council run for office every two years. Councilman Harvey said we could put that out to the citizens in the next strategic planning when we do it again.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON FEBRUARY 5, 2024, AT 6:00 P.M.

CONSIDERATION OF APPROVAL OF CONTRACT FOR OLD ROCK SCHOOL RENOVATIONS Community Affairs Director Morrissa Angi gave the Council an update on the project. Ms. Angi shared that on December 14, 2023, we hosted a pre-bid meeting with four construction firms (Gibson, Beam, Houck, Moss-Marlowe). They toured the Old Rock School and went through the outline of the construction portion. Ms. Angi had the pre-bid meeting on January 23, 2024, and two construction firms, Gibson and Houck, showed up to present bids. Ms. Angi noted that since only two firms were present, they could not open the bids. They had to be returned to contractors and then re-advertise the whole process again for a week. Ms. Angi shared that the second bid opening would be on January 30, 2024, at 2:00 pm, and if we only have two contractors at this meeting, the bids can be opened and presented at the February 5, 2024 Council meeting. Ms. Angi identified why the other contractors did not bid on the contract, Beam's lead project manager resigned, and Moss-Marlowe was not interested because the workload was too much for them at this time. Ms. Angi shared that Mark Sealy will present the bids and offer recommendations at the next council meeting. Assistant Town Manager/CFO Bo Weichel noted that legally, we have to accept the lowest bidder. However, the Architect will review those bids to ensure they meet all the specs and requirements.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON FEBRUARY 5, 2024, AT 6:00 P.M.

FY 24-25 AUDIT PROPOSALS AND APPROVAL OF FY 24-25 AUDIT CONTRACT Assistant Town Manager/CFO Bo Weichel shared that he went out for requests for proposals to Audit Firms. Mr. Weichel went over the structure of audit services:



Mr. Weichel completed a Request for Proposals (RFP) and did not get any responses, so he called several firms that the LGC recommended, and out of that, he only received three proposals. Mr. Weichel identified two that were similar in price. Mr. Weichel noted that one of them had a math error in her proposal, so he was concerned about that. Mr. Weichel recommends the current auditor, Lowdermilk Church & Co., in the amount of $56,340, which is over a three year span. Councilman Harvey asked what other Towns do the two lowest bidders audit. Mr. Weichel said that Misty Watson does Mitchell County and two other Towns. However, we would be her biggest Town. Lowdermilk Church & Co. does Burke County and other Towns that Mr. Weichel can share later as he could not remember off the top of his head.

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

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON FEBRUARY 5, 2024, AT 6:00 P.M.

CONSIDERATION OF APPROVING RESOLUTION FOR THE SALE OF TOWN-OWNED PROPERTY-FAT AVE. Assistant Town Manager/CFO Bo Weichel shared that the Town received an offer to purchase Town-owned property for $8,500. Mr. Weichel said this was on the agenda to authorize staff to start the upset bid process to sell it. Mr. Weichel noted that the buyer has given his deposit, so once the Council

approves the resolution, we will advertise for ten days to see if someone upsets the bid. If they do, we have to re-advertise with the higher bid. Councilman Ogle asked where the property was located. Planning Director Larry Johnson gave a background on the property that had code enforcement issues; the Town started a condemnation process in 2012 and was torn down in 2014. Mr. Johnson said the Town took a lean out in 2015 to get the money back in the amount of $10,000 but was unsuccessful. Mr. Johnson stated the property went into foreclosure, and the Town took procession over it in 2017. Mr. Johnson noted that the Town has been maintaining it all this time. Mr. Johnson would recommend going out for a bid, and the location is across from Children's Park up the hill at 118 Fat Ave. NE, Valdese.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON FEBRUARY 5, 2024, AT 6:00 P.M.

CONSIDERATION OF AMENDMENT OF THE VALDESE TOWN COUNCIL RULES 31 AND 32(A) OF THE RULES OF PROCEDURES AND AMENDING SECTION 2-1021 OF THE TOWN OF VALDESE CODE OF ORDINANCES Councilman Mears noted confusion at the January 8, 2024, Council meeting on this amendment, and it was not passed. Councilman Mears wanted to ensure that both the Council and the Mayor may nominate appointments to the committees and then the entire board elects.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON FEBRUARY 5, 2024, AT 6:00 P.M.

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

Bluegrass at the Rock presents: Darin & Brooke Aldridge, Saturday, February 10, 2024 at 7:30 p.m., at the Old Rock School

Next Agenda Review Council meeting is scheduled for Monday, February 26, 2024, 6:00 p.m., Council Chambers, Valdese Town Hall

Next Regular Council meeting is scheduled for Monday, March 4, 2024, 6:00 p.m., Council Chambers, Valdese Town Hall

MAYOR AND COUNCIL COMMENTS: Councilman Harvey thanked citizens for coming to the first Town of Valdese pre-agenda review a week in advance to view what would be on the February 5, 2024, agenda. Councilman Harvey encouraged citizens to talk to the Council this week if they had any questions or comments.

Councilman Mears thanked the Department Heads for the thorough presentations.

Councilwoman Lowman recommends everyone see *The Little Mermaid* by the Old Colony Players; it was fabulous.

ADJOURNMENT: At 7:30 p.m., there being no further business to come before Council, Councilman Harvey made a motion to adjourn, seconded by Councilman Mears.

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

Town Clerk

Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL REGULAR MEETING
FEBRUARY 5, 2024

The Town of Valdese Town Council met on Monday, February 5, 2024, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The Council meeting was live-streamed on YouTube @townofvaldese. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilman Glenn Harvey, and Councilman Paul Mears. Also present were: Interim Town Manager Bryan Steen, Town Attorney Tim Swanson, Town Clerk Jessica Lail, and various Department Heads.

Absent: None

A quorum was present.

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

OPEN FORUM/PUBLIC COMMENT:

GRETCHEN COSTNER - Ms. Costner shared with the Council and citizens the details of the 176th Waldensian Edict of Emancipation Event on Saturday, February 17, 2024, at 5:30 p.m., at the Old Rock School. Tickets are $15.00 for adults and $10.00 for children and can be purchased at the Museum or Old Rock School. Ms. Costner invited everyone to attend. Ms. Costner also noted that this is the 50th year of the Waldensian Museum and asked the Council to mark their calendars for September 21, 2024, for the official museum celebration.

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

P&R ADVISORY COMMITTEE – SCOTT COMPTON, 3247 HOLLY HILLS CIR., VALDESE: Mr. Compton provided his Public Comment to the Clerk: "Members of the Council, My name is Scott Compton. I am the acting President of the Town of Valdese Parks and Recreation Commission. As a reminder, we are a commission of 6 Valdese citizen volunteers accompanied by Council Representative, Gary Ogle. Our role is to advise and make recommendations to the Parks and Recreation Director as well as the Town Council, promote community awareness and understanding of, and appreciation for, the value of parks and recreation. I come before you with three recommendations discussed and voted upon unanimously at our most recent meeting on January 22nd.
Recommendation 1: We recommend that the town pursue a permanent structure to replace the aging Bubble. The structure does not necessarily need to be brick and mortar; rather the technology is there to construct a framework, aluminum structure with opening wall panels and architectural fabric. The UV-coated, fabric panels provide for the flexibility for both indoor/outdoor usage. As quoted in The Paper, we have the "best pool in Burke County". Year round usage is a unique selling point for the community, a valuable resource that is fully inclusive. It directly affects and serves all ages of Valdese citizens as a place for exercise and physical rehabilitation. Despite the upfront cost, a fixed, permanent structure will facilitate lower annual operating costs and chemical usage. During summer months, the removable panels will provide ventilation, natural light, and an uncovered deck space for those desiring sunlight. The commission strongly recommends the town council consider this option as a solution to our town's need for a year-round, swimming facility.
Recommendation 2: Any decision the town makes regarding the future of the pool facility is going to require careful consideration of financial impact. In order to make informed, measured, and responsible decisions,

our Commission recommends that we seek the completion of a new, 10-year comprehensive Parks and Recreation Master plan. Since 2003, the plans in place have provided the strategic framework for the greater good of the community. The most recent 10-year comprehensive plan expired in 2023. So, as of this evening, we are currently operating without a comprehensive plan in place. During the establishment of the most recent plan in 2013, we relied heavily on the public input of citizens. During development, a project team met with the Recreation Director and attended several meetings of the Commission. A town-wide survey was developed and utilized. Three focus group meetings were also conducted during this process. The input gained helped the project team to determine what facilities needed to be addressed and the priority for development or renovation. The estimated cost to initiate a new plan is around $20,000. There are two reasons why the implementation of a Comprehensive Plan in 2024 will be crucial; first, it allows an additional opportunity for citizen input. Secondly though, and most important, being able to provide evidence of citizen input is paramount in pursuing state parks and recreation grants over the next 10 years. Without a comprehensive plan in place, our efforts to secure these funds through grants will be severely hindered. Currently, the inclusion of a Comprehensive Master plan can be found in the budget proposal for fiscal year 2025. However, in order to leverage the grant writing capabilities needed for securing funds for pool improvements, we recommend that the town council consider moving forward immediately with the approval of funds needed to establish a new plan.
Finally, Recommendation 3: Our Commission recommends that the town accept the state funding of $2.2 million for the Hoyle Creek stream restoration and the concurrent creation of a side-path along the creek and Lake Rhodhiss Drive. The Commission has been briefed on the availability of these funds as well as to the needs of this area. Our recommendation is for the Town Council to accept the funding being provided by the state in order to assist with flooding mitigation and pedestrian safety. It is important to point out that there will be no town funds involved in this project, and long term maintenance costs can be offset by state funds as the side-path will be a part of the Wilderness Gateway State Trail. Thank you for your time and attention to our commission's 3 recommendations."

TOWN THING'S – RICK MCCLURD, 408 GARROU AVE, VALDESE: Mr. McClurd shared that there seems to be no oversight from the Town Manager to the Department Heads, and it needs to be fixed before we get the next Town Manager. Mr. McClurd said he could not find any long-term financial plans provided by the former and present Town Council, Mayors, Managers, and Accountants. Mr. McClurd noted that there must be at least a five-year plan that the Department Heads would develop to replace broken and new equipment. Mr. McClurd said that we need a good person who knows about construction, etc., when requesting grants and planning projects for the Town. Mr. McClurd said that Bill Poteat seems to think that asking questions about a project that is $500,000 over budget is a bad thing like Councilman Harvey did when he asked a question about it. Mr. McClurd shared that Councilman Harvey was the only person who asked why it was over budget. Mr. McClurd also noted that Allen VanNoppen said the WHO group tried to hide funds, and they did their due diligence to make sure they did everything correctly.

VACANT HOUSE – ANNETTE SKIDMORE, 312 BECKER AVE, VALDESE: Ms. Skidmore informed the Council of a vacant house at 321 Becker Ave in Valdese. Ms. Skidmore gave a background of the house from when it was purchased as a rental property in 1991. Ms. Skidmore shared that homeowners on either side of the house felt the need to build privacy fences. Ms. Skidmore said that the house has dwindled through the years, and it has been vacant for eight years, and she has not seen the property owner. Ms. Skidmore and her neighbors have worked with Town staff and Council over the years to ensure the lawn was maintained. Ms. Skidmore shared that the Burke County building inspector also looked at the house and said it could not be condemned. Ms. Skidmore shared that the owner has not paid their 2023 Town taxes and feels it is time for the owner to do something about their house. Ms. Skidmore hopes that the Council will address her concerns and the problem.

ROCK SCHOOL – KEVIN FARRIS, 225 MAIN ST E, VALDESE: Mr. Farris talked about our jewel in Valdese, the Old Rock School. Mr. Farris shared the history of attending the Old Rock School as a freshman and what fun he had there. Mr. Farris recently enjoyed watching The Little Mermaid, Jr. and saw joy in the people attending. Mr. Farris believes that the Old Rock School needs upgrading and wants the facility back up to speed so we do not miss opportunities for people to have a good time. Mr. Farris understands that the stadium seating was not in the contract proposal. Mr. Farris shared he is 1,000 times

for approving the contract and donated $1,000 towards the seats. Mr. Farris also encouraged others who enjoy the Old Rock School to give money.

POOL – KAREN LINKOUS, 301 SAINT GERMAIN AVE SE, VALDESE: Ms. Linkous urged the Council to decide on the pool situation soon so everyone can swim next season. Ms. Linkous expressed her appreciation for the leader of the Aquatic Center, David Andersen. Ms. Linkous feels that Mr. Andersen has the knowledge to guide the Council in making the best decision.

POOL – BECCA RAMSEY, 5415 JOHNSON BRIDGE RD, HICKORY: Ms. Ramsey shared that her son goes to East Burke High School and uses the pool for the swim team. Ms. Ramsey said swimming gives kids an outlet and feels it is essential. Ms. Ramsey also used the pool when homeschooled and remembers when the bubble first went up. Ms. Ramsey urges the Council to think about this decision.

POOL – HALEY OXENTINE, 758 ABEES GROVE CHURCH RD, VALDESE: Ms. Oxentine shared that she is the Lady's Swim Team Coach for East Burke High School. Ms. Oxentine shared the timeline of the different pool bubble challenges they have experienced with maintenance issues. Ms. Oxentine said that East Burke has used the Valdese Aquatic Center for over 20 years and has had a long-standing relationship. Ms. Oxentine said their practice times are from 3:30 pm – 5:00 pm each day of the swim season, but if they have to go somewhere else, it would likely be 7:30 pm – 9:00 pm, and they would have to bus the students due to it being farther. Ms. Oxentine also said it could cost them more money, possibly leading them to close the program.

POOL – JEAN-MARIE COLE, 705 BERTIS ST, VALDESE: Ms. Cole remembers when the pool bubble went up, and she and her granddaughter have used it. Ms. Cole said there is no point in rehashing the past and that the bubble cannot be fixed anymore. Ms. Cole asked the Council to find a solution to continue year-round swimming. Ms. Cole feels our pool is multi-generational and a very good quality-of-life program. Ms. Cole said this affects many people, not just Valdese citizens.

PUBLIC SAFETY – BROOKE HEAVNER, 207 FOREST DR, VALDESE: Mr. Heavner shared that we have been talking about the Public Safety Building for at least two years. Mr. Heavner said that at the last meeting, we did not spend time talking about it, and he feels that the employees deserve a better building. Mr. Heavner feels we need to get our priorities right and care for the people who care for us. Mr. Heavner is not against the pool, but it is not a priority right now; it is the Public Safety Building, Old Rock School, and then fix the pool when we can. Mr. Heavner said we need to refocus and prioritize.

POOL – JENNY HUDSON, 412 FAET ST NW, VALDESE: Ms. Hudson said that the Council has a priority to do both, Public Safety Building and Poll bubble; you do not get to prioritize. Ms. Hudson thanked the Council for the Strategic Planning meetings and hoped something good would come out of it. Ms. Hudson said that as she watched the January meeting, she took away the focus of questioning how we got there, why we did not do this, why we used this fund or that fund, and questioning the past. Ms. Hudson said you can spend a lot of time focusing on why you got there, or you can turn that effort into coming up with a good solution to fix a problem in front of you and move forward. Ms. Hudson encouraged the Council to change their focus. Ms. Hudson talked about Town leadership and shared that we have some phenomenal Town leaders with good people in place. Ms. Hudson identified the values that David Andersen brings to the table from leadership, mentorship, and aquatics perspectives. Ms. Hudson encouraged the Council to listen to what David had to say. Ms. Hudson said she wanted to stress this because she was disturbed by how Ms. Angi was questioned last month regarding the Rock School. Ms. Hudson said if we treat our Town employees like that…. (Ms. Hudson's 5 minutes ran out.)

CONSENT AGENDA: (enacted by one motion) Councilman Harvey requested to remove item 6 F, Ordinance Declaring Road Closures for the Town of Valdese 2024 Annual Events, from the consent agenda.

APPROVED REGULAR MEETING MINUTES OF JANUARY 8, 2024

APPROVED CLOSED SESSION MINUTES OF JANUARY 8, 2024

APPROVED STRATEGIC PLANNING SESSION MINUTES OF JANUARY 17, 2024

APPROVED STRATEGIC PLANNING SESSION MINUTES OF JANUARY 24, 2024

APPROVED MEETING MINUTES OF JANUARY 29, 2024

APPROVED ACCEPTANCE OF EASEMENT – JAUBERT AVE.

(the above space is left blank for recording purposes)

Excise Tax: $0.00
PREPARED BY/RETURN TO:
Timothy D. Swanson, Attorney
Young, Morphis, Bach & Taylor, LLP
Post Office Drawer 2428
Hickory, North Carolina 28603

STATE OF NORTH CAROLINA

DEED OF EASEMENT
(Sewer/Water)

BURKE COUNTY

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

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

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

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

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

PERMANENT SEWER EASEMENT

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

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

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

PERMANENT WATERLINE EASEMENT

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

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

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

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

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

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

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

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

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

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

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

By: Dianne Brittain Mobley (Seal)
DIANNE BRITTAIN MOBLEY

STATE OF NORTH CAROLINA
COUNTY OF BURKE

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

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

LAURIE POWELL NOTARY PUBLIC BURKE COUNTY, NC

Laurie Powell
Notary Public

[AFFIX NOTARIAL SEAL]

My Commission Expires: 11/11/2024.

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

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

STATE OF NORTH CAROLINA
COUNTY OF BURKE

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

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

Laurie Powell
Notary Public

LAURIE POWELL NOTARY PUBLIC BURKE COUNTY, NC

[AFFIX NOTARIAL SEAL]

My Commission Expires: 11/11/2024.

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

By: William Micol Brittain (Seal)
WILLIAM MICOL BRITTAIN

STATE OF NORTH CAROLINA
COUNTY OF BURKE

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

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

Laurie Powell
Notary Public

[AFFIX NOTARIAL SEAL]

My Commission Expires: 11/11/2024.

ACCEPTANCE

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

THE TOWN OF VALDESE,
a North Carolina municipal corporation

By: _____ (Seal)
CHARLES WATTS, Mayor

Attest: _____
JESSICA LAIL, Town Clerk

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

_____
Attorney for the Town of Valdese

STATE OF NORTH CAROLINA
COUNTY OF _____

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

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

_____
Notary Public

[AFFIX NOTARIAL SEAL]

My Commission Expires: _____.

APPROVED APPOINTMENT OF ABC BOARD CHAIRMAN, INTERIM TOWN MANAGER BRYAN STEEN Interim Town Manager Bryan Steen was appointed to the Valdese ABC Board, filling the unexpired term of Seth Eckard. The term expires on April 1, 2026.

Councilman Mears made a motion to approve the aforementioned items on the Consent Agenda minus Item 6 F(Ordinance Declaring Road Closures for the Town of Valdese 2024 Annual Events), seconded by Councilman Harvey. The vote was unanimous.

End Consent Agenda

ITEMS REMOVED FROM CONSENT AGENDA: One item 6 F, Ordinance Declaring Road Closures for the Town of Valdese 2024 Annual Events

ORDINANCE DECLARING ROAD CLOSURES FOR THE TOWN OF VALDESE 2024 ANNUAL EVENTS
Councilman Harvey has heard Merchants talk about this for several years, and one that has a store that is affected by it has to shut down every year during these special events. Councilman Harvey believes this needs to be done but wants to make sure that the Police and Public Works Department talks with the Merchants that are impacted by it and gives us an assurance to approve it.

Councilman Harvey made a motion to schedule a special Council meeting on Thursday, February 15, 2024, at 6:00 pm, in the Council Chambers to complete anything that is left over from items 6 F (Ordinance Declaring Road Closures for the Town of Valdese 2024 Annual Events), 7 D (Recruitment of a Town Manager Discussion), 7 F (Consideration of Approval of Contract for Old Rock School Renovations), 7 H (Consideration of Approving Resolution for the Sale of Town-Owned Property – Fat Ave.), seconded by Councilman Ward.

Discussion: Councilman Harvey said we need to move forward with these items and discuss them tonight, but we need more time to get more information and finalize them. Councilwoman Lowman is concerned about the Old Rock School grant and that we may lose it. Councilwoman Ward wants to know exactly what the Old Rock School contract numbers are. Councilwoman Lowman said we already have a Strategic Planning session with WPCOG scheduled for February 15, 2024, at 6:00 pm. Mayor Watts asked if we could have the special called meeting on Friday, February 16, 2024, at 3:00 pm. Council members were good with that date.

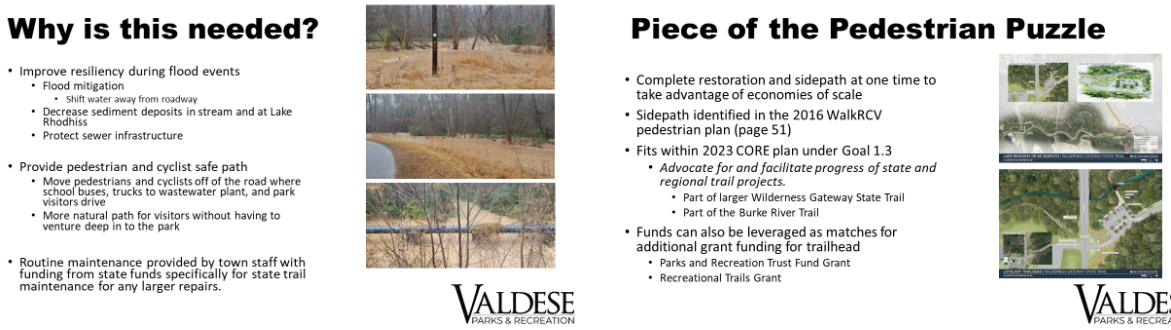
Vote: Councilman Harvey – Yes, Councilman Ogle – Yes, Councilwoman Ward – Yes, Councilwoman Lowman – No, Councilman Mears – No. The motion was approved.

Mayor Watts announced the motion carried, and the special meeting would be on Friday, February 16, 2024, at 3:00 pm, in the Council Chambers.

PRESENTATION OF HOYLE CREEK RESTORATION: Parks & Recreation Director David Andersen shared that this is State allocated funds for the Hoyle Creek stream restoration and sidepath, and no Town of Valdese funds are required for this project. Mr. Andersen said this was needed to help with the flooding problem along Hoyle Creek, decrease stream sediment deposits, and improve pedestrian safety. Mr. Andersen shared that this would be a part of the Wilderness Gateway State Trail so that we would be eligible for maintenance funding from the State for any large maintenance problems. Mr. Andersen reminded Council that the 2016 WalkRCV pedestrian plan identified the sidepath.

Councilman Harvey asked how this came about. Mr. Andersen shared that this was part of a discussion with the Town, with Representative Blackwell, Catawba River Keeper, and other individuals to see reduced flooding along the way. Councilman Harvey asked what the process was for getting started. Mr. Andersen said it would begin with an RFQ, and then we would go from there on selecting qualified individuals/firms. Councilman Mears asked what the next step would be. Mr. Andersen said the next step would be for the Council to accept the funding from the State.





Councilman Mears made a motion to accept the funding, 2.2 million to create this pedestrian sidepath and Hoyle Creek restoration project, seconded by Councilwoman Lowman. The vote was unanimous.

Councilwoman Lowman thanked Representative Hugh Blackwell for helping with getting these funds.

POOL ENCLOSURE DISCUSSION Parks & Recreation Director David Andersen feels that the bubble needs to be removed from the pool for the remainder of this year and seek some additional forms of deck heat. Mr. Andersen said that he and his staff would do what they need to do to heat the water appropriately. Mr. Andersen believes we can retrieve some scrape metal from the bubble to assist with costs. Mr. Andersen would also like to move forward with a solution. Mr. Andersen has received questions on what other pools are used. Mr. Andersen shared that the City of Hickory uses the YMCA, City of Morganton utilizes Mountain View Aquatics Center(brick and mortar), and City of Lenoir uses Lenoir Aquatics & Fitness Center(brick and mortar). Both Morganton and Lenoir also have outdoor pools. Mr. Andersen said many patrons still want to be able to lay out in the sun and Mr. Andersen does not see a brick and mortar as a practical solution for us with both cost and what our patrons want. Mr. Andersen said that we have 660 average swimmers that utilize the space in the wintertime and it is hard to track who lives in the city limits and who does not. Councilwoman Lowman asked what kind of timeline we are looking at in these proposals. Mr. Andersen said one contractor would not give a time frame until the design and engineering work was completed and the other said once they get the site work prep completed they could have a structure completed in two weeks with the construction work prep being a month. Councilman Mears asked if the Park Master Plan that Scott Compton mention earlier would help us get grants. Mr. Andersen said absolutely. Councilwoman Lowman asked how long that would take and Mr. Andersen said we would have to discuss that with WPCOG. Councilman Harvey said that we have hard working employees and for the last two months, Ms. Angi and Mr. Andersen were the hardest working because they have been pursuing their passion and they are appreciated. Councilman Harvey would like the Parks and Recreation Commission to bring a recommendation to the Council during budget time on the best solution and pursue funding options. Councilwoman Lowman asked if we wait until budget time, would we have time to get this completed by winter. Mr. Andersen feels it would be difficult to pursue funding through grants. Interim Town Manager Bryan Steen recommended Mr. Andersen coming back at our next meeting with recommendation from the Parks & Rec Commission with potential cost estimates and any work that can be done between now to July 1, 2024.

Councilman Mears made a motion as originally presented by Scott Compton with Parks & Rec Commission that we fund a new 10-year Park Master Plan that has expired, in the amount of $25,000 from the unassigned fund balance, seconded by Councilwoman Lowman.

Discussion: Councilman Harvey asked who would do the Master Plan. Councilman Ogle shared that at the last Parks & Rec Commission meeting they requested that we provide $20,000 in the Recreation budget to do this Master Plan and Councilman Ogle feels it needs to be done again. Councilwoman Ward asked if we could defer this motion to the February 16 meeting so that we have all the information and what it covers. Councilman Harvey asked if we start this would it help give us funding for grants. Councilman Mears said yes, you get certain points to have an updated Master Plan, which would move us up in ranking to secure grants. Councilman Harvey noted that this cost more than what the WPCOG did for the Town's strategic planning.

Vote: Councilman Mears – Yes, Councilwoman Lowman – Yes, Councilman Harvey – No, Councilman Ogle – No, Councilwoman Ward – No, Motion failed.

ADDED TO THE FEBRUARY 16, 2024, SPECIAL MEETING – CONSIDERATION OF UPDATED PARK MASTER PLAN Councilwoman Ward made a motion to add to the special agenda Consideration of an updated park master plan, seconded by Councilman Harvey.

Discussion: Councilman Ogle would like to know how much it cost, what all is covered, and who is responsible for it, in writing.

Vote: Councilman Harvey – Yes, Councilman Ogle – Yes, Councilwoman Ward - Yes, Councilman Mears – No, Councilwoman Lowman – No, Motion carried.

PUBLIC SAFETY BUILDING Assistant Town Manager/CFO Bo Weichel shared that in the agenda packet was a RFQ for the existing public safety building to obtain an architect. Mr. Weichel said that we would have to have a committee to review the submittals from the architect firms and then we start the interview process. Councilman Harvey would like to include the Charlotte and Raleigh/Durham area in the search. Mr. Weichel shared we can post it in the State Procurement website that will reach across the State.

Councilman Harvey made a motion to authorize the RFQ process and to expand to the Charlotte and Raleigh/Durham area, seconded by Councilwoman Ward. The vote was unanimous.

TABLED TO FEBRUARY 16, 2024, SPECIAL MEETING - RECRUITMENT OF A TOWN MANAGER DISCUSSION Interim Town Manager Bryan Steen asked that the Council direct staff in what way we should go with the Town Manager search. Councilman Harvey shared the Mr. Steen asked him to help track down executive search firms and he has received two proposals and is expecting two more to present on the February 16, 2024 special meeting.

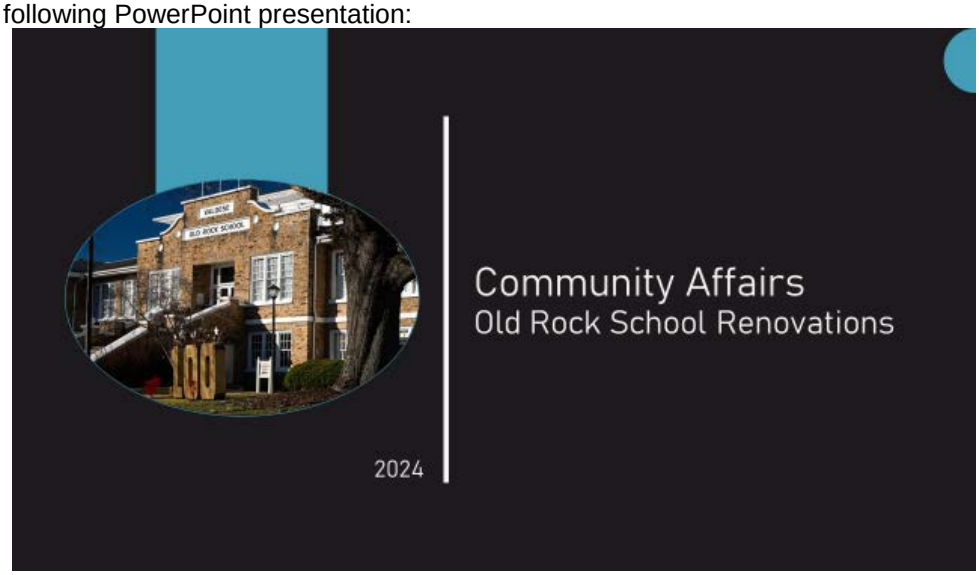
ADDED TO THE FEBRUARY 16, 2024, SPECIAL MEETING – ORDINANCE DECLARING ROAD CLOSURES FOR THE TOWN OF VALDESE 2024 ANNUAL EVENTS Town Attorney Tim Swanson stated that we still have Consent Agenda Item 6 F Ordinance Declaring Road Closures for the Town of Valdese 2024 Annual Events hanging that we need to address.

Councilman Harvey made a motion to post pone item 6 F Ordinance Declaring Road Closures for the Town of Valdese 2024 Annual Events to the March 4, 2024, Council meeting so that the Main Street Committee can meet and talk about it. Mr. Swanson said that this item would appear on the Special Meeting agenda for February 16, 2024, but you could postpone it then. Councilwoman Ward seconded the motion.
Councilman Mears agrees that we do need to talk to the business owners because some of the road closures have affected them.

Vote: The vote was unanimous.

POTENTIAL VALDESE TOWN CHARTER AMENDMENT FOR FUTURE CONSIDERATION BY CITIZENS Councilman Harvey shared that he commented on this before and it is in the minutes and this is something we would look at farther down the road.

TABLED TO FEBRUARY 16, 2024, SPECIAL MEETING - CONSIDERATION OF APPROVAL OF CONTRACT FOR OLD ROCK SCHOOL RENOVATIONS Community Affairs Director Morrissa Angi shared the following PowerPoint presentation:







Contract with Houck Contracting, LLC
Old Rock School





Bid Tabulation Sheets & Sign In
Bid 1 = Gibson Custom Construction = $1,472,600
Bid 2 = Houck Contracting, LLC. = $1,226,660

3



Contract with Houck Contracting, LLC
Old Rock School

Rural Transformation Fund Grant (Construction)

Base Bid: $743,545	Lobby Janitor's Closet Concession Directors Office Corridor Front Lobby Restroom Expansion Doors-1 & 9 Third Floor Office Areas with HVAC	*Removed due to fire code compliance review, time constraints & cost*
Alternate 1: $266,915	Auditorium – Flooring, lighting Stage Lift West Side Restrooms Training & Community Rooms Rear Entry Doors 2,3,4	Base + 1 = $1,010,460
Alternate 1A: $151,225	Auditorium Seating *(Cost Underwritten by local donor)*	Base + 1 & 1A = $1,161,685
Alternate 2: $64,975—	Third Floor Restrooms	Base + All Alts = $1,226,660

*Removing the 3rd floor = $125,000-$150,000 savings

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Construction Timeline – March – July 2024



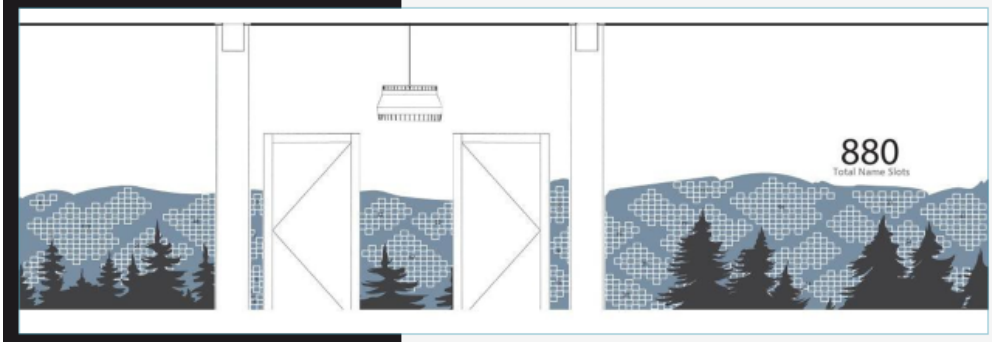
- Base Bid = $743,545
- Alternate 1 = $266,915
- Alternate 1A = $151,225
  (Seating underwritten by local donor)

(Alternate 2 = $64,975 omitted)

= Estimated Project Cost of $1,226,660

-$125,000 to $150,000 (3rd floor improvements)

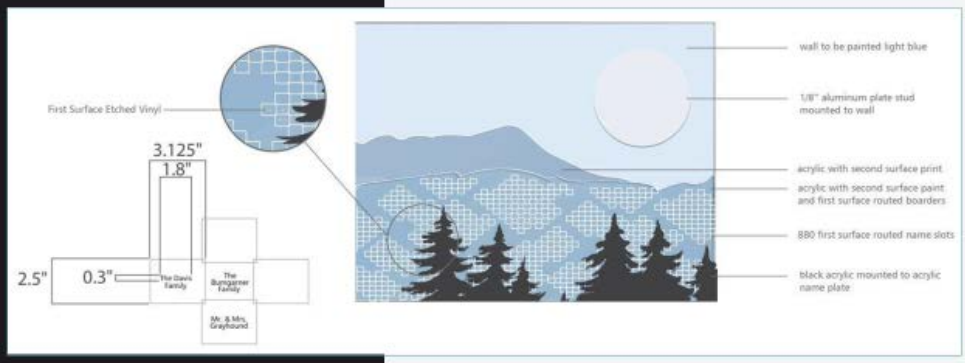
= $1,076,660 to $1,101,660 total



Fundraising Option #1
Old Rock School

Artwork will be acrylic and feature the mountains bordering Valdese to the south. The installation will showcase students, community members and organizations who have made contributions to the Old Rock School during its 100 years.

Front Lobby Donor Wall



Fundraising Option #1
Old Rock School

Front Lobby Donor Wall

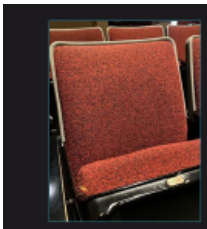
Donor Wall		Black Listing	Bold Listing	Gold Listing	Business Listing (Bold)
		$100	$125	$150	$200
880	100% Sold	$88,000	$110,000	$132,000	
440	50% Sold	$44,000	$55,000	$66,000	
220	25% Sold	$22,000	$27,500	$33,000	

Who?
- Over 50 years of students attended + teachers
- Over 125 Bluegrass at the Rock Season Ticket Holders
- Community Members – Organizations

Events to Promote Fundraising:
- Festival Meet & Greet
- Grand Re-Opening
- Online – Websites
- Press Releases
- Social Media "Class of" Groups

Fundraising Option #1
Old Rock School

Front Lobby Donor Wall






Auditorium Seating
Old Rock School

Currently = 433 fixed with 40 moveable = 473
Proposed = 449 fixed with option to add 30 moveable = 479

Pros:
- Larger Seat Size (Additional 2" per seat)
- Designated Handicap Seating Availability
- Seating has been underwritten by a local donor

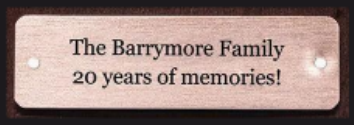
Cons:
- Cost – Grants Funds cannot be used for Seating
- Storing the old seats 5 months
- Labor Costs to remove twice if seating is replaced at a later date

Notes:
- Auditorium renovation will be complete with seating replacement
- Seats have been included in CA 10-year CIP

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Auditorium Seating

Seating Sponsorships		Center $200	Balcony $150	Wings $100
449	100% Sold	$89,800	$67,350	$44,900
224	50% Sold	$44,800	$33,600	$22,400
112	25% Sold	$22,400	$16,800	$11,200



Fundraising Option #2
Old Rock School

Seat Sponsorships will include sponsor's name on a gold plaque.

Estimated installation cost $3,000 - $3,500.

Options for Row Sponsorships for businesses

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Seat Sponsorships

Auditorium Rentals	*(Not including add ons)*	
Profit Weekend Rate = 4-6 hours		6-12 hours
Now	$600	$700
After Renovations	$800	$1,000

Classroom Rentals	*(Not including add ons)*	
6 Hours of use		With Aud. Rentals
Now	$60	$20
After Renovations	$75	$40

Ticket Sales for featuring National Bluegrass Musicians		
Bluegrass at the Rock Concert Series		
Sell Out Show	449 Seats	
Now	$30-$35	$13,470 - $15,715
After Renovations	$40-$45	$17,960 - $20,205
Season Revenue Now		$80,820 - $94,290
Season Revenue After Renovations		$107,760 - $121,230

- Revenue increases for Old Colony Players & other local groups who use the auditorium for productions
- Venue renovation will leverage higher ticket sales = higher caliber of entertainment the ORS can host
- With rentals additional fees will also increase (concessions, setup, tech, merchandise, etc.)
- Increased Tourism = Increased Sales Tax & Patronage to local businesses
- Keeps ORS competitive with other venues in the region
  - Ticket costs, entertainment caliber & rentals

Potential Revenue Increases
Old Rock School

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Seat Sponsorships



Statistics
Old Rock School

Old Rock School Annual Statistics Comparison

	2018	2019	2020	2021	2022	2023
Attendees	31,550	32,846	8,012	10,566	29,877	41,349
❖Events	424	425	184	321	303	358

16% growth from 2022 to 2023

Bluegrass at the Rock Statistics

October – April	2018-2019 6 Shows	2019-2020 6 Shows	2021-2022 7 Shows	2022-2023 6 Shows	2023-2024 5 Shows
Attendees	1555	1226	1969	1453	1309
Revenue	$22,609	$22,891	$46,257	$38,161	$35,998
❖of Season Ticket Holders	43	50	102	87	126
Increase		16%	104%	-14%	45%

23% growth in Season Ticket Holders from 2022 to 2024

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Renovations
Old Rock School

Appalachian Regional Commission	$60,000
+ Private Donation Match	$60,000
	$120,000

Equipment Upgrades
- Wi-Fi Upgrades
- Dressing Room/Classroom Space Cabinetry
- Tech Upgrades (5 Meeting Spaces)
- Sound Panels
- Furniture – Tables, Chairs, Lecterns
- Automatic Shades
- Smart TV's

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Construction Timeline – March – July 2024



Staff recommends the Town of Valdese enter into a contract with Houck Contracting, LLC. to include:

- Base Bid = $743,545
- Alternate 1 = $266, 915
- Alternate 1A = $151,225
  (Seating underwritten by local donor)

(Alternate 2 = $64,975 omitted)

= Estimated Project Cost of $1,226,660

-$125,000 to $150,000 (3rd floor improvements)

= $1,076,660 to $1,101,660 total

Ms. Angi shared that we should have the exact numbers from the contractor at the February 16, 2024 Special meeting. Councilman Mears asked if Ms. Angi was ready to make a recommendation tonight on what Council should do. Ms. Angi said that if you want an exact number, it should be tabled to February 16, 2024. Councilwoman Ward said it would be good to let the citizens see an exact number. Councilman Harvey stated that what Ms. Angi has presented is a model of how we should be doing things in this Town and thinks it is wonderful on how hard she has worked on this and this is in good shape. Councilman Mears asked Assistant Town Manager/CFO Bo Weichel if we had enough money in our unassigned fund balance to pull $150,000 for this. Mr. Weichel stated that last year we had a little over 5 million in the fund balance so we do have enough money.

FY 24-25 AUDIT PROPOSALS AND APPROVAL OF FY 24-25 AUDIT CONTRACT: Assistant Town Manager/CFO Bo Weichel said that out of the audit proposal that we received he recommends going with Lowdermilk Church & Co. and if Council gives direction to proceed with them, a contract will be presented at the March 4, 2024 regular meeting.

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

Councilman Harvey made a motion to enter into a contract with Lowdermilk Church & Co., seconded by Councilwoman Lowman. The vote was unanimous.

TABLED TO FEBRUARY 16, 2024, SPECIAL MEETING - CONSIDERATION OF APPROVING RESOLUTION FOR THE SALE OF TOWN-OWNED PROPERTY-FAT AVE.: Assistant Town Manager/CFO Bo Weichel presented the Resolution authorizing the upset bid process to start the sale of town-owned property. Councilman Harvey asked if there are any other properties that the Town owns that we are not using. Councilman Harvey wants to look at all the properties we have available that we are not fully using on February 16, 2024, and then decide if we want to put this one up for upset bidding. Councilman Harvey noted that the asset value of this is about double the offer.

RESOLUTION AUTHORIZING UPSET BID PROCESS

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

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

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

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

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

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

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

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

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

2. The Town Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the Property and the amount of the offer and shall state the terms under which the offer may be upset.

3. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the Town Clerk within ten (10) days after the notice of sale is published. At the conclusion of the 10-day period, the Town Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

4. If a qualifying higher bid is received, the Town Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Town Council.

5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first $1,000.00 of that offer and five percent (5%) of the remainder of that offer.

6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid. The deposit may be made by cashier's check or by certified check. The Town will return the deposit on any bid not accepted, and will return the deposit on an offer

subject to upset if a qualifying higher bid is received. The Town will return the deposit of the final high bidder at closing.

7. The terms of the final sale are that:

   (a) the Town Council must approve the final high offer before the sale is closed, which it will do within thirty (30) days after the final upset bid period has passed;
   (b) the buyer must pay the purchase price in certified funds at the time of closing;
   (c) the Property shall be sold "as is" and subject to all existing easements;
   (d) the Town will reserve easements for all town utility lines located on or under the Property; and
   (e) the Property shall be conveyed by special warranty deed.

8. The Town reserves the right to withdraw the Property from sale at any time before the final high bid is accepted and the right to reject all bids at any time.

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

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

APPROVED CONSIDERATION OF AMENDMENT OF THE VALDESE TOWN COUNCIL RULES 31 AND 32(A) OF THE RULES OF PROCEDURES AND AMENDING SECTION 2-1021 OF THE TOWN OF VALDESE CODE OF ORDINANCES: Councilman Mears noted that this has been tweaked several times and this would include the Mayor and Council to be able to nominate appointments to Boards, Commissions, and Committees.

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

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

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

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

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

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

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

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

Rule 31. Appointments.

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

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

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

Rule 32. Committees and Boards.

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

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

Section 2-1021 Committees generally.

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

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

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

6. The provisions of this Resolution shall become effective immediately upon adoption. THIS RESOLUTION IS ADOPTED this day of , 2024.

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

Councilman Mears made a motion to amendment of the Valdese Town Council Rules 31 and 32(a) of the Rules of Procedures and amending Section 2-1021 of the Town of Valdese Code of Ordinances, seconded by Councilwoman Lowman. The vote was unanimous.

ADDED TO THE FEBRUARY 16, 2024, SPECIAL MEETING
Councilman Harvey made a motion that we add, Consideration of Appointments to the Committees at the February 16, 2024, meeting, seconded by Councilman Mears. The vote was unanimous.

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

Council's Strategic Planning Session with WPCOG is scheduled for Thursday, February 15, 2024 at 6:00 p.m., at the Valdese Town Hall, Community Room.

Bluegrass at the Rock presents: Darin & Brooke Aldridge, Saturday, February 10, 2024 at 7:30 p.m., at the Old Rock School

Next Agenda Review Council meeting is scheduled for Monday, February 26, 2024, 6:00 p.m., Council Chambers, Valdese Town Hall

MAYOR AND COUNCIL COMMENTS: Mayor Watts shared that he forwarded Council members an application of someone that wanted to serve on the facilities committee. Mayor Watts asked if citizens want to serve on the three new committees, who do they contact for that. Councilman Harvey said they should notify the Mayor or any Council member if they would like to serve on the committees. Councilman Harvey shared that the facilities review board is the only one that requires qualifications; the other two are task forces.

Councilman Mears thanked the citizens for their attendance at the January 17 & 24, 2024, strategic plan public input meeting.

CLOSED SESSION: Mayor Watts called for a motion to recess into Closed Session pursuant to NC General Statute 143-318.11 (a) (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee. At 8:33 p.m., Councilwoman Lowman made a motion, seconded by Councilman Mears. The vote was unanimous.

At 8:46 p.m., Councilman Ogle made a motion to return to Open Session, seconded by Councilwoman Lowman. The vote was unanimous.

ADJOURNMENT: At 8:48 p.m., there being no further business to come before Council, Councilman Harvey made a motion to adjourn, seconded by Councilwoman Ward. The vote was unanimous.

The next meeting is a regularly scheduled meeting on Monday, March 4, 2024, 6:00 p.m., Valdese Town Hall.

Town Clerk

Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL STRATEGIC PLAN MEETING
THURSDAY, FEBRUARY 15, 2024, 6:00 P.M.

The Town of Valdese Town Council met on Thursday, February 15, 2024, at 6:00 p.m. for the Council strategic planning session, led by the WPCOG. Members of the Council met at the Old Rock School, Waldensian Room, 400 Main St. W, Valdese, North Carolina. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, and Councilman Glenn Harvey. Also present were Interim Town Manager Bryan Steen, Town Clerk Jessica Lail, WPCOG Executive Director Anthony W. Starr, WPCOG Director of Community & Regional Planning Alison Adams, and WPCOG Staff.

Absent: Councilwoman Heather Ward, Councilman Paul Mears

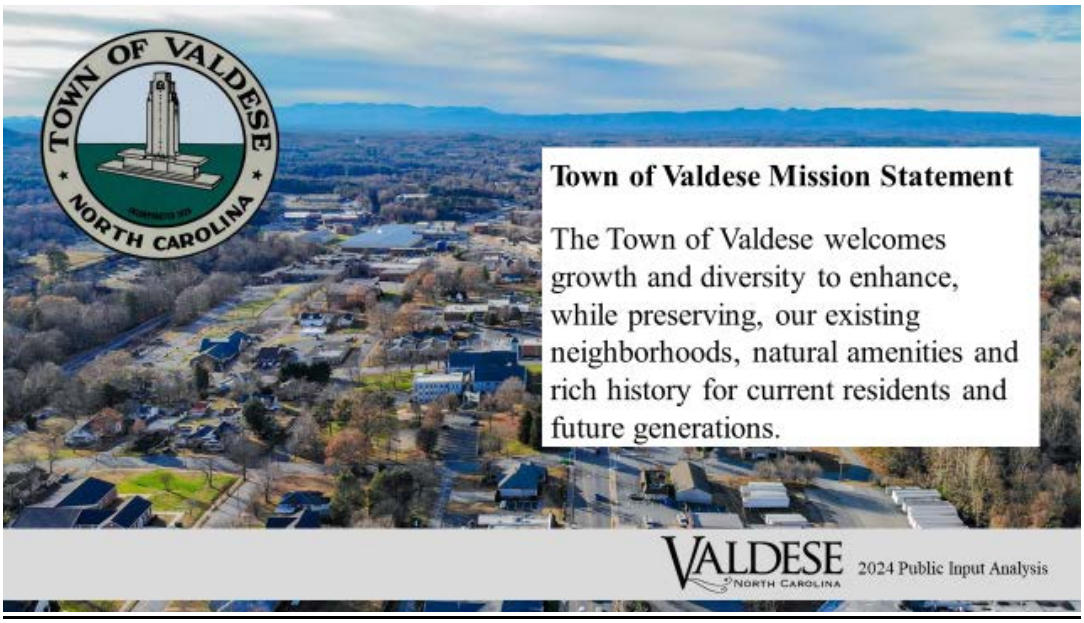
A quorum was present, but no action was planned.

At 6:00 p.m., Mayor Watts welcomed Council and thanked the WPCOG staff for all their hard work.

REVIEW OF PLANNING PROCESS AND GROUND RULES WPCOG Executive Director Anthony Starr went over the agenda for the night's meeting and the ground rules. Ground Rules: 1. Respect each other, 2. Only one person speaks at a time, 3. Listen for understanding, 4. Disagreement about issues is inevitable, attack the problem, not the person, 5. Speak for yourself and from your own experience, 6. Don't repeat the answers of others when listing ideas/issues, 7. Share "air time" as a group, keep comments as brief as possible, 8. Don't get offended if I cut you off, 9. Avoid distracting the group with side conversations, 10. Each person has equal say at this meeting, 11. Meeting time will be limited to about 8:40pm today for this planning session.

OVERVIEW OF PUBLIC INPUT RESULTS (INCLUDES RANKING EXERCISE)

A. WPCOG Community & Regional Planning Director Alison Adams provided the following presentation showing the results from the surveys and public input meetings:



PURPOSE

The Town of Valdese Council requested Western Piedmont Council of Governments (WPCOG) to perform a public input assessment to include - public forums, surveys, and data collection to obtain public input. The means of outreach included mailings, internet outreach, and group meetings to analyze the public's opinion of the strengths, weaknesses, opportunities, and threats (SWOT).

The Council finds the need to address public ideas and concerns as they move forward with a future action plan, fiscal year budget, and capital improvements.



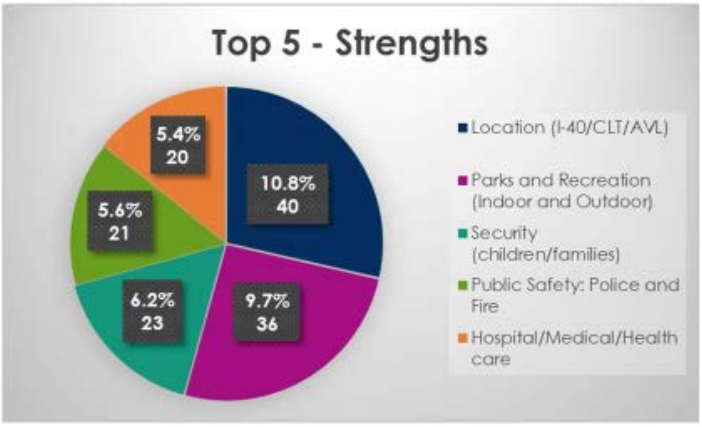


Public Input Meeting

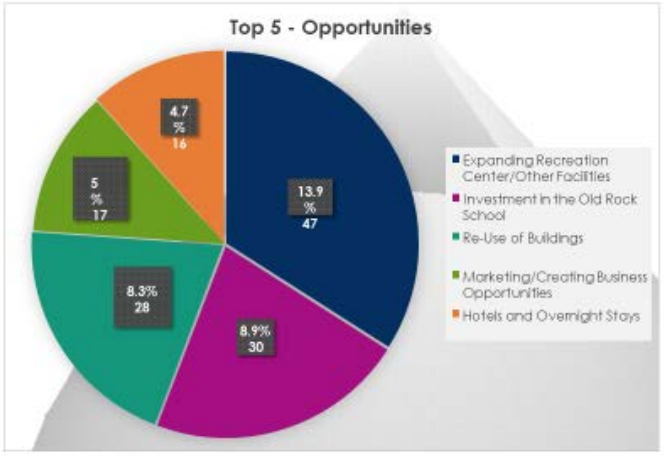
- Meetings held on January 17th and 24th at the Old Rock School.
- 90 people signed-in
- Participants participated in a SWOT (Strengths, Weaknesses, Opportunities and Threats) exercise.
- Participants were encouraged to fill out the public input survey either digitally or the one received in the mail.
- Each of the SWOT results were broken down by percent of votes within each category to identify common themes.



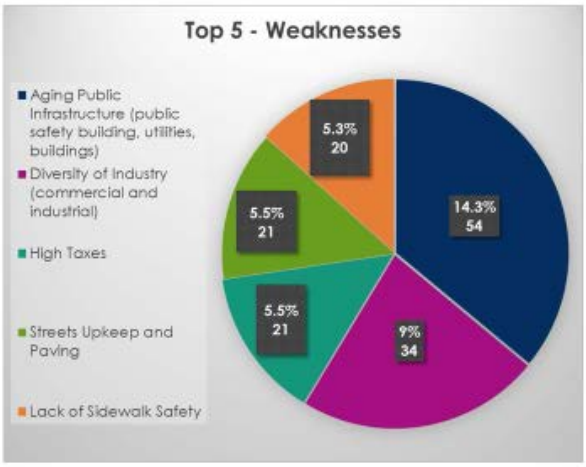

Public Input Meeting Results



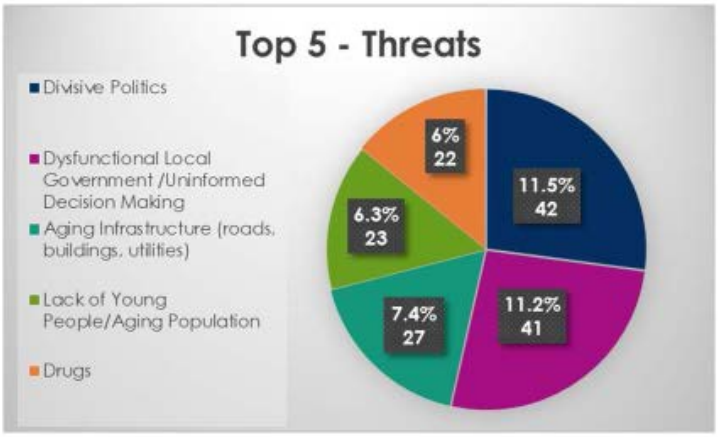
Public Input Meeting Results



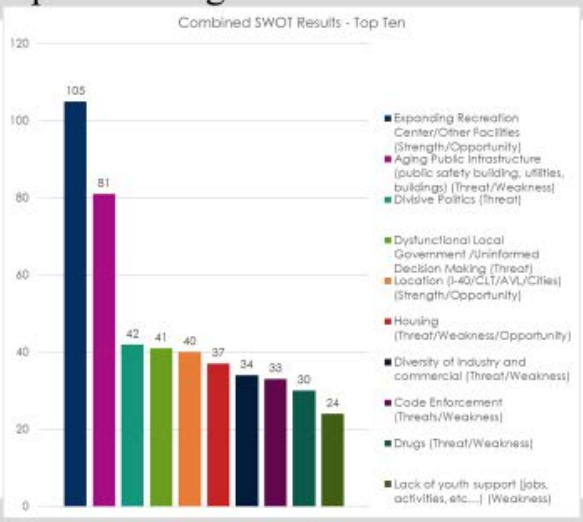
Public Input Meeting Results



Public Input Meeting Results



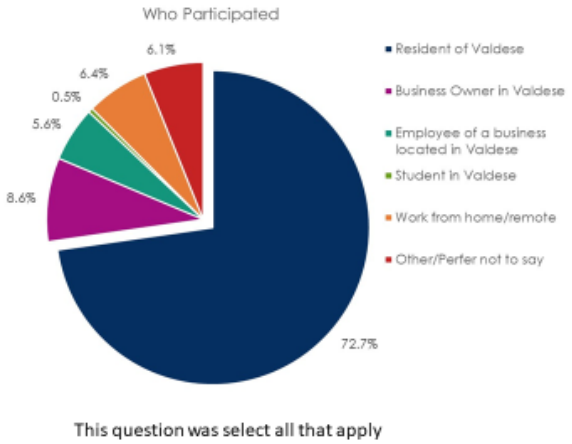
Public Input Meeting Results



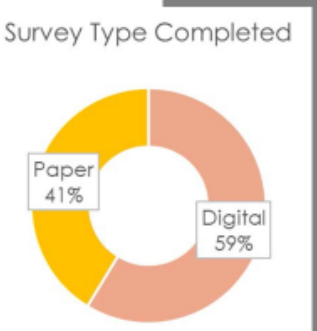
Public Input Survey Results

- Both a digital survey and a paper survey were administered to obtain feedback.
- 1,915 paper surveys were sent and 313 were received providing for a 16.3% response rate.
- Total of 218 digital surveys were completed. The total number of responses both digital and paper were 531.
- A total of 12 questions were asked of the participants – 9 rating scale questions and three open-ended questions.
- Results - comparisons from the paper to digital survey results were very similar. Top 3 to 4 responses were consistent between the two survey types.
- Analyzing the data – paired together the positives (excellent/good), the negatives (Fair/Poor), neutral and Don't know were analyzed individually.
- Written explanations were analyzed with AI technology to create a summarized consensus of the comments received.

Public Input Survey – Who Participated

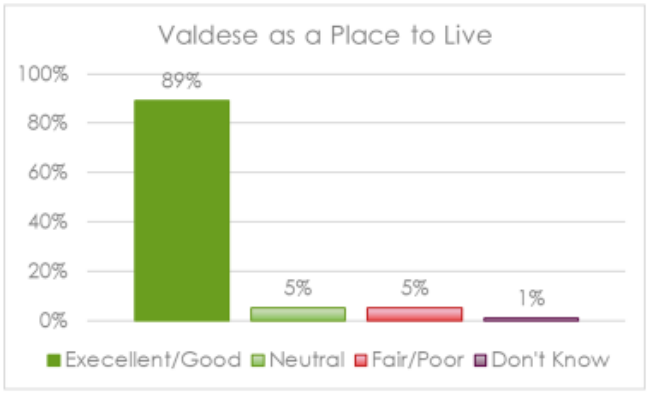


This question was select all that apply



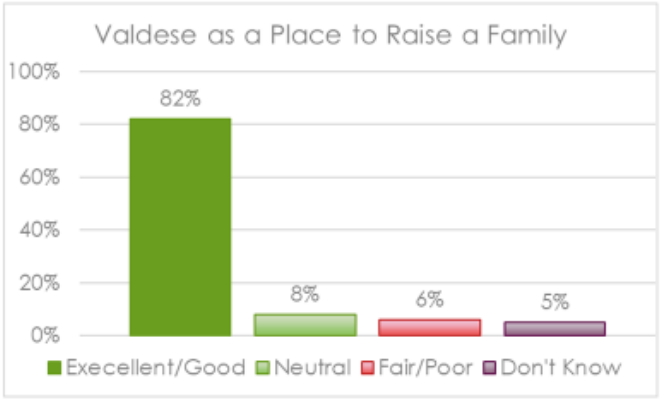
Public Input Survey – Question 1

How would you rate Valdese on the following?



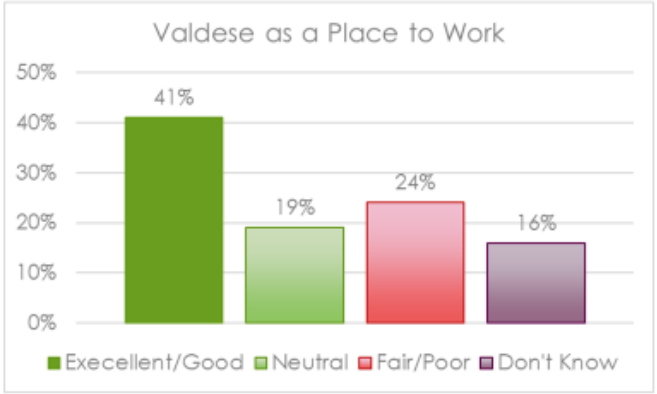
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Public Input Survey – Question 1

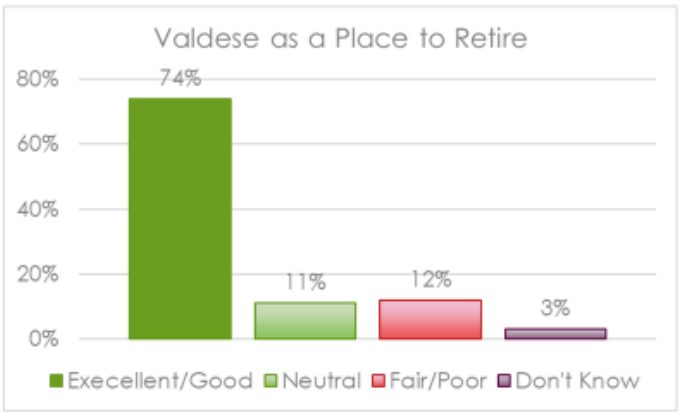
How would you rate Valdese on the following?



- Not all residence work or own a business in Valdese.
- Still a majority positive, but a higher distribution in fair/poor

Public Input Survey – Question 1

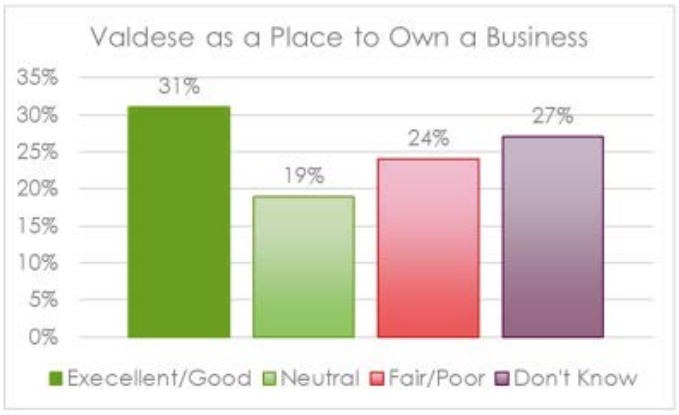
How would you rate Valdese on the following?



- 3% Don't know – imply majority of responses are retirees

Public Input Survey – Question 1

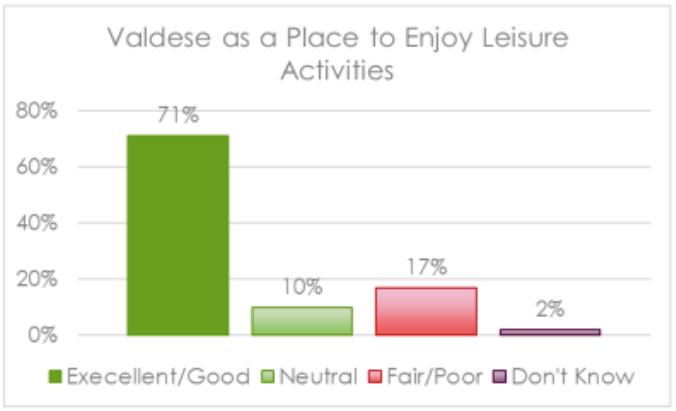
How would you rate Valdese on the following?



- Not all residence work or own a business in Valdese.
- Even distribution of answers.

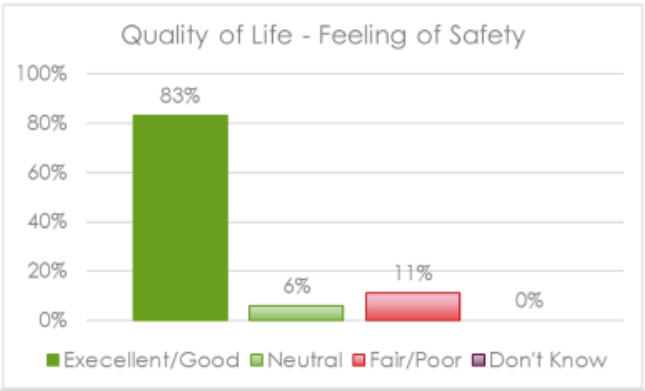
Public Input Survey – Question 1

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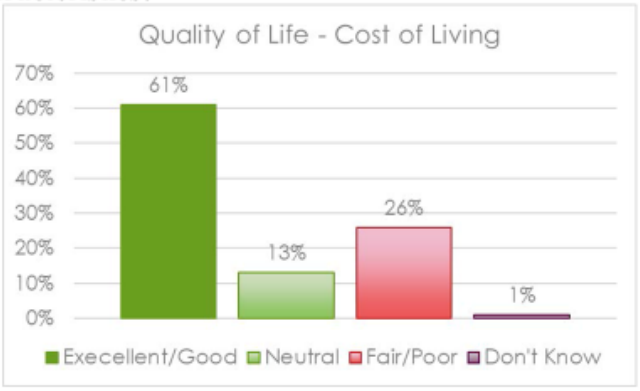
Public Input Survey – Question 2

How would you rate Valdese on the following Quality of Life Characteristics?



Public Input Survey – Question 2

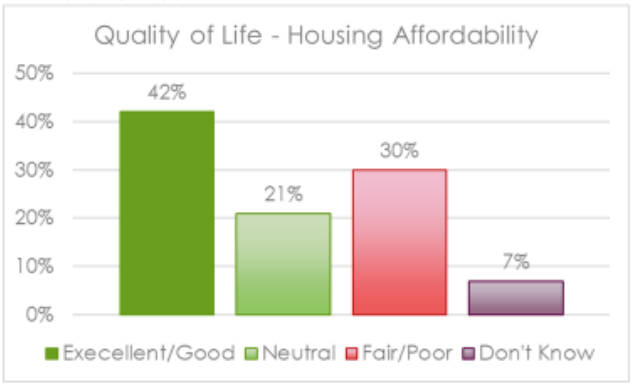
How would you rate Valdese on the following Quality of Life Characteristics?



- Indicates that some participants think cost of living is too high
- 74% are positive/neutral

Public Input Survey – Question 2

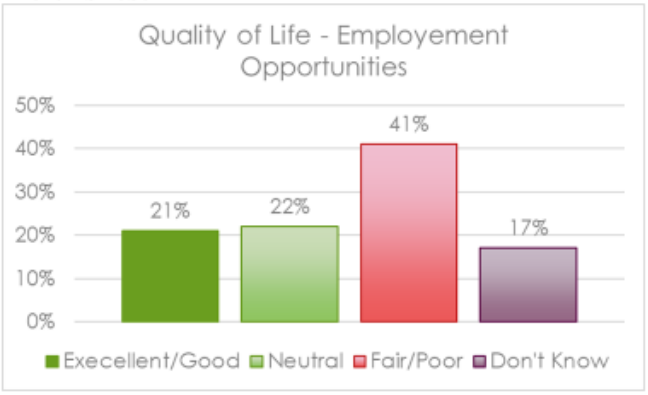
How would you rate Valdese on the following Quality of Life Characteristics?



- Indicates that some participants think housing is unaffordable; however, this is a nationwide issue and not Valdese specific
- 63% are Positive/Neutral

Public Input Survey – Question 2

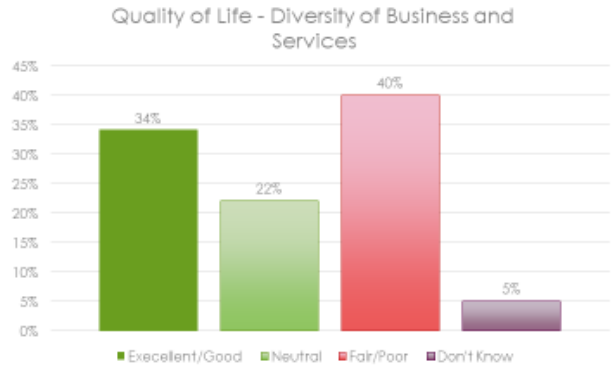
How would you rate Valdese on the following Quality of Life Characteristics?



- Indicates that participants can't find work in Town and are leaving to find a job.
- 17% - "Don't Know" are students, retirees and/or unemployed
- 43% Positive/Neutral and 41% Fair/Poor

Public Input Survey – Question 2

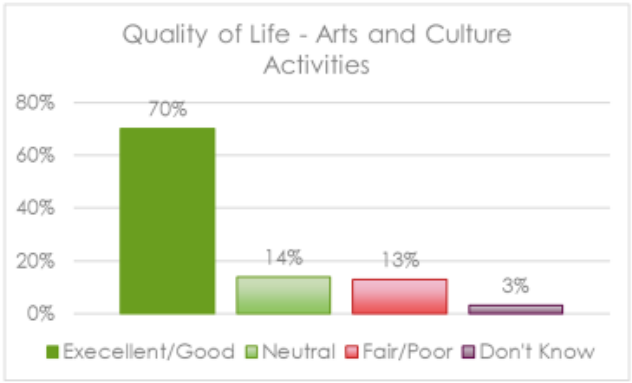
How would you rate Valdese on the following Quality of Life Characteristics?



- Indicates that participants are leaving town to spend money.
- Tax base and services are not diversified.
- 56% Positive/Neutral and 41% Fair/Poor

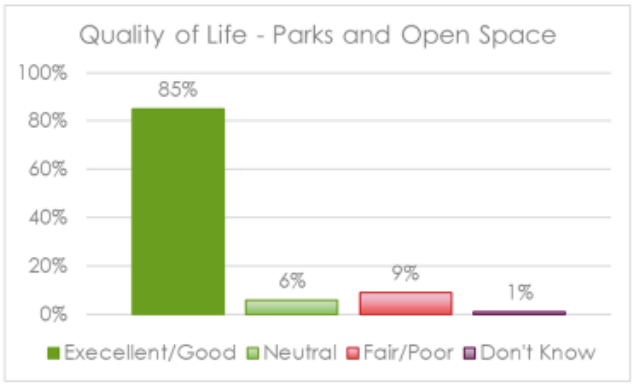
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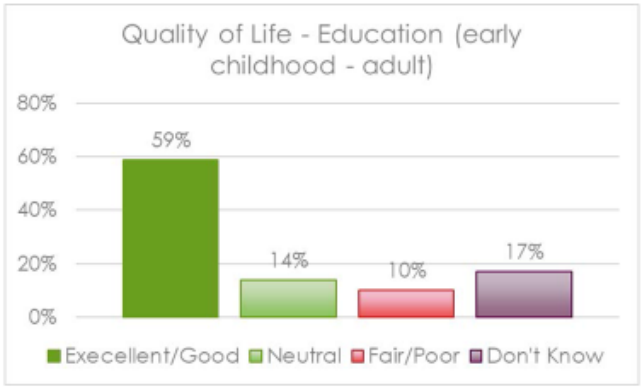
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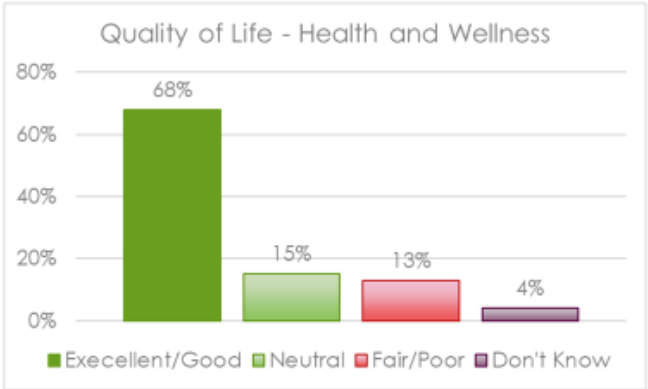
How would you rate Valdese on the following Quality of Life Characteristics?



- 17% Don't know – imply lack of families with children or retirees.

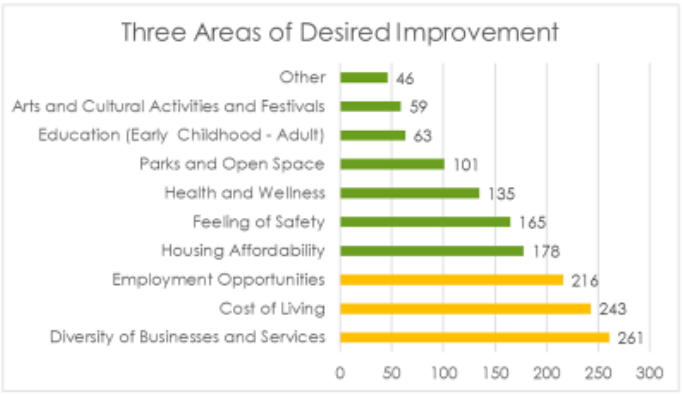
Public Input Survey – Question 2

How would you rate Valdese on the following Quality of Life Characteristics?



Public Input Survey – Question 3

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



Public Input Survey – Question 4

Briefly explain why you selected your three responses above:

Public Safety: A strong police presence is essential for community safety, yet there are concerns about the effectiveness of law enforcement and the dispatch system. Incidents the local criminal justice system's challenges for systemic improvements, to ensure safety and justice.

Health, Wellness, and Quality of Life: The lack of local health providers and the desire for more inclusive recreational and cultural activities point to significant gaps in wellness and quality of life. Community feedback emphasizes the importance of accessible health services, diverse, and inclusive activities for all residents.

Public Input Survey – Question 4

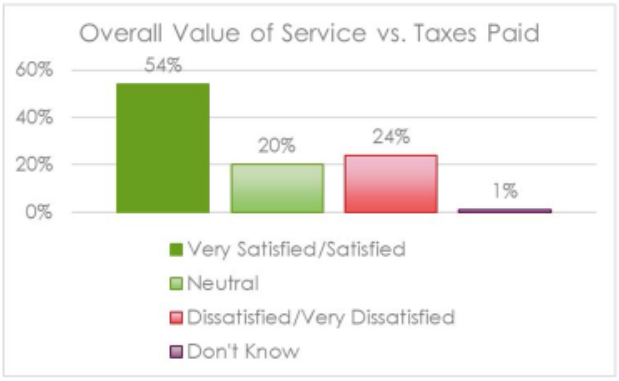
Briefly explain why you selected your three responses above (continued…)

- **Economic Development and Employment:** The community calls for new businesses to fill vacant buildings and create jobs, aiming for a diverse local economy that reduces dependency on adjacent towns. There's also a focus on holistic economic development, incorporating affordable housing and diverse retail options to support local needs.

- **Infrastructure and Services:** Rising taxes, housing costs, and the cost of living are major concerns. There's a call for more efficient emergency services and improvements in community facilities, reflecting a demand for better value from local services and a more sustainable living environment.

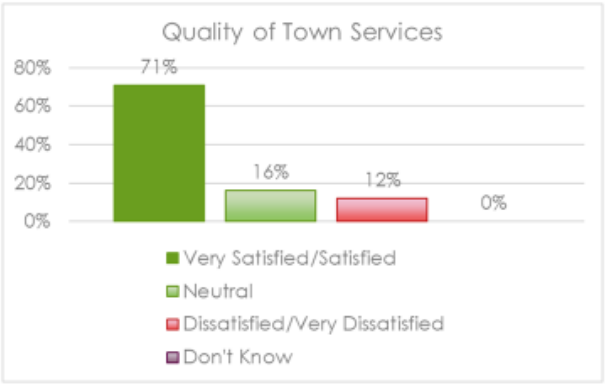
Public Input Survey – Question 5

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



Public Input Survey – Question 5

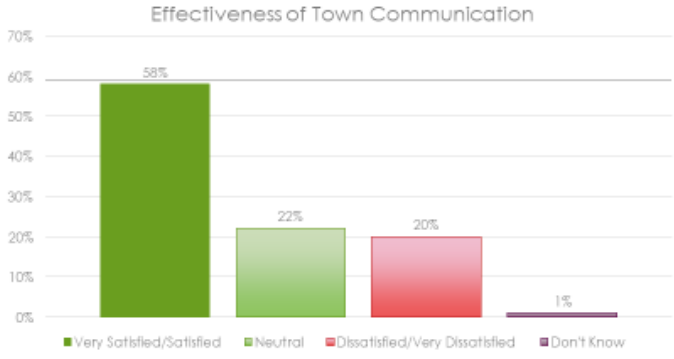
How would you rate your satisfaction on the following governance and engagement indicators?



- 71% of participants are satisfied.

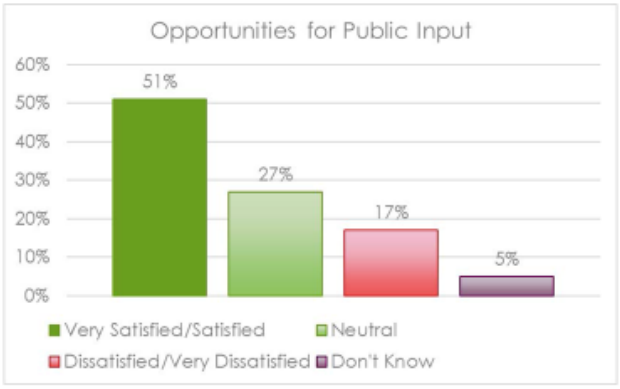
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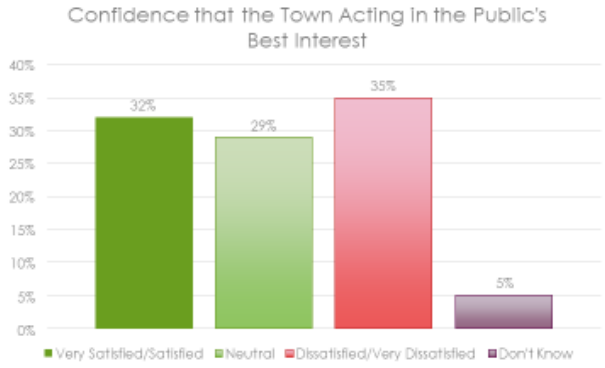
Public Input Survey – Question 5

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



Public Input Survey – Question 5

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



- 29% neutral – unsure of future of Valdese
- 32% are satisfied
- 35% are representative of divisive politics

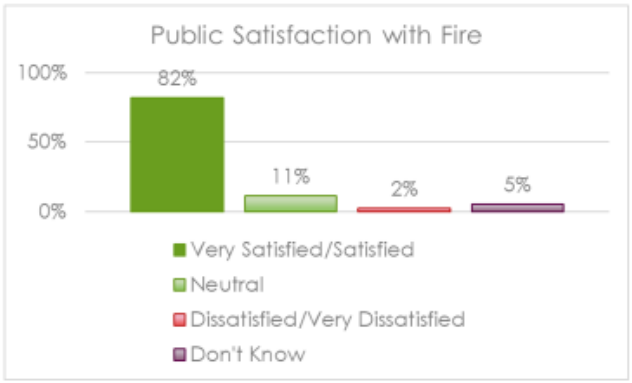
Public Input Survey – Question 6

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



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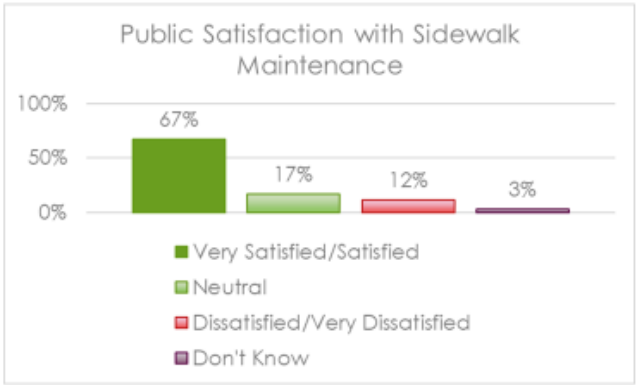
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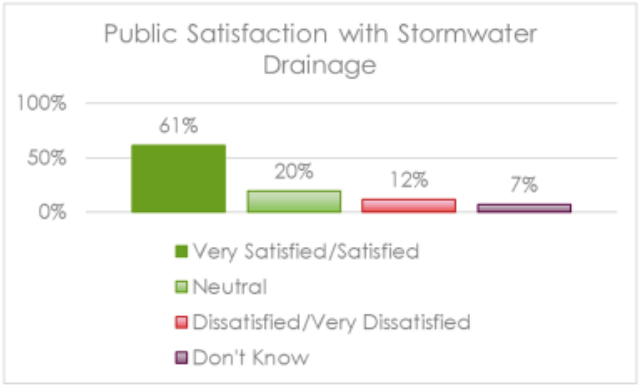
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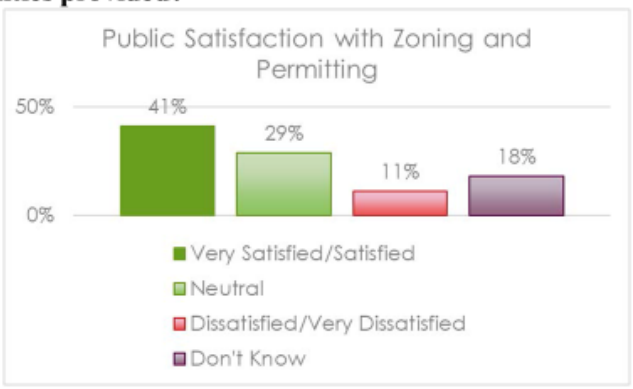
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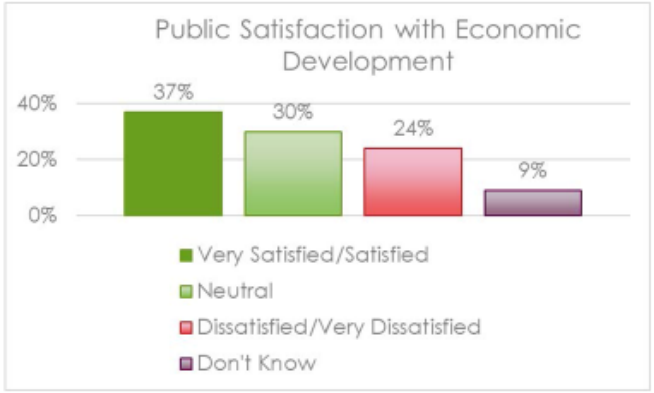
How would you rate your satisfaction with the following services or amenities provided?



- 18% of participants don't engage with this department and its corresponding services.

Public Input Survey – Question 6

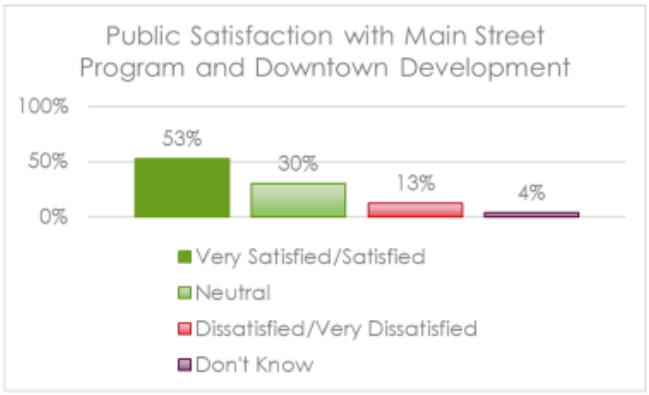
How would you rate your satisfaction with the following services or amenities provided?



- No definition of economic development provided – could mean the following:
- Industrial buildings
- Diversity of commercial business
- Diversity of Workforce
- Recruiting of large businesses
- More in-depth study needed

Public Input Survey – Question 6

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



Public Input Survey – Question 6

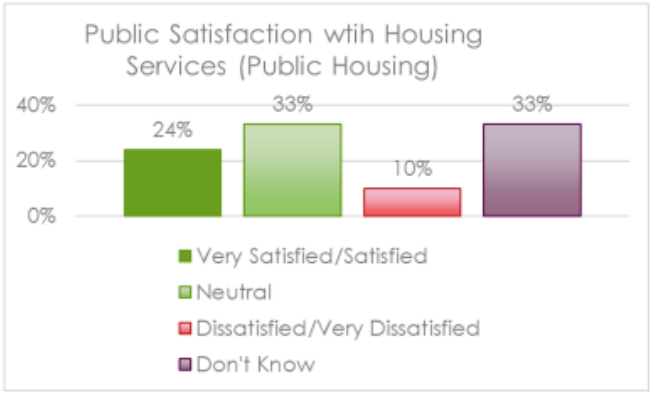
How would you rate your satisfaction with the following services or amenities provided?



- 30% "Don't Know" – participant doesn't have a small business or is not familiar with programs offered.
- Resource Inventory and public education opportunity.

Public Input Survey – Question 6

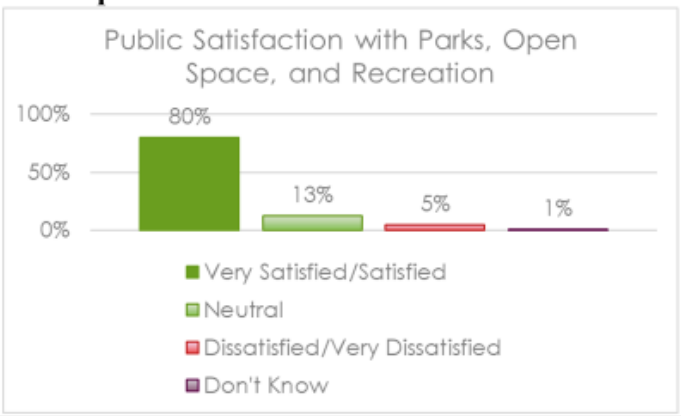
How would you rate your satisfaction with the following services or amenities provided?



- 33% "Don't Know" – participant don't rely on public housing.
- Lower negative responses to topic of public housing

Public Input Survey – Question 6

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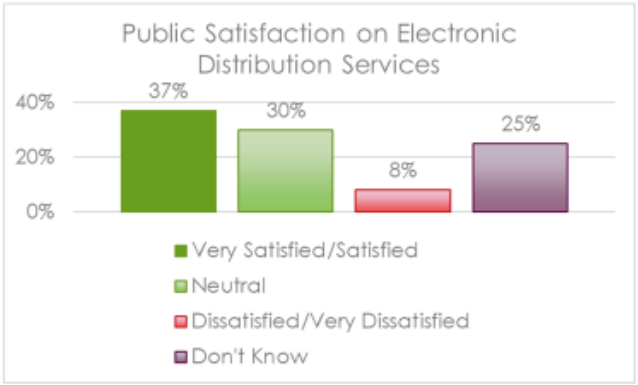
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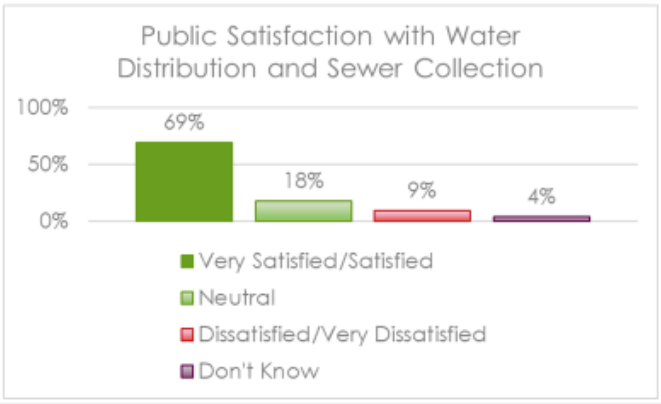
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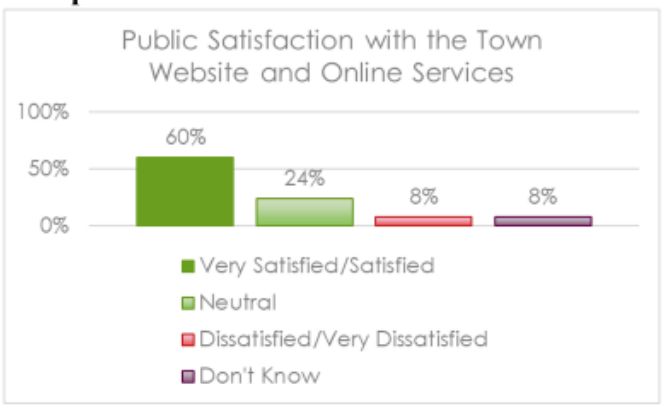
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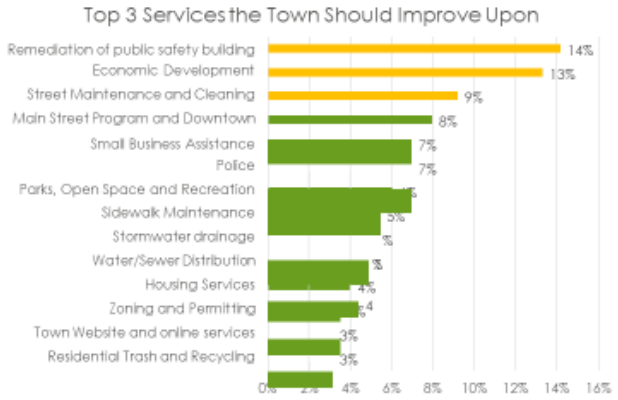
Public Input Survey – Question 6

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



Public Input Survey – Question 7

From the list below, what are the top three services that the Town should improve?



Public Input Survey – Question 8

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

- **Public Safety and Infrastructure:** There is an urgent call for new facilities for police and fire departments, highlighting the inadequacy of current buildings. Infrastructure concerns extend to sidewalk and street repairs, stormwater drainage, and water quality and pressure, emphasizing the need for comprehensive improvements.

- **Economic and Business Development:** Residents advocate for more diverse business opportunities, including food and beverage options, small businesses, and industrial jobs. The necessity of a vibrant downtown and effective economic strategies are needed to retain visitors and provide diverse shopping and entertainment options.

Public Input Survey – Question 8

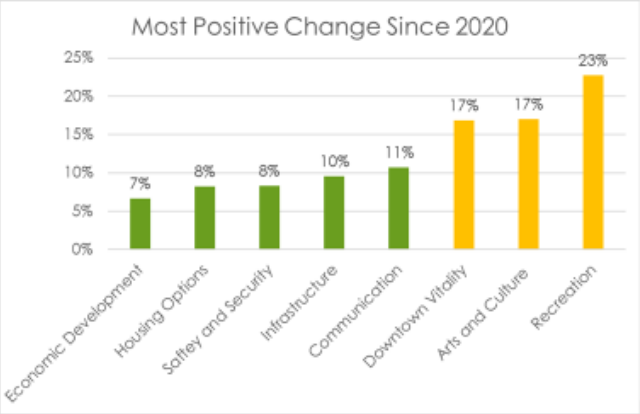
Briefly explain why you selected your three responses above in the space below?

- **Community Services and Quality of Life:** Feedback praises parks and recreational facilities while suggesting expansions and improvements like the year-round operation of the swimming pool. Addressing safety through increased police presence and tackling the drug and homelessness issues is crucial for enhancing community wellbeing.

- **Environmental and Aesthetic Concerns:** A call for improved maintenance of public spaces, trash cleanup, and enforcement of zoning and maintenance codes to enhance the town's aesthetic appeal. This includes better management of environmental resources.

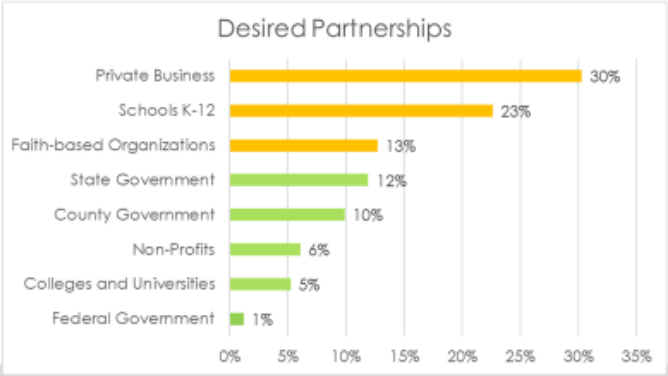
Public Input Survey – Question 9

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



Public Input Survey – Question 10

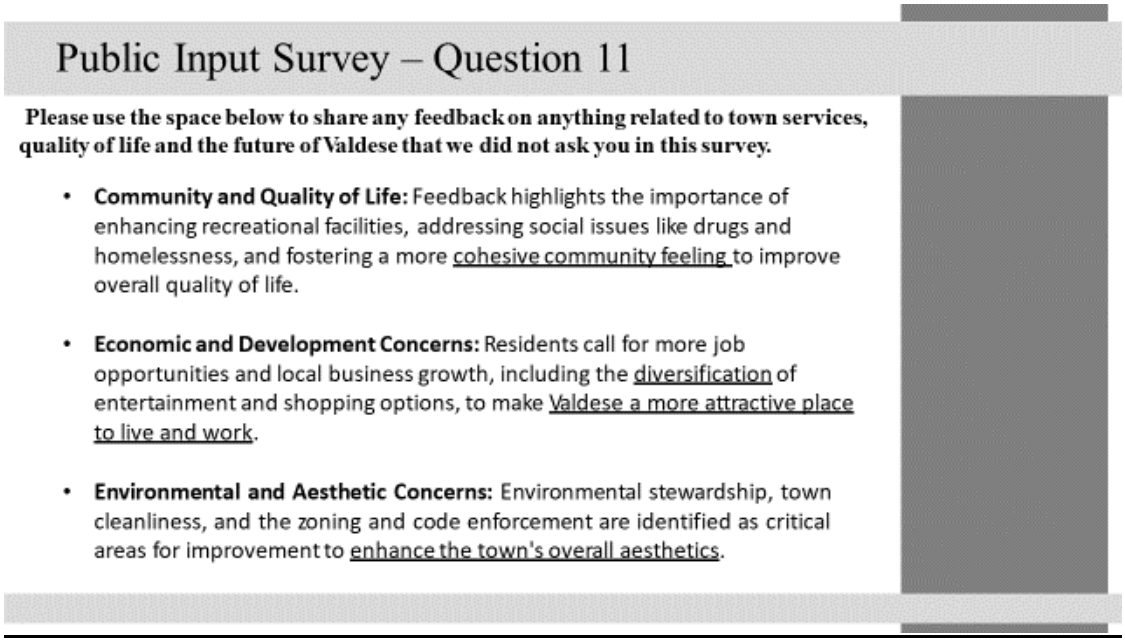
Partnerships are essential for continuing to move Valdese forward. Of the groups listed below, which is the most important for the Town to partner in the future?



Public Input Survey – Question 11

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

- **Governance and Trust in Leadership:** Significant concerns about the town council and leadership have been raised, including issues related to transparency and the impact of political division. Residents express a loss of confidence in decisions made, calling for greater alignment with the community's best interests.
- **Public Services and Infrastructure:** There's a strong call for improvements in public safety facilities, road and sidewalk conditions, and the hiring of a permanent town manager. Residents emphasize the necessity of enhancing public infrastructure to meet community needs.



Public Input Survey – Question 11

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

- **Community and Quality of Life:** Feedback highlights the importance of enhancing recreational facilities, addressing social issues like drugs and homelessness, and fostering a more cohesive community feeling to improve overall quality of life.
- **Economic and Development Concerns:** Residents call for more job opportunities and local business growth, including the diversification of entertainment and shopping options, to make Valdese a more attractive place to live and work.
- **Environmental and Aesthetic Concerns:** Environmental stewardship, town cleanliness, and the zoning and code enforcement are identified as critical areas for improvement to enhance the town's overall aesthetics.

B. Facilitated Council Discussion – Mr. Starr asked Council to identify key takeaways from the public input.

Councilwoman Lowman – Valdese is a safe place to live, citizens pleased with town services, employment opportunities are needed in Valdese, people are happy raising a family in Valdese, expressed concern about Public Safety Building, need streets paved

Councilman Ogle – Recreation is good, good police & fire, cultural activities at Rock School are good, schools are good in Valdese(DHS, HMS, Valdese Elem), cleanliness of town is terrific

Mayor Watts – Positivity, infrastructure needs work, people except more of diversity of downtown businesses

Councilman Harvey – Enthusiasm of public forums, priorities from public were spot on, need more job created industries, need more affordable mid-range housing $100,000 - $300,000, need hotel rooms

C. Voting exercise for public input results – Mr. Starr asked the Council to identify their top three points regarding public input by placing a sticker dot by the item.

3 - Recreation is good
3 - Employment opportunities are needed in Valdese
3 - Need affordable housing

IDENTIFICATION OF STRENGTHS, WEAKNESSES, OPPORTUNITIES, THREATS (SWOT) FOR THE TOWN (INCLUDES RANKING EXERCISE) Mr. Starr completed a SWOT exercise with the Council members.

A. Listing of SWOT now and for the next 3-5 years for the Town

STRENGTHS

Councilman Harvey – Community spirit, I-40 location, rich heritage/history, our new strategic plan

Mayor Watts – Town employees, proximity to hospital and schools, festivals and public events

Councilman Ogle – Recreation facility, industries are doing well, restaurants are good in Valdese

Councilwoman Lowman – Cultural activities, town services, Outdoor drama - From This Day Forward

WEAKNESSES

Councilwoman Lowman – aging infrastructure water/sewer lines (esp. clay pipes), permanent structure over our pool

Councilman Ogle – lack of affordable/low income/workforce housing

Mayor Watts – older industrial buildings that need to be demolished

Councilman Harvey – public safety building, maintenance/paving streets, centralized building management

OPPORTUNITIES

Councilman Harvey – extending the life of the Old Rock School, replace vacant buildings with economic development sites, engaging local industry in Town planning

Mayor Watts – grant funding, partnerships for housing (exp. Pine Crossing), expanding programs at Community Affairs (exp. Bluegrass festival)

Councilman Ogle – improve our Recreation

Councilwoman Lowman – need a hotel in town, structure over our pool so we can have year around swimming

Interim Town Manager Bryan Steen – Engaging citizen expertise

THREATS

Councilwoman Lowman – not addressing the public safety building, lack of affordable housing, getting qualified/experienced town manager

Councilman Ogle – aging infrastructure, inflation

Mayor Watts – inability to attract industry, demand for services vs revenue needed

Councilman Harvey – danger of committing to access long-term debt

B. Brief Discussion of the List – Mr. Starr went back over the each item and Council discussed.

C. Ranking Exercise to Identify Top SWOT Items – Council ranked each list to Identify top SWOT items.(4 votes in each category)

STRENGTHS
3 – Town employees
3 - Town services
2 – Recreation
2 - Cultural activities
2 - Proximity to hospitals/schools
2 - New strategic plan

WEAKNESSES
4 – Public safety building
4 - Need for permanent pool structure
3 – Lack of affordable/low income/workforce housing
3 - Aging water/sewer lines (esp. clay pipes)

OPPORTUNITIES
3 – Grant funding
3 - Replace vacant buildings with economic development sites
3 - Structure over pool

THREATS
4 – Not addressing public safety building
3 - Aging infrastructure

3 - Lack of affordable housing
3 - Getting qualified/experience town manager

IDENTIFICATION PROJECTS, POLICIES, INITIATIVES, AND GOALS (INCLUDES RANKING EXERCISE)

A. What projects, initiatives, policies, and goals should the town consider over the next 3-5 years?

Mr. Starr asked Council members to think of projects, initiatives, policies, and goals they would like to see in place over the next few years.

B. Listing of projects, policies, initiatives, and goals for the next 3-5 years

Councilman Harvey – hiring best town manager we can find, continue improving the Old Rock School (consider establishing a committee), recruit at least one new job creating industry with significant employees, continue repaving schedule started in 2023

Mayor Watts – addressing infrastructure (water/sewer & public safety building), recruitment/retention strategies of town employees, expand cultural affairs programs

Councilman Ogle – address the housing issue, how do we keep young people in Valdese

Councilwoman Lowman – tackle current public safety building issue, permanent structure over our pool

C. Brief discussion of the list – Mr. Starr went through the list and Council discussed each item.

D. Ranking Exercise to Identify Top Priorities – Each Council member got six votes.

4 - Hiring the best town manager
4 - Tackle public safety building issue
3 - Addressing infrastructure
3 - Recruitment/retention of employees
3 - Permanent structure
3 - Continue repave schedule started in 2023

WRAP-UP AND TAKE-AWAY DISCUSSION Mr. Starr asked the Council to share a take-away from the session.

Councilwoman Lowman, Councilman Ogle, Mayor Watts – pleased that everyone had pretty much the same answers

Councilman Harvey – he sees six things that needs to get done

Mr. Starr shared that they would be at the March 4, 2024 Council meeting to present the final strategic planning report.

ADJOURNMENT At 7:45 pm the public input session ended.

The next Agenda Review Council meeting is scheduled for Monday, February 26, 2024, 6:00 p.m.

_____ _____

Town Clerk Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL SPECIAL MEETING
FEBRUARY 16, 2024

The Town of Valdese Town Council met on Friday, February 16, 2024, at 3:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The Council meeting was live-streamed on YouTube @townofvaldese. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilman Glenn Harvey, and Councilman Paul Mears. Also present were: Interim Town Manager Bryan Steen, Town Attorney Tim Swanson, Town Clerk Jessica Lail, and various Department Heads.

Absent: None

A quorum was present.

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

TABLED ORDINANCE DECLARING ROAD CLOSURES FOR THE TOWN OF VALDESE 2024 ANNUAL EVENTS

MOTION: Councilman Harvey made a motion to table this to the March 4, 2024 meeting, seconded by Councilwoman Ward.

DISCUSSION: Councilman Harvey would like for Public Works and the Police Department to review the details of the detour of this plan with merchants and citizens who are affected by it. Councilman Mears asked if this was the same road closure map, we have had in the past and Mayor Watts said yes. Councilman Harvey shared that he has been hearing for years that we were ignoring some of the people affected by this and noted that we have a new business on one of the bypassed streets this year. Councilman Mears is concerned that when we close roads it affects businesses and the more they know the better for them.

VOTE: Councilman Mears – Yes, Councilman Harvey – Yes, Councilman Ogle – Yes, Councilwoman Ward – Yes, Councilwoman Lowman – No. Motion carried.

APPROVED RECRUITMENT OF A TOWN MANAGER DISCUSSION Interim Town Manager Bryan Steen shared that he has giving Council some options and Councilman Harvey has looked at some companies that do this as a line of work.

MOTION: Councilman Harvey made a motion to accept the proposal from Baker Tilly Executive Search Firm, subject to review and final approval of that contract and any related budget amendments by Town Council at the March 4, 2024 Council Meeting, and subject to approval of the form of the contract by the Town Attorney, seconded by Councilwoman Ward.

DISCISSION: Councilman Harvey shared that Council received eight proposals, seven were exclusively executive search firms, and Councilman Harvey, Councilman Ogle, and Interim Town Manager Bryan Steen reviewed them together and narrowed it down to three professional search firms. Councilman Harvey said that they checked references for all three and all had outstanding references. Councilman Harvey shared that of the seven professional firms the one that has done the most recent searches in North Carolina and for Towns nearest in size to Valdese was Baker Tilly. Councilman Harvey said that the fee was in the amount of $17,000.00, which was lowest of the other professional firms.

Councilwoman Lowman reviewed some of the Towns that Baker Tilly completed searches and the Towns are very large compared to Valdese. Councilwoman Lowman feels that $17,000.00 is more than we should be paying and WPCOG will do the search for $3,500.00 and include a national search for an additional

$2,049.00. Councilwoman Lowman is concerned about the amount of money we would spend using Baker Tilly.

Councilman Mears asked if Mr. Steen had a recommendation on a firm. Mr. Steen said that this is a Board decision depending on what level of recruitment you want to go to. Mr. Steen shared that this may be a step you have to go through in order to get a manager hired. Councilwoman Lowman asked who Burke County used when they hired a manager and Mr. Steen said it was WPCOG. Councilman Harvey highly recommends we go with Baker Tilly who is a dedicated professional, experienced, well-referenced search firm.

Councilwoman Ward is concerned using the WPCOG because we have had several managers retire in our area and we may get the leftovers at this point. Councilwoman Ward feels like a search firm would be more aggressive than the WPCOG.

Councilman Ogle feels this is the most important thing that the Council will have to do and thinks it is important to get a good manager.

Councilman Harvey shared that Baker Tilly would guarantee that if the candidate that Council selects leaves within two years, they will redo the search at no fee.

VOTE: Councilwoman Lowman – No, Councilman Harvey – Yes, Councilman Ogle – Yes, Councilwoman Ward – Yes, Councilman Mears – Yes. Motion carried.

APPROVED CONTRACT FOR OLD ROCK SCHOOL RENOVATIONS To obtain a copy of the 60-page contract, please contact the Town Clerk at the Valdese Town Hall.

Councilman Harvey made motion to accept the bid and award the contract for renovations of the Old Rock School to Houck Contracting, LLC in the total amount of $1,093,549.60, consisting of the Base Bid ($675,409.65), Alternate 1 ($266,915.00), and Alternate1A ($151,225.00), and approve Capital Project Ordinance Amendment #3-38 as submitted in the agenda packet to appropriate $367,175.00 from the General Fund contingency ($215,950.00) and Donations/Fundraiser Fund ($151,225.00) to cover additional funds needed for the project, seconded by Councilman Mears. The vote was unanimous.

APPROVED RESOLUTION FOR THE SALE OF TOWN-OWNED PROPERTY-FAT AVE./INVENTORY OF TOWN-OWNED PROPERTY: Planning Director Larry Johnson asked the Council to adopt the resolution to authorize an upset bid. Mr. Johnson went through the history of the property again as was shared at the January 29, 2024 pre-agenda meeting. Mr. Johnson reminded Council that this is just to go through the upset bid process and at the end of the day, Council does not have to accept the offer.

RESOLUTION AUTHORIZING UPSET BID PROCESS

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

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

> BEGINNING on a point at the west edge of US Highway 70, the same being the southeast corner of the C.L. Parris Tract III property (Book 823, page 61, Burke County Registry) and runs with the west edge of US Highway 70, South 32° 31" West 103 .07 fee to a ½-inch iron pin set at the west edge of US Highway 70; thence with the north line of the Denise G. Cannon property the following two (2) courses and distances: (1) North 63° 57' 30" West 61.75 feet to a ¾-inch iron pipe set, (2) North 36° 38' 20" West total distance 144.44 feet to a point in the centerline of Fat Road (SR 1589); thence with the centerline of Fat Road the following two (2) courses

and distances: (1) North 47° 38' 30" East 63.97 feet, (2) North 59° 6' 10" East 46.57 feet; thence with the south line of the C.L. Parris property South 41 ° 44' 30" East total distance 165.00 feet to the point of BEGINNING and containing 0.49 acres, more or less. The above description is taken from a survey entitled "Property of Roland Gonzalez and wife, Janice Gonzalez" prepared by Associates Surveyors dated October 16, 1996, revised October 28, 1996.

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

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

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

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

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

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

2. The Town Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the Property and the amount of the offer and shall state the terms under which the offer may be upset.

3. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the Town Clerk within ten (10) days after the notice of sale is published. At the conclusion of the 10-day period, the Town Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

4. If a qualifying higher bid is received, the Town Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Town Council.

5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first $1,000.00 of that offer and five percent (5%) of the remainder of that offer.

6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid. The deposit may be made by cashier's check or by certified check. The Town will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The Town will return the deposit of the final high bidder at closing.

7. The terms of the final sale are that:

   (a) the Town Council must approve the final high offer before the sale is closed, which it will do within thirty (30) days after the final upset bid period has passed;
   (b) the buyer must pay the purchase price in certified funds at the time of closing;
   (c) the Property shall be sold "as is" and subject to all existing easements;

(d) the Town will reserve easements for all town utility lines located on or under the Property; and

(e) the Property shall be conveyed by special warranty deed.

8. The Town reserves the right to withdraw the Property from sale at any time before the final high bid is accepted and the right to reject all bids at any time.

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

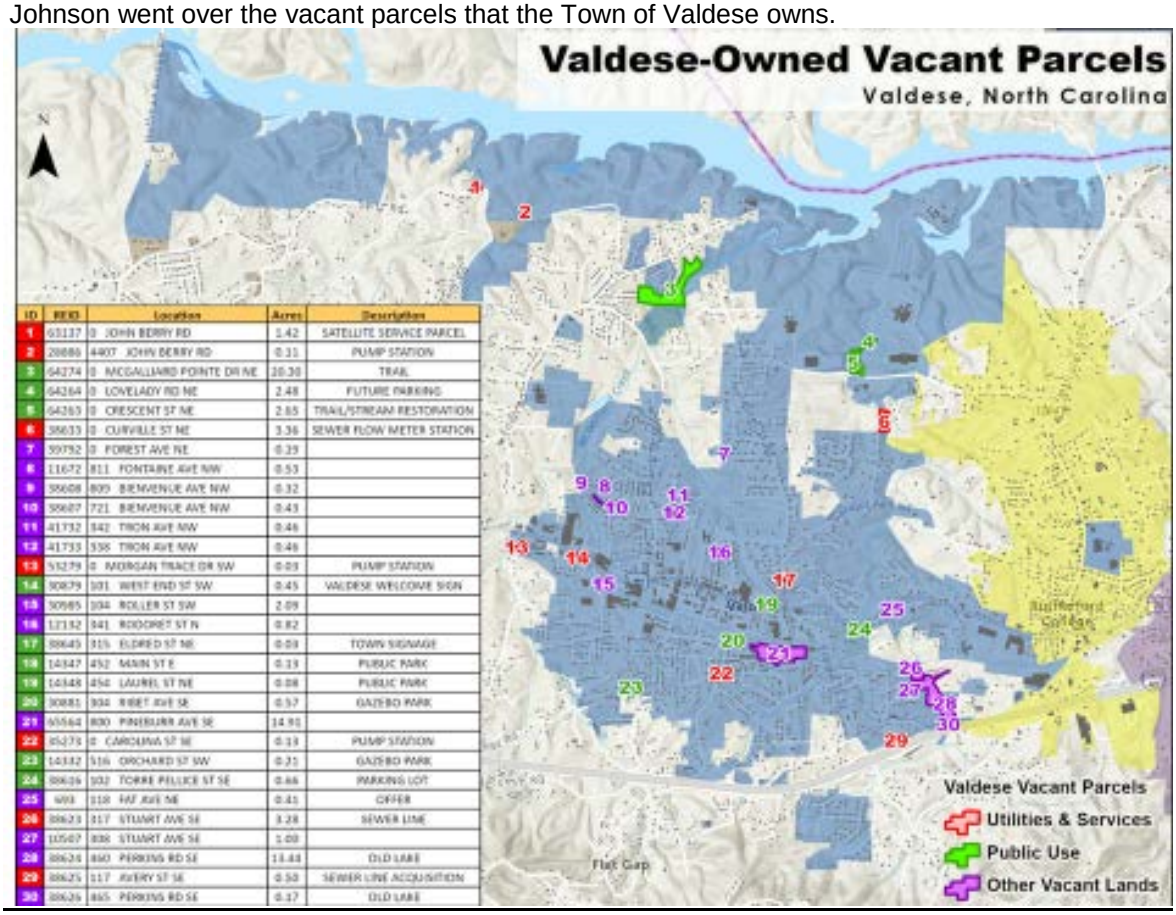
THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

MOTION: Councilwoman Lowman made a motion to approve the resolution authorizing upset bid process for the sale of 118 Fat. Ave., NW, Valdese, seconded by Councilman Mears.

DISCUSSION: Councilman Harvey shared that at the Strategic Planning Session it was brought up that we need more affordable housing and the person that has put in the initial bid will do that. Councilman Harvey hopes that we get more bids on this at least for $10,234.62 like the one the Town paid for it back in 2017.

VOTE: The vote was unanimous.

Mr. Johnson went over the vacant parcels that the Town of Valdese owns.



ID	REID	Location	Acres	Description
1	63137	0 JOHN BERRY RD	1.42	SATELLITE SERVICE PARCEL
2	20886	4407 JOHN BERRY RD	0.31	PUMP STATION
3	64274	0 MCGALLIARD POINTE DR NE	10.30	TRAIL
4	64264	0 LOVELADY RD NE	2.48	FUTURE PARKING
5	64263	0 CRESCENT ST NE	2.85	TRAIL/STREAM RESTORATION
6	39633	0 CURVILLE ST NE	3.36	SEWER FLOW METER STATION
7	59792	0 FOREST AVE NE	0.29	
8	11672	811 FONTAINE AVE NW	0.53	
9	35608	809 BIENVENUE AVE NW	0.32	
10	59687	721 BIENVENUE AVE NW	0.43	
11	41732	542 TRON AVE NW	0.46	
12	41733	536 TRON AVE NW	0.46	
13	53279	0 MORGAN TRACE DR SW	0.03	PUMP STATION
14	30879	101 WEST END ST SW	0.45	VALDESE WELCOME SIGN
15	30985	104 ROLLER ST SW	2.09	
16	12132	841 RODORET ST N	0.82	
17	38645	315 ELDRED ST NE	0.03	TOWN SIGNAGE
18	14347	452 MAIN ST E	0.13	PUBLIC PARK
19	14348	454 LAUREL ST NE	0.08	PUBLIC PARK
20	30881	304 RIBET AVE SE	0.57	GAZEBO PARK
21	65564	800 PINEBURR AVE SE	14.91	
22	35273	0 CAROLINA ST SE	0.13	PUMP STATION
23	14332	516 ORCHARD ST SW	0.21	GAZEBO PARK
24	38636	502 TORRE PELLICE ST SE	0.66	PARKING LOT
25	693	118 FAT AVE NE	0.41	OFFER
26	38623	317 STUART AVE SE	3.28	SEWER LINE
27	10507	838 STUART AVE SE	1.00	
28	38624	860 PERKINS RD SE	13.44	OLD LAKE
29	38625	317 AVERY ST SE	0.50	SEWER LINE ACQUISITION
30	38626	865 PERKINS RD SE	0.37	OLD LAKE

CONSIDERATION OF PARKS & RECREATION MASTER PLAN Parks & Recreation Director David Andersen shared the draft proposal from WPCOG for the Town of Valdese Comprehensive Parks and Recreation Plan. Mr. Andersen shared that this plan would take approximately 12 months to complete. Mr. Andersen noted that if we do consider the application for State grants, having a work in progress plan would be an advantage for us. Mr. Andersen said that we have not created a park in the Town without the assistants of a grant that requires or highly recommends the completion of a comprehensive plan. Mr. Andersen recommends that we engage the WPCOG for the comprehensive plan in the amount of $23,000.00. Mayor Watts asked Scott Compton from the Parks & Rec Commission if he had anything to add. Mr. Compton said that they have done their due diligence in the eleven days allowed with firms and feel that the WPCOG will give us the baseline comprehensive plan that we need.

February 9, 2024

To: Valdese Town Manager and Town Council Members

From: Alison Adams, WPCOG Community and Regional Planning Director

Re: Town of Valdese Comprehensive Parks and Recreation Plan

The following proposal is in response to the Town of Valdese's desire to complete a Comprehensive Parks and Recreation Plan. The plan will consist of the following sections: demographics, public input, existing facilities, site plans/conceptual renderings, future recreation facilities/parks, cost estimates, and recommendations. As part of the process WPCOG will work with Town of Valdese staff to evaluate existing recreational facilities and parkland; develop estimates of parkland to be acquired; assess recreational facility development to address service shortfalls; develop cost estimates for facility improvements; provide all mapping for both the plan and public meetings; and develop and write the final plan. The plan will be completed over a 12-month period. WPCOG will also assist in developing 2025 grant applications for park and facility improvements based on recommendations included in the plan.

The plan will provide a road map for leadership that focuses on potential investments over the next ten years. Adoption of the plan also opens doors for major recreation funding opportunities, such as the Parks and Recreation Trust Fund (PARTF). By completing the plan, the Town will be well positioned to apply for a PARTF grant in 2025.

The cost of assembling the plan with the above items (covering staff time, supplies, and travel) is $23,000. The amount can be paid on a quarterly basis or on a schedule preferred by the Town.

The project schedule for the plan is currently under development, and information on upcoming public input events will be forthcoming.

If you have any questions or would like to discuss this project further, please contact me at (704) 682-2681 or alison.adams@wpcog.org.

MOTION: Councilwoman Lowman made a motion that we go ahead and move forward with this proposal from the WPCOG in the amount of $23,000.00, seconded by Councilman Ogle.

DISCUSSION: Councilman Ogle said he remembered having a contract from WPCOG when we voted on the Strategic Plan and wanted to know Mr. Swanson's thoughts on having a contract to review first. Mr. Swanson said that was correct and you could amend the motion to approve the contract with WPCOG subject to approval of the Town Attorney as to the form of the contract.

MOTION: Councilwoman Lowman made a motion to approve the contract with subject to the Town Attorney approval, seconded by Councilman Ogle.

DISCUSSION: Councilman Ogle is hoping we can do this at our next Council meeting so that our Attorney can look at it. Councilman Ogle was very pleased with what the WPCOG has done with the Strategic Plan.

Councilwoman Lowman stated that her motion was not moving it to March, it was to approve it today and then the Town Attorney will amend it.

Councilman Harvey addressed Mr. Scott Compton and thanked him for the work that his Commission is doing. Councilman Harvey said that the four Council members that were at the Strategic planning session agreed that we must have a pool solution this coming year. Councilman Harvey said if you look back at what WPCOG has done in the past, they had a contract proposal and this is one sheet of paper. Councilman Harvey cannot support giving $23,000.00 to a company that has not given us an agreement or scope. Councilman Harvey does want them to proceed with a pool solution. Councilman Harvey asked if we approve the plan, would it help with anything on the solution to the pool and he does not understand the urgency on this item. Mr. Compton shared that in the private industry you receive a proposal with a price point that you agree upon, and then you receive a contract at that time. Mr. Compton said that they did not ask the WPCOG to give us a contract at this time.

MOTION: Councilman Harvey made a motion to table this until we have a definitive proposal, seconded by Councilwoman Ward.

DISCUSSION: Councilwoman Lowman does not understand the hatred towards the WPCOG because they have helped us for years. Councilwoman Ward said that it was not hatred; it is that we are only getting a couple of paragraph proposal and wants more detail. Councilman Harvey said he had nothing against WPCOG and they are great at planning. Councilwoman Lowman read the proposal from the WPCOG. Councilman Mears feels we should vote for this plan and move on as a vote of good faith.

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

Town Attorney Tim Swanson asked if this would require a Budget Amendment. Mr. Andersen said that it would require a Budget Amendment.

AMENDED MOTION: Councilwoman Lowman made a motion to approve the contract with the WPCOG subject to Town Attorney approval and subject to approval of a Budget Amendment in the amount of $23,000.00, seconded by Councilman Ogle.

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

TABLED APPOINTMENTS TO NEW COMMITTEES Councilman Harvey identified nominees for the Facilities Review Committee, which is a standing committee, established to have five members. Councilman Harvey nominated for 1-year term, Greg Refour who has created, bought, and sold businesses and has extensive construction management, 2-year terms for Jerry Hyde, Field Superintendent for Mathews Construction Co., and Tessa Collinson, General Manager for Saft American, 3-year terms, Roger Heavner, 32 years facilities manager for a major utility company, previous licensed contractor/plumber, and lastly Glenn Harvey, a CEO who was responsible for constructing two large commercial buildings, renovating other large commercial buildings, demolition of an abandoned hotel, and renovating numerous small commercial buildings.

Councilwoman Lowman said that she does not have a copy of this committee and did not know the names until just now. Councilwoman Lowman said the names were not in the agenda packet. Town Attorney Tim Swanson recommended handling these appointments individual versus as a group. Councilman Mears would appreciate a resume or more information on these names. Mayor Watts said we usually have a bio on appointments made.

MOTION: Councilman Harvey made a motion to approve the following five members of the Facilities Review Committee, 1-year term Greg Refour, 2-year terms Jerry Hyde and Tessa Collinson, 3-year terms Roger Heavner and Glenn Harvey, there was no second. The motion failed.

Mayor Watts asked if the people wishing to serve on the committees provide a bio and present those at the March 4, 2024, Council meeting.

MOTION: Councilman Mears made a motion that when the nominations are presented to the Council that we have some background information before making those appointments, seconded by Councilwoman Lowman.

DISCUSSION: Councilwoman Ward said that this was what she was saying earlier; she would like to have more information before voting on items.

VOTE: The vote was unanimous.

MOTION: Councilman Ogle made a motion to table this item until March 4, 2024 Council meeting, seconded by Councilman Harvey.

VOTE: The vote was unanimous.

Councilman Harvey thanked Morrissa Angi for bringing grant funds to the Town, WPCOG for their assistants on the grant process, all the citizens who we hope that will respond to the fundraising, and a special thanks to the party who stepped forward to donate money toward the Old Rock School project. Councilman Harvey finally thanked all the Valdese property owners because that is where the $215,000 came from to make up the other short fall.

ADJOURNMENT: At 4:05 p.m., there being no further business to come before Council, Councilwoman Lowman made a motion to adjourn, seconded by Councilman Mears. The vote was unanimous.

The next meeting is a regularly scheduled meeting on Monday, March 4, 2024, 6:00 p.m., Valdese Town Hall.

_____ _____

Town Clerk Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL PRE-AGENDA MEETING
FEBRUARY 26, 2024

The Town of Valdese Town Council met on Monday, February 26, 2024, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The Council meeting was live-streamed on YouTube @townofvaldese. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilman Glenn Harvey, and Councilman Paul Mears. Also present were: Interim Town Manager Bryan Steen, Town Attorney Tim Swanson, Town Clerk Jessica Lail, and various Department Heads.

Absent: None

A quorum was present.

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

CONSENT AGENDA

Mayor Watts identified an item that needed to be added to the Consent agenda: Old Colony Player Request to Sell Wine, at six of their events.

RESULT: MOVED WITHOUT OBJECTION TO BE ADDED TO THE CONSENT AGENDA AT THE NEXT MEETING ON MARCH 4, 2024, AT 6:00 P.M.

NEW BUSINESS

Mayor Watts suggested that if there were an item on the agenda that could be placed on the Consent agenda, it would save some time during the March meeting.

OLD COLONY PLAYERS: Mayor Watts shared that Edyth Potter, Director of Old Colony Players, will provide the Old Colony Players annual update.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON MARCH 4, 2024, AT 6:00 P.M.

ARBOR DAY PROCLAMATION: Mayor Watts will read the Arbor Day Proclamation.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON MARCH 4, 2024, AT 6:00 P.M.

RECONSIDERATION OF APPROVAL OF WPCOG CONTRACT TO DEVELOP A COMPREHENSIVE PARKS AND RECREATION PLAN Alison Adams, WPCOG Community & Regional Planning Director, talked more in detail about the Comprehensive Parks & Recreation Plan. Ms. Adams shared the following presentation:



PURPOSE

- To create a Comprehensive Recreation Plan which will assess the Town's existing recreational facilities, programs and special events and identify new opportunities based on the plan's recreation needs assessment.
- Conduct an online public needs assessment to identify opportunities for recreational improvements, programing expansion, and new facilities.
- The Comprehensive Recreation Plan will allow the Town of Valdese to apply for grant funding to support the identified initiatives, recommendations and goals outlined within the Plan.

PROCESS

1. WPCOG will draft a digital survey and meet with Parks and Recreation staff to finalize prior to release.
2. WPCOG will collect the data from the public input survey and analyze the results.
3. WPCOG will hold a public input meeting to collect information from participants. The Town will secure the location and will publicize the public input meeting.
4. WPCOG will work with Town staff to assess existing facilities (centers, parks, and connective infrastructure), programs, and events.
5. WPCOG will work with Town staff after obtaining public input results to identify future needs such as new facilities, programs, and events or modifications to existing.
6. WPCOG will write the plan as outlined in the scope.
7. WPCOG will hold a second public input meeting to obtain feedback about the plan and its recommendations.
8. The Town will secure the location and will publicize the second meeting.
9. WPCOG will review the draft plan with the Recreation Director and staff to address any concerns or needed changes.
10. WPCOG will present the final document to the Town Council. After reviewing and providing input, Town Council will be asked to adopt the plan.

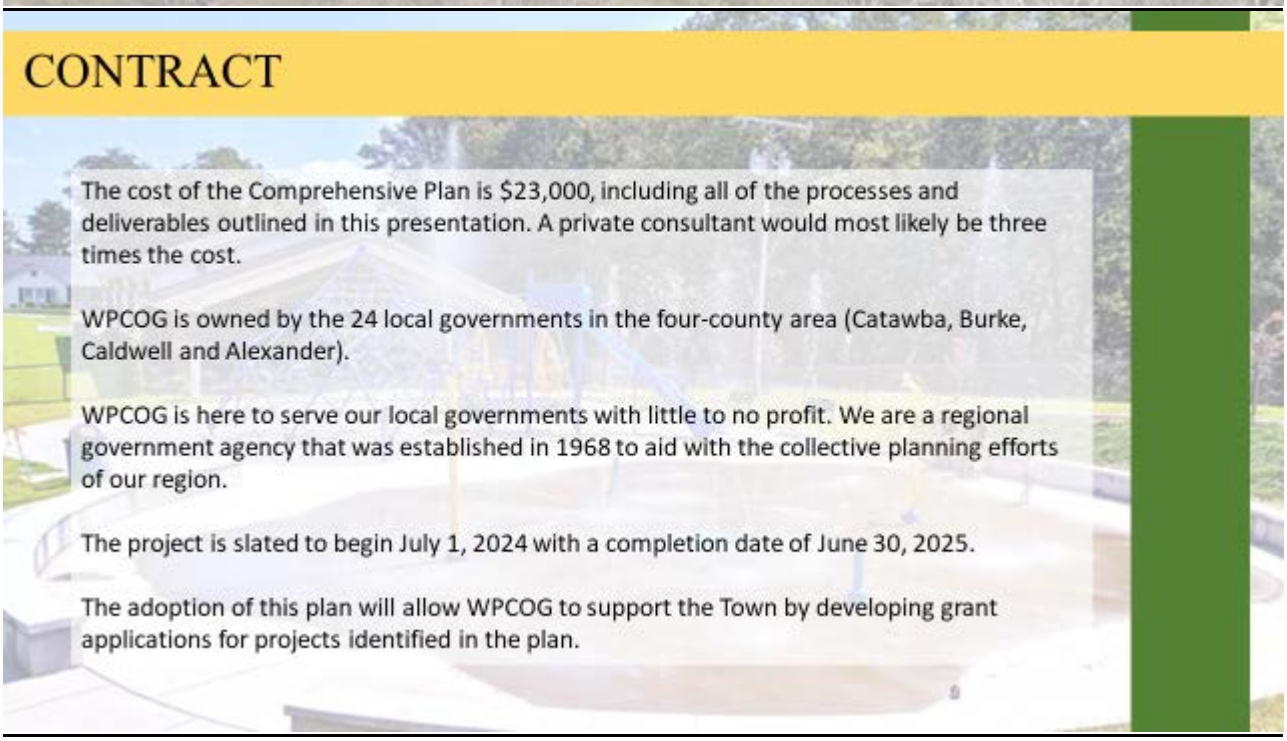


SCOPE

<u>The plan will include:</u>

- An introduction summarizing the plan's purpose and goals and the recreation roles of the Town and other recreational providers
- Population trends and projections
- Inventory of existing parks, facilities, programs and special events
- Review of the recreational needs assessment –
  - Public input analysis
  - State and National assessment (trends and needs)
  - Identification of recreation facilities and park types (educational component)
  - Evaluation of park land needs and facility needs
- Goals and recommendations
  - Proposals/recommendations
  - Priorities
- Action Implementation Plan
  - Economic development initiatives
  - Funding opportunities, strategies and sources
  - Operating budget/Capital improvements program





Councilman Harvey asked the Town Clerk to add the last Parks & Recreation Strategic Plan to the agenda packet for informational purposes. Councilman Harvey noticed that the previous plan had short-term and long-term recommendations and that most of the items were not completed. Councilman Harvey noticed that the last plan cost $10,000.00, and after checking the US inflation index since 2013, $1.00 in 2013 is now $1.32, so $10,000.00 in 2013 might cost $13,000.00 in 2023. Councilman Harvey wants to know why this new plan is $10,000.00 more. Ms. Adams said she had to pay her staff, and the rate of pay in 2012 was very different, and it was in a different department at the COG. Ms. Adams noted that the document you see in 2012 does not have the level of detail the new one will have due to updated technology. Ms. Adams has a team of staff that will take part in this versus one person that completed the last plan. Councilwoman Ward thanked Ms. Adams for all the details provided.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON MARCH 4, 2024, AT 6:00 P.M.

APPROVAL OF ORDINANCE DECLARING ROAD CLOSURES FOR THE TOWN OF VALDESE 2024 ANNUAL EVENTS Community Affairs Director Morrissa Angi reminded Council that the road closures are for four events, and some of them have been going on for at least 50 years and are routine. Ms. Angi said that annually in April, Community Affairs goes downtown and talks with every business owner, providing them with street closure maps, road closure dates and times, and has conversations about how the Town can partner with them with these events. Ms. Angi also sends out a Code Red before the road closures and posts maps and event calendars on our website and social media page. Councilman Harvey noted that this item was postponed until the March 4 meeting, when the Police and Public Works department reviews the details of this plan with the impacted merchants. Councilman Harvey has heard concerns from the Merchants affected and will ask again to discuss this with them in advance. Councilwoman Lowman asked Councilman Harvey to share who those merchants are so that we can make sure they are contacted. Councilman Harvey said it would be any Merchant that has a place of business that will be closed off. Ms. Angi shared that she heard that there were merchants on Bobo Street who were concerned, and she reached out to them. The only one she heard back from was Rusty Antiques, who said they do close their store because they do not get traffic during major events. Ms. Angi said that Bobo Street is not closed during our events. Councilman Mears heard from a Merchant who said they were OK with the road closure and had not had any complaints. After a brief discussion, Councilman Harvey thanked Ms. Angi for what she had done and said she did exactly what was asked.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON MARCH 4, 2024, AT 6:00 P.M.

CONSIDERATION OF COMMITTEE APPOINTMENTS Mayor Watts shared that all of the information for each appointment will be included in the March 4 agenda packet.

i. **Approval of Reappointment to Valdese ABC Board**
ii. **Approval of Appointments to the Facilities Review Committee**
iii. **Approval of Appointments to Drug and Homeless Advisory Task Force**
iv. **Approval of Appointments to Efficiency Task Force**

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON MARCH 4, 2024, AT 6:00 P.M.

CONSIDERATION OF APPROVAL OF THE BAKER TILLY PROPOSAL FOR TOWN MANAGER SEARCH Councilman Harvey shared that we received seven proposals from search firms, the team narrowed it down to three, completed reference checks, and narrowed it down to Baker Tilly who is an international firm. Councilman Harvey shared that Baker Tilly most recently completed two Town Manager searches for Brevard and Morehead City. Councilman Harvey stated that he misspoke regarding the guarantee if the Manager leaves within two years. That is not part of the proposed fee.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON MARCH 4, 2024, AT 6:00 P.M.

CONSIDERATION OF APPROVAL OF REQUEST FOR QUALIFICATIONS (RFQ) FOR PERMANENT POOL STRUCTURE Parks & Recreation Director David Andersen said this was a straightforward RFQ request. Mr. Andersen noted that this would not bind us to any financial obligation; it would just be put out there to see what we get to start the process.

Pool Structure Timeline

Target Date	Event
March 4th	Approval to Release RFQ
Early April	Interview Firms
May 6th	Present Contract for a Design Firm
July 1st	Release bid package
July 25th	Formal Bid Opening
August 5th	Approve Contract to Licensed GC
November 1st	Pool Structure complete / opened

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON MARCH 4, 2024, AT 6:00 P.M.

FY 24/25 BUDGET PREPARATION DISCUSSION Interim Town Manager Bryan Steen shared that departments are now reviewing their budgets in preparation for FY24-25. Mr. Steen said we are looking at potential cost increases and will incorporate the items identified from the Strategic Planning sessions and will have more information at the next meeting. Councilman Mears asked if the Council would have an opportunity to hear from Department Heads like in previous years and asked Mr. Steen's opinion. Mr. Steen said that he has had budget meetings and has not had them but currently, we do not have anything scheduled on the current calendar. Councilman Harvey would like to see what comes out of the Strategic Plan and then review a draft of the budget presented by the Manager at the April 22 meeting. Councilman Harvey said that if we need to add a meeting later, we could call a meeting as needed. Councilman Mears feels it was a valuable exercise to hear from the Department Heads and will request additional meetings.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON MARCH 4, 2024, AT 6:00 P.M.

APPROVAL OF RESOLUTION AMENDING THE 2024 TOWN COUNCIL MEETING SCHEDULE Mayor Watts shared that a few dates need to be changed and a few added.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON MARCH 4, 2024, AT 6:00 P.M.

APPROVAL OF CAPITAL PROJECT BUDGET ORDINANCE – WATER PLANT UPGRADES PROJECT Water Resources Director Greg Padgett shared that this project has been previously approved; this is just moving money into a project ordinance so it can be spent.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON MARCH 4, 2024, AT 6:00 P.M.

APPROVAL OF BUDGET AMENDMENTS Mayor Watts shared that Mr. Weichel will discuss these at the March 4 agenda.

i. To transfer $17,000.00 from General Fund Balance to cover expense for the agreement with Baker Tilly for the Town Manager Search

ii. To transfer $23,000.00 from General Fund Balance to cover expense for the agreement with WPCOG for Master Park Plan

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON MARCH 4, 2024, AT 6:00 P.M.

INTERIM MANAGER'S REPORT: No report

MAYOR AND COUNCIL COMMENTS: Councilman Harvey feels that we are getting more people involved with Strategic Planning. He suggested that we give our local ministers the opportunity to deliver the invocation at the beginning of the meeting. Councilman Harvey also suggested having a veteran step up to the lecture to lead the Pledge of Allegiance to the Flag.

CLOSED SESSION: Mayor Watts called for a motion to recess into Closed Session under NC General Statute 143-318.11(a)(3) to consult with an attorney retained by the Town in order to preserve the attorney-client privilege between the Town attorney and the Town Council, which privilege is hereby acknowledged. At 6:56 p.m., Councilwoman Lowman made a motion, seconded by Councilman Ogle. The vote was unanimous.

At 7:10 p.m., Councilman Ogle made a motion to return to Open Session, seconded by Councilwoman Lowman. The vote was unanimous.

ADJOURNMENT: At 7:12 p.m., there being no further business to come before Council, Councilwoman Lowman made a motion to adjourn, seconded by Councilwoman Ward.

The next regular Council meeting is scheduled for Monday, March 4, 2024 at Valdese Town Hall.

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Town Clerk Mayor

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TOWN OF VALDESE
TOWN COUNCIL REGULAR MEETING
MARCH 4, 2024

The Town of Valdese Town Council met on Monday, March 4, 2024, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The Council meeting was live-streamed on YouTube @townofvaldese. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilman Glenn Harvey, and Councilman Paul Mears. Also present were: Interim Town Manager Bryan Steen, Town Attorney Tim Swanson, Town Clerk Jessica Lail, and various Department Heads.

Absent: None

A quorum was present.

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

OPEN FORUM/PUBLIC COMMENT:

RECOGNITION OF THE HERITAGE EAGLES CHAMPION WRESTLING TEAM Mayor Watts shared that the two coaches for the wrestling team are Town employees and thinks that this speaks highly of our staff. Coach Matthew Smith shared that the 2023 Heritage wrestling team completed their season with a 901 record, outscoring their components with a combined total of 662 points to 327. Coach Smith said that at the conference tournament, 16 out of 18 wrestlers made it to the semi-finals, and 11 of them got the opportunity to wrestle in the championships. In the championship round, six finished in the conference championship, five got second, and two individuals finished in third place. Coach Smith said that he is very proud of their accomplishments.

TOWN COUNCIL – JENNY HUDSON, 412 FAET ST NW, VALDESE: Ms. Hudson provided a copy of her public comment to the Town Clerk:

Tonight I am here to discuss transparency. It seems to be a big buzz word amongst WHO supporters, which I struggle to understand because Government is regulated to be transparent. Now, no one is going to serve up town business to you on a silver platter, you may have to know where to get the information or who to ask but most of it is public knowledge. Which is what I have for you tonight, just a little glimpse of transparency for the citizens of Valdese.

This email is dated January 9th from Councilman Harvey to the Mayor, Council & acting Town Manager. In the essence of time, I'll summarize, ~~but, for the record, will submit a copy of the full email.~~

This email is basically a threat analysis of the town citizens who spoke at the January 8th council meeting.

First topic, the pool, Mr. Harvey berates all the citizens that spoke in support of the pool, dwelling on semantics of how we addressed the pool as a bubble issue vs. the actual heater problem, and about how our comments were 8-13 years too late. He then goes on to deflect responsibility of the pool solely to the incumbent members of council. But the best part is how he specifically calls out a few speakers by first, backhandedly calling them eloquent speakers and then discrediting them for various personal reasons. Specific mention was made of a speaker by calling her out as the sister of a previous council member and owner of the problem he inherited and then goes on to say "If I were a betting person, I would put at least a Bennie on the two sisters being organizers of the hour-long parade." As part of that parade, Mr. Harvey, you're incorrect. Neither one of those ladies organized our comments, in fact, it was not organized at all. We are merely concerned citizens with like-minded interests who have a true desire to see the pool benefit the town and its citizens for years to come. Apparently, I am an eloquent speaker as well, however, my comments could be dismissed because you haven't met me and believe my parents to be "strong WHO supporters".

First, if you're going to speak about me or my family in documents that become public knowledge get your facts straight. Secondly, you know what happens when you assume. I suggest you speak with my parents personally, about specifically who it is they support~~, because it's not you.~~

And the comments don't end there. He insinuated the speakers were not interested enough to stay for the full meeting, again, incorrect. I stayed for the whole meeting. He then wraps up his pool rant by asking about pool data that's been provided before and categorizes the pool expenditures as squeaky-wheel.

The remainder of the email discusses various topics and town citizens, like Valdese Hospital, and Jim Rostan, Paul's buddy, Jon Mercer, Tim Skidmore, the Rock School Renovation and the "babbling bureaucratic" architect and how the council praised Morissa when in actuality she yelled and spoke over him and had arrogant arguments. Then there's "The Other Nonsense" category where he calls out Kevin Farris "ripping" Eddie Perrou and himself, and Facebook pages he disagrees with specifically numerating "about 100 posts" and how the Mayor has "liked" them. He calls Brady Linkous irrational, blasts the presentation by McGill regarding the water plant and then proceeds with a rant about a divisive town council and how council member Mears and Lowman have not accepted the results of the election.

He finally wraps up this disgusting email by accusing the Mayor of leaking messages, which are public knowledge, to The Paper and how he is going to censure the perpetrator.

You call yourself a professional. A businessman, yet I've never seen such a lack of emotional intelligence. Is this how a public servant serves the town citizens? By calling them out by name in emails, by misstating facts about citizens, by arrogantly owning voters, by dismissing their opinions given during public comments, by talking about town employees and current and previous council members? This is how you're spending your time as a councilman? This is how you're wasting the time of the other council members, the Mayor, the town manager and the town lawyer?

This is absolutely disgusting. Do better, Mr. Harvey, the people deserve better.

TOWN COUNCIL – RICK MCCLURD, 408 GARROU AVE, VALDESE: Mr. McClurd shared that during the campaign season, in campaigning for the WHO, he was privileged to speak to close to 700 people. Mr. McClurd said that each was adamant about the high tax rate and pledged to lower it if the WHO was elected, which happened. Mr. McClurd said that Bo Weichel said it would not be a problem if you lowered the tax rate to 41.5 cents per 100. Mr. McClurd shared that today, Mr. Weichel and the Interim Manager both think we should leave the tax rate at 51.5 cent, and neither live in the Town of Valdese. Mr. McClurd would like to know what has changed. Was it the pool cover, Rock School, Public Safety Building, or the Water Plant? Neither is included in the 2023-2024 budget totals. Mr. McClurd believes none of the previous managers put money in the budget for these categories. Mr. McClurd said that in the next ten years, we would be spending more money on our water bill from what McGill has proposed.

TOWN COUNCIL – TIM BARUS, 998 LAUREL ST NE, VALDESE: Mr. Barus said that on February 8, he submitted a request to have two weeks of Town Council emails sent to him and said that he would be willing to pay for a fee. Mr. Barus stated that during his tenure on the Town Council, we never charged anyone

for a records request. Mr. Barus received an email reply from the Town stating that there would be a $150.00 fee for the IT vendors time plus a possible additional fee if needed. Mr. Barus said it could be a total of $260.00 for a taxpayer to receive information that is already considered public. Mr. Barus asked if that was an equitable fee. Mr. Barus asked the Town Council what they were hiding and where is the transparency now. Mr. Barus said that the main reason for this email request is that many citizens are concerned by how this Council uses the term transparency.

CLARITY & PRIORITIES – JEAN-MARIE COLE, 705 BERTIS ST, VALDESE: Ms. Cole shared that she knew the Council was going to have a special meeting and called the Town Hall and asked when the meeting was going to be held and they told her Friday at 6:00 pm twice. Ms. Cole showed up on Friday at 6:00 pm, and the building was locked, and no one showed. Ms. Cole said that she had read in the paper about the meeting a few days later and was sad because she would have liked to have been there. Ms. Cole asked if the people who answered the phone could be in the loop regarding the meeting schedule. Ms. Cole also believes that the two most important things to take care of now are the pool and the public safety building.

COMMITTEE – BRENDA SHUPING, 600 CAROLINA ST, VALDESE: Ms. Shuping shared that she is speaking in support of Angela Hoffman, who has expressed a desire to serve Valdese on the Valdese ABC Board. Ms. Shuping said that Angela has been a citizen for 31 years, is a Valdese homeowner, a Teacher's Assistant at EBHS, a tennis teacher, and is very interested in public affairs. Ms. Shuping shared that Angela is good at accounting and serves as the bookkeeper for Ramsey's Service Center for the past ten years. Ms. Shuping believes Angela Hoffman exceeds the qualifications to fill a seat on the Valdese ABC Board and would do an excellent job.

MOVING HERE – GERARD GUZMAN, 143 GRANDFATHERS PASS NW, VALDESE: Mr. Guzman shared that he moved here in October, which was supposed to be an enjoyable time building a house, but it has been a nightmare. Mr. Guzman said the building stopped during the pandemic, and the bank would take the property. Mr. Guzman said that there was no recourse. Mr. Guzman said that, fast forward, the HOA sent him threatening letters for debris and plan changes, and they have fined him. Mr. Guzman said the new HOA for Lake Rhodhiss Estates is still waiting for him to fix the road. Mr. Guzman said the paving company said there was no damage to the road. Mr. Guzman is in unfamiliar territory and wanted to see if the Town had a contact for new owners to handle situations like this.

OLD COLONY PLAYERS – JIM JACUMIN, 3690 MILLER BRIDGE RD, CONNELLY SPRINGS: Mr. Jacumin shared that he came across a family history book of the Waldensians who came here. Mr. Jacumin said that he never thought alcohol would be sold at Old Colony Players and that he and his wife would pay what the profit from the alcohol is so that they do not have to sell it. Mr. Jacumin said that we need to get concerned about the future of our roots, and if we keep moving in this direction, we will not have a country. Mr. Jacumin said that the Trail of Faith would never have alcohol and asked that it's not sold at the Old Colony Players.

POOL – RICH ERICSON – 2142 W PARADISE HARBOR DR, CONNELLY SPRINGS: Mr. Ericson provided a copy of his public comment to the Town Clerk:

Hello, my name Rich Ericson and I am a member of the Valdese Masters Swim Team. I retired to this area in 2019. I do enjoy the pool and fitness center here in Valdese, though that is not what I would like to discuss.

I am also a Stroke and Turn Judge for high school and summer league swimming. It is a great sport that encourages everyone to participate. In high school swimming I have seen everything from excellent swimmers to kids who began the season barely able to swim, to special needs children. This also holds true especially for summer league.

Currently 2 high schools (East Burke and Draughn) use the Valdese pool for workouts and meets. There is no other pool for these schools to use as the other pools are already busy.

With these considerations believe a permanent structure over the pool is essential. I am happy to see the steps the council is taking to make this happen. I hope it does result in a permanent structure where the high schools and other swimmers will have access to a pool in our colder months.

ABC BOARD – JOHN HEILMAN, 500 CAMPBELL AVE, VALDESE: Mr. Heilman provided a copy of his public comment to the Town Clerk:

Thank you for allowing me a few words. My name is John Heilman and I'm vice-chair of the Valdese ABC Board. As a recap to the letter I sent out I would like to remind council that since WT has been on the board:

ABC Sales have doubled to $2,000,000.

Our growth rate is over twice that of neighboring counties.

By the year's end, over $800,000 in total distributions will have been made.

Why the success?

The Board, with WT on it, has taken care of the store's staff, especially during the pandemic. In turn, our staff now takes care of our customers, leading directly to increased sales as they continue to excel at customer service.

WT played a pivotal role in hiring Chris Leonhardt, our general manager. As Karen had before him, Chris has the full confidence of the board and has been given latitude to try different things, all of which has been successful to store growth.

The third area WT is good at is oversight of the store and the general manager position. The ABC business is heavily regulated with all sorts of restrictions that limit how we can do business. ABC stores cannot advertise. ABC stores cannot market themselves or independently place products on sale to gain business. Stores become successful by having good management and relying on good guidance from their board. If mistakes are made, they can cause long lasting pain because we have so few options available to us to recover from it. That makes WT's 60 years in the workforce extremely valuable in avoiding these pitfalls.

Stability of the board. Our board has had zero turnover while I have served on it until December when Seth left. Again, the sales numbers and distributions to the town reflect that stability. All of the staff know the board members and know that we have their backs, creating a safe working environment for them and allowing for store growth.

When you are a board of only three members, it is very disruptive when one member is gone and replaced with one that has little to no ABC experience. That is not meant to be disparaging against Bryan. In this particular case though, since Bryan is only a temporary hire, he, in turn, will be replaced in the coming months by someone else who, in all probability, will not have any ABC experience either.

If WT were not to be re-appointed, that would leave the board with only one member, myself, who has any experience. Additionally, we have a general manager, who is very good, but he only assumed that position 6 months ago. Now is not the time to introduce more uncertainty into running the store by making wholesale changes to the board.

WT is a proven leader on the board, he is knowledgeable on how the board works, he is knowledgeable about how city government works, he has good business sense and is, without doubt, a great advocate for the store and town. There is just no way to make up for that experience with a new person.

In my eyes, the ABC store is a business. We treat it and run it as a business. We make our decisions like it is a business. In this case and to everyone's credit, this business has been successful. WT has been a large part of that. Some of you on council have been in business and know what it takes to be successful. It's not always easy, is it?

Replacing 2/3 of the governing body of a thriving store with those with lesser to no experience (remember WT's 60 years of work experience) will only negatively impact a profitable business and is not a good idea for the store or for Valdese.

Pure and simple, re-appointing WT to the board is a good business decision. Doing so will hopefully allow the ABC board to continue making distributions to the town of around $200,000 a year. Think about that. $200,000 is the equivalent of a four-cent tax decrease to the Town of Valdese which, I'm sure will be welcomed by Council.

Thank you

ABC BOARD – KAREN CLARK-CARUSO, 805 MICOL AVE, VALDESE: Ms. Clark-Caruso provided a copy of her public comment to the Town Clerk:

"Mayor and Council, I am Karen Clark-Caruso, at 805 Micol Avenue, and I was the Valdese ABC's general manager since it opened until my retirement last October. I care deeply about the success of the store and you should too since its profits come to the Town. That's why I am before you tonight and ask that you reappoint Mr. WT Sorrell to the ABC Board.

What I am not here to do is disparage anyone else. I do not know Ms. Hoffman and only know of her work experience as a teacher assistant, a noble and often thankless job, and that she's a bookkeeper for a small business. What I do know is that if she's Rick and Judy McClurd's daughter, then she is bound to be a very fine person.

I am willing to work hard for something I believe in, as Councilman Harvey can attest, when we both served on the referendum committee to bring alcohol sales to Valdese. And I am especially grateful for the privilege of having been hired by the first ABC Board to be its general manager.

I believe in North Carolina's local control ABC system as the best system to benefit all citizens, whether they choose to consume alcohol or not. Just as your most important decision as a Council is the hiring of a Town Manager, the most important decision for the oversight of the ABC store is your decision to appoint members to its Board. Unlike an Advisory Board, the ABC Board is a governing body, much like the Council, that must abide by rules and statutes. Their oversight and decisions have real bottom line consequences.

Let's face it, despite a very rocky start, the Valdese ABC has turned into the cash cow that was promised during the referendum drive. It took longer than expected but to ensure the steady increase in sales and the profits that go to the town, a qualified ABC Board is essential. The statutes require that ABC Board appointees have the basic attributes that make up any good board: interest in public affairs, good judgment, knowledge, ability, and good moral character.

Unlike Advisory Boards, the ABC Board oversees a 2 million dollar retail operation but is also a governmental entity. By law it functions separately in every way from the Town including financially. It functions to send its profits to the Town. It needs Board members with a retail background and/or business ownership, those with a strong understanding of finance and accounting, and those with an understanding of the workings of government. These are essential Board attributes to successfully oversee the operations of the store.

WT Sorrell has more than 45 years of local government experience. He is the most experienced member with eight years on the Board and has contributed greatly to its success through his wise governance and council. Local ABC Boards typically have little turnover if they aren't politicized. Mr. Bill Davis served more than 50 years on the Morganton Board and the only churn they've had since our store opened was replacing him when he resigned.

Experience and continuity matter. The current ABC Board already has one new member and from all accounts Mr. Steen is doing a great job as its Chairman. But his Board seat is as temporary as his Interim Town Manager status if Council continues with the tradition of appointing the Town Manager as ABC Board Chairman. If Mr. Sorrell is not reappointed, it will leave only one experienced member to shepherd two new Board members in fulfilling their responsibilities for a highly regulated business. It would be a shame not to honor Mr. Sorrell's expressed desire to serve one more term to help the new Town Manager in his or her role as ABC Board Chairman.

Mr. Sorrell counts among his greatest accomplishments the hiring of Chris Leonhardt to succeed me and I wholeheartedly agree. Chris has consistently exceeded the Board's expectations. The Town is very fortunate to have this young man leading the team and handling the complex responsibilities required of a general manager.

I ask that you vote for experience and continuity and do what is in the Town's best interest by reappointing Mr. WT Sorrell to one more term to the ABC Board. Thank you for your time and attention."

ABC BOARD – DAVID WIESE, 3318 MONTANYA VIEW DR, VALDESE: Mr. Wiese has heard great things about both candidates for the ABC Board. Mr. Wiese asked what are we looking for in people on the ABC Board and shared people with good character, high integrity, and dedicated to public service. Mr. Wiese gives Mr. Sorrell and Ms. Hoffman a check on those. Mr. Wiese believes that Mr. Sorrell has more experience in business. However, Mr. Wiese feels that a woman's influence is important and gives a different perspective. Mr. Wiese encouraged the Council to go with the newcomer, Ms. Hoffman.

CONSENT AGENDA: (enacted by one motion) Councilman Harvey requested to remove one item 6 H, Approval of Request from Old Colony Players to Sell Alcohol, from the consent agenda.

Councilwoman Lowman asked if the Baker Tilly agreement fee is $17,000.00 and if the manager they recruit leaves within a year, we would still have to pay the full price again to find another manager. Town Attorney Tim Swanson said yes, that was correct.

APPROVED AGENDA REVIEW MEETING MINUTES OF JANUARY 29, 2024

APPROVED REGULAR MEETING MINUTES OF FEBRUARY 5, 2024

APPROVED CLOSED SESSION MINUTES OF FEBRUARY 5, 2024

APPROVED STRATEGIC PLANNING SESSION MINUTES OF FEBRUARY 15, 2024

APPROVED SPECIAL MEETING MINUTES OF FEBRUARY 16, 2024

APPROVED LEASE AGREEMENT AT THE OLD ROCK SCHOOL WITH DR. KYLE BARNES Lease agreement with Dr. Kyle Barnes for rental space at the Old Rock School, in the amount of $58.00 per month.

APPROVED FY 24-25 AUDIT CONTRACT – LOWDERMILK CHURCH & CO., LLP Audit contract for FY 24-25, in the amount of $17,900.00. The fee reflects a $600.00 increase. A copy of the audit contract can be obtained by contacting the Clerk's office.

APPROVED ORDINANCE DECLARING ROAD CLOSURES FOR THE TOWN OF VALDESE 2024 ANNUAL EVENTS

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

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

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

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

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

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

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

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

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

Signs shall be erected giving notice of the limits and times of these street closures as required by G.S. 20 169. THIS, the 4th day of March, 2024.

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

APPROVED BAKER TILLY AGREEMENT FOR TOWN MANAGER SEARCH

February 19, 2024

Baker Tilly US, LLP
205 N. Michigan Avenue, 28th Floor
Chicago, IL 60601
United States of America

bakertilly.com

Mayor Charles Watts
Valdese Town Council
Town of Valdese
102 Massel Avenue South West
Valdese, NC 28690

Delivered electronically to mayor@valdesenc.gov, GHarvey@valdesenc.gov, bsteen@valdesenc.gov, timothys@hickorylaw.com

Dear Mayor Watts:

This letter agreement (the "Agreement") documents the Town of Valdese's ("you/r" or "Client") engagement of Baker Tilly US, LLP ("we" or "Baker Tilly") to conduct an executive search for a Town Manager (the "Project"). This Agreement defines the parties' respective obligations for the Project. Our proposal dated February 8, 2024, attached hereto as Exhibit A, is incorporated by reference.

Scope, Objectives and Approach

The scope and phases of this engagement are set forth in Exhibit A.

Project Timing and Budget

1. The Project will commence upon your execution of this Agreement and will remain in effect for the period necessary for successful completion of the Project.

2. If you terminate this Agreement before completion, without cause, Baker Tilly shall invoice you for any unpaid portion of the total fee set forth in Exhibit A. Notwithstanding anything in this Agreement to the contrary, in the event of termination of this Agreement for cause, Baker Tilly shall only be entitled to any unpaid portion of the total fee set forth in Exhibit "A" that is earned based on percentage of work completed as of the date of termination. For purposes of this Agreement, cause shall mean Baker Tilly's material breach of any provision of this Agreement, including Exhibit "A" incorporated herein by reference, if such breach cannot be cured or is curable and remains uncured for a period of fifteen (15) days following receipt of written notice thereof detailing such breach.

Client's Obligations

1. You agree that you are responsible for candidate selections and that you will not discriminate against any candidate on the basis of age, race, creed, color, religion, sex, sexual orientation, national origin, disability, marital status, or any other basis that is prohibited by federal, state or local law.
2. If you decide to not hire a candidate as a result of a criminal or credit history report, you agree to comply with the FCRA with regard to any pre- or post-adverse action notices and requirements.
3. You agree to respond to drafts of documents and reports in a timely manner. Failure to do so on your part will protract timelines and can negatively influence the outcome of the process.

Management's Responsibilities

It is understood that Baker Tilly will serve in an advisory capacity with Client. The Client is responsible for management decisions and functions, and for designating an individual with suitable skill, knowledge, or

experience to oversee the services we provide. The Client is responsible for evaluating the adequacy and results of the services performed and accepting responsibility for such services. The Client is responsible for establishing and maintaining internal controls, including monitoring ongoing activities.

The procedures we perform in our engagement will be heavily influenced by the representations that we receive from Client personnel. Accordingly, false representations could cause material errors to go undetected. The Client, therefore, agrees that Baker Tilly will have no liability in connection with claims based upon a failure to detect material errors resulting from false representations made to us by any Client personnel and our failure to provide an acceptable level of service due to those false representations.

The ability to provide services according to timelines established and at fees indicated will rely in part on receiving timely responses from the Client. The Client will provide information and responses to deliverables within the timeframes established in this Agreement unless subsequently agreed otherwise in writing.

The responsibility for auditing the records of Client rests with the Client's separately retained auditor and the work performed by Baker Tilly shall not include an audit or review of the records or the expression of an opinion on financial data.

Terms and Conditions

1. To the extent allowed under applicable law, the aggregate liability (including attorney's fees and all other costs) of either party and its present or former partners, principals, agents or employees to the other party related to the services performed under this Agreement shall not exceed the fees paid to Baker Tilly under the portion of this Agreement to which the claim relates, except to the extent finally determined to have resulted from the gross negligence, willful misconduct or fraudulent behavior of the at-fault party. Additionally, in no event shall either party be liable for any lost profits, lost business opportunity, lost data, consequential, special, incidental, exemplary or punitive damages, delays or interruptions arising out of or related to this Agreement even if the other party has been advised of the possibility of such damages.
2. Each party recognizes and agrees that the warranty disclaimers and liability and remedy limitations in this Agreement are material bargained for bases of this Agreement and that they have been taken into account and reflected in determining the consideration to be given by each party under this Agreement and in the decision by each party to enter into this Agreement.
3. Neither this Agreement nor any rights or obligations hereunder shall be assigned or delegated by Baker Tilly without your prior written consent. This Agreement shall be modified only by a written agreement duly executed by you and Baker Tilly. Should any of the provisions hereunder be found to be invalid, void, or voidable by a court, the remaining provisions shall remain in full force and effect.
4. Copies of all hard copy documents associated with the recruitment will be retained for three (3) years from the anniversary date of the hiring of the candidate. Retention of records beyond three (3) years must be requested in writing before the conclusion of the Project.
5. Subject to the express acknowledgement by the parties that the Client is a public body under North Carolina law and is therefore subject to the North Carolina "Public Record Act" and "Open Meetings Law", the Parties agree to maintain the confidentiality of all applicant information in accordance with G.S. 160A-168.
6. Baker Tilly US, LLP is an independent member of Baker Tilly International. Baker Tilly International Limited is an English company. Baker Tilly International provides no professional services to clients. Each member firm is a separate and independent legal entity, and each describes itself as such. Baker Tilly US, LLP is not Baker Tilly International's agent and does not have the authority to bind Baker Tilly International or act on Baker Tilly International's behalf. None of Baker Tilly International, Baker Tilly US, LLP, nor any of the other member firms of Baker Tilly International has any liability for each other's acts or omissions. The name Baker Tilly and its associated logo is used under license from Baker Tilly International Limited.

[Signature Page to Follow]

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Acknowledgment

If this Agreement correctly sets forth your understanding, please sign below and return one copy to us for our files. We look forward to working with you on this important project.

Sincerely,

_____
Anne Lewis, Practice Leader | Managing Director

Client Signature:

Name: _____

Title: _____

Date: _____

APPROVED RESOLUTION AMENDING THE 2024 TOWN COUNCIL MEETING SCHEDULE

TOWN OF VALDESE
RESOLUTION AMENDING 2024 TOWN COUNCIL MEETING SCHEDULE

WHEREAS, pursuant to Section 2-1011 of the Town of Valdese Code of Ordinances, there shall be a regular meeting of the council at the town hall, on the first Monday in each month, at 6:00 p.m., unless another place, date or time shall be designated.

NOW, THEREFORE, BE IT RESOLVED that the Town of Valdese Town Council adopts the following Meeting Schedule for 2024:

Council Chambers, Unless Noted		*Council Chambers, Unless Noted*	
2024 REGULAR MONTHLY MEETINGS		**PUBLIC FORUMS AND REVIEW MEETINGS**	
January 8		**(Informal review of agendas/town news)**	
		January 29	**Review Feb Agenda**
February 5			
		February 26	**Review Mar Agenda**
March 4			
		March 18	**Citizen Budget Priorities** (WPCOG Strategic Planning Results)
April 1		**March 25**	**Review April Agenda**
April 22	**Council Budget Review**		
		April 29	**Review May Agenda**
May 6			
		May 29	**Review June Agenda**
June 3			
June 24	**2024-25 Budget Hearing**	**(June 24 for July Mtg. is a Public Meeting)**	
		July 29	**Review August agenda**
August 5			
		Sept 4	**Review Sept Agenda**
September 9			
		September 30	**Review Oct Agenda**
October 7			
		Oct 28	**Review Nov Agenda**
November 4			
		Nov 25	**Review Dec Agenda**
December 2			

This 4th day of March 2024.

/s/ Charles Watts, Mayor

APPROVED REQUEST FOR QUALIFICATIONS(RFQ) FOR PERMANENT POOL STRUCTURE Staff will submit an RFQ for the Jimmy C. Draughn Aquatic Center Structure.

APPROVED BUDGET AMENDMENT - BAKER TILLY FOR THE TOWN MANAGER SEARCH

Valdese Town Council Meeting — Monday, March 4, 2024

Budget Amendment # 11-10

Subject: Town Manager search

Description: This amendment covers the cost of the Manager search by Baker Tilly

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

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

Account	Description	Decrease/ Debit	Increase/ Credit
10.3990.000	General Fund Balance Appr.		17,000
	Total	$0	$17,000

Amounts appropriated for expenditure are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit	
10.4200.040	Professional Services	17,000		
				BA
	Total	$17,000	$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.

Councilman Harvey made a motion to approve the aforementioned items on the Consent Agenda minus Item 6 H(Approval of Request from Old Colony Players to Sell Alcohol), seconded by Councilman Ogle. The vote was unanimous.

End Consent Agenda

ITEMS REMOVED FROM CONSENT AGENDA: One item 6 H, Approval of Request from Old Colony Players to Sell Alcohol

APPROVED REQUEST FROM OLD COLONY PLAYERS TO SELL ALCOHOL Councilman Harvey asked to remove this and wanted to know where they would be selling the alcohol. Edyth Potter, General Manager of Old Colony Players, shared that they have been selling alcohol at some of the shows in the past and have never had a problem with it. Ms. Potter said that they monitor people according to the ABC guidelines

and, stop selling after intermission, and can only sell one drink per person at a time. Ms. Potter noted that the request to sell alcohol was sent by the board of the OCP for the following events:

- Jimmy Buffet's Escape to Margaritaville showing April 25-27 and May 2-4, 2024, at the Fred B Cranford Amphitheatre
- From This Day Forward showing Fridays and Saturdays from July 12-August 10, 2024 at the Fred B Cranford Amphitheatre
- Assassins, a dinner theatre showing 23, 24, 25, 30, 31 and September 1, 2024, in the Waldensian Room at the Old Rock School
- The Legend of Sleepy Hollow showing October 18, 19, 22, 23, 24, 31 and Nov 1 & 2, 2024 at the Fred B Cranford Amphitheatre
- The Last 5 Years, a dinner theatre showing February 21, 22, 23, 28, 29, 2025, in the Waldensian Room at the Old Rock School.
- Something Rotten, April 24-26 and May 1-3, 2025, at the Fred B Cranford Amphitheatre.

Ms. Potter would not be opposed to removing the sale of alcohol at From This Day Forward, but she knows that there are patrons who want to have a glass of wine while they are watching the show. Councilman Harvey asked what kind of alcohol was sold and how much they cleared in sales. Ms. Potter shared that they sell beer, wine, and cider; during Shrek, they made around $100.00, which is not a lot. Councilman Harvey asked if you had the same amount contributed instead of selling the alcohol would that help? Ms. Potter said that they decided to sell alcohol because it was a request from the patrons, as many other theaters do in the area, not to make money by selling it. Ms. Potter said they do not sell alcohol at children's and Christmas shows.

Councilman Harvey made a motion to approve the request from Old Colony Players to sell alcohol, Councilwoman Lowman seconded.

Councilwoman Ward noted that if anything is sold on the property where the Trail of Faith is, she will have to say no. Ms. Potter said that the Town property is leased to OCP and Trail of Faith, which is two separate entities.

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

OLD COLONY PLAYERS Edyth Potter, General Manager of Old Colony Players presented to Council a year in review:



Old Colony Players

Performing since 1967

The mission of Old Colony Players is to preserve Waldensian cultural heritage, promote quality theatre, and celebrate diverse artistic expression.

Old Colony Players is a 501-c3 non-profit corporation



OUR 2023 SEASON



Crazy Little Thing Called Death

A murder mystery done in conjunction with Waldensian Heritage Venues
February 2023
2 sold out performances
Locally written



Beauty and the Beast Jr

At the Old Rock School
January 2023
30 amazing Actors
All under the age of 18
18 of which were new to OCP or to the stage
2109 Patrons who came to see this show
Over 60% were from outside of Burke County

Shrek, The Musical

April 2023
At the Fred B Cranford Amphitheatre
30 performers, 7 new to OCP or to the stage
1006 patrons
Over 70% of audiences were from outside of Valdese



From This Day Forward 2023

56th consecutive season
At the Fred B Cranford Amphitheatre
Making us the longest consecutively running outdoor drama in NC
2 rain out nights
Over 600 patrons and volunteers attending
From many places across the country.
35 cast and crew- 11 new to OCP
Our only "Paid" show for actors.

OCP Summer Camp- You in the Spotlight June 2023

25 students- 5 amazing teachers
In music, dance and drama
Hoping to expand our reach to the youth of the community
Subsidized with a grant from the Community Foundation of Burke

"Psych"

September 2023
A hilarious dinner theatre experience in the Waldensian Room
3 dinner performances, 1 matinee
150 attendees
50% from out of Burke County





Young Frankenstein, the Musical

October 2023
At the Fred B Cranford Amphitheatre
6 performances/ 500 patrons
19 performers- 4 new to OCP



It's a Wonderful Life

Dec 2023
At the Old Rock School
7 performances –
700 patrons and volunteers
17 performers- 8 new faces



The Little Mermaid, Jr

January/February 2024

1300 Patrons
37 youth under the age of 18 performing
13 of whom had either never performed or never performed with OCP





The Diary of Anne Frank

Runs March 7, 8, 9, 14, 15, and 16
Performed in Rioneer Hall
At the Waldensian Presbyterian Church



- We are proud to be the only continuously running community theatre in Burke County and to find ways to bring people to Valdese to enjoy not only our shows but the rest of the wonderful things Valdese has to offer.

- Where do our audiences come from?

Over 75% of our audiences are from outside of Valdese, making OCP a destination attraction for those who do not know our wonderful town.

For the Outdoor drama, we have had people from all over the country and even overseas.

For our other productions, patrons regularly come from as far as Asheville, Winston Salem and Charlotte and every point in-between.

- Where do our actors come from?

Our actors are a diverse group.
Actors travel from Hickory, Lenoir, Boone, Marion, Cherryville, Lincolnton, Shelby and Statesville as well as many people in our local acting community.

We have a wonderful core group who work with almost every show, but we have had 45 people this year alone who have joined our casts and crews who had never worked with Old Colony Players before.

As a community theatre, all actors and most of the crew are volunteers. Each of them give at least 150 hours of their time at the theatre per production.

From This Day Forward is only production for which actors are paid.
Pay range is from $150-$400 for the whole summer

- How much does it cost to put on a production?

Depending on the production, the rights run anywhere from $120-$285 per performance.
The average cost of rights/music for a major musical is over $4500.

Add to that the cost of production staff, costuming, sets, musicians, and props, and productions cost anywhere from $3000- $10,000 to produce.

On top of show costs, of course the regular costs of doing business still apply.

Revenues from shows only pay a portion of our operating costs, so we are incredibly dependent and grateful to our community for support. We are grateful to our members who give freely to enhance our mission, and to the businesses who we partner with to generate mutually beneficial revenue.

What's new at OCP

- We have done a major upgrade to the amphitheatre stage structure thanks to a generous grant from Rostan Family Foundation and continue to upgrade our sound system for our patrons.



- We were the recipient of the "hometown neighbors" grant from Bimbo Bakeries of Valdese.
They added a beautiful concession stand for the amphitheatre and a concrete pad around the bottom of the tech shack.



- We are continuing to attract actors and audiences from outside our immediate area and are excited about all the new people we bring into our community.
- We are seeking to continue to bring quality theatre and a well-rounded season that brings our community together and attracts new people to Valdese to enjoy not only our shows, but the rest of what Valdese has to offer.
- We are looking forward to the upgrades at the Old Rock School which will bring in new excitement for our facilities



ARBOR DAY PROCLAMATION Mayor Watts read the following proclamation:

ARBOR DAY 2024 PROCLAMATION

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, 2024 is the 152nd Anniversary of the holiday and Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut our heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal; and

WHEREAS, the Town of Valdese has received the prestigious Tree City USA award for the past 36 years.

NOW, THEREFORE, I, Charles Watts, Mayor of the Town of Valdese, North Carolina, do hereby proclaim Friday, March 15, 2024, as the 152nd Anniversary celebration of; and

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

This 4th day of March, 2024.

/s/ Charles Watts, Mayor

APPROVED WPCOG CONTRACT TO DEVELOP A COMPREHENSIVE PARKS AND RECREATION PLAN Alison Adams, WPCOG Community & Regional Planning Director, said that nothing has changed with the presentation that was presented at the pre-agenda meeting and only moved the date on the contract so they could hit the ground running on July 1. Councilman Harvey asked if it would still cost $23,000, and Ms. Adams said that was correct. Councilwoman Lowman thought this was approved at the February 16, 2024 meeting. Mr. Swanson said yes, it was approved subject to his review, which has been completed, and revisions have been accepted by WPCOG, however, there was a request to put it on the agenda. Mr. Swanson said the Council could move on to the next item if there were no other questions.

AGREEMENT BETWEEN THE
WESTERN PIEDMONT COUNCIL OF GOVERNMENTS AND
TOWN OF VALDESE
FOR THE PROVISION OF TECHNICAL ASSISTANCE
VALDESE PARKS AND RECREATION PLANNING
MAY 1, 2024 – JUNE 30, 2025

This AGREEMENT (the "Agreement") is made and entered into on this the ____ day of _____, 2024, by and between the Western Piedmont Council of Governments ("Planning Agency") and Town of Valdese, North Carolina ("Local Government") (each individually a "Party", and collectively, the "Parties").

WHEREAS, the Planning Agency is empowered to provide technical assistance by the North Carolina General Statutes and by resolution passed by the Planning Agency on April 17, 1972. Technical assistance shall consist of the provision of services as described in **EXHIBIT "A"**, a copy of which is attached hereto and incorporated herein by this reference; and

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

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

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

1. **Purpose of Agreement.** The essential purpose of this Agreement will be to identify the current state of the parks and recreation facilities in the Town of Valdese and make reasonable recommendations to address the current and future parks and recreation needs of the Town of Valdese. The master parks and recreation plan contemplated in this Agreement will only be completed after a thorough inventory by the Planning Agency of existing parks, facilities, research on current park and recreation trends and standards, and input from the public, staff and council.

2. **Personnel.** That during the period of this Contract, the Planning Agency will furnish the necessary trained personnel to the Local Government to accomplish the purpose of this Agreement outlined in Section 1 above within the time for performance outlined in Section 6 below.

3. **Travel/Printing.** Normal travel and training for Planning Agency staff is included in the scope of services provided under this Agreement and no additional travel is expected unless requested by the Local Government. The Local Government will pay for expenses related to conferences, conventions, seminars, or other unexpected expenses related to the Local Government's planning program, or if it is beneficial to both parties, the costs will

be shared on an agreed-upon ratio.

The Local Government will also pay for expenses related to printing of report(s), mailing other costs not related to normal travel and staffing costs associated with personnel furnished by the Planning Agency.

4. **Compensation.** The Local Government will pay the Planning Agency an amount of $23,000 (twenty-three thousand dollars) for all services related to administration of the project as defined in the attached Scope of Services, **EXHIBIT "A"**. It is expressly understood and agreed that total compensation shall not exceed the sum specified without prior approval of both agencies. Twenty-five percent (25%) of the work will be completed each quarter. The Planning Agency will invoice the Local Government after July 1, 2024, within the fiscal budget year of 2025, at a rate of $5,750 (Five thousand, seven hundred and fifty dollars) per quarter based on percentage of work completed.

5. **Termination/Modifications.** The Local Government may terminate this Agreement, with or without cause, by giving the Planning Agency a thirty days' written notice. The Planning Agency may terminate this Agreement for default under Section 4 of this Agreement if such default is not cured within sixty (60) days from the Local Government's receipt of written notice specifying such default and demanding that the same be cured. In the event this Agreement is terminated, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs, and reports prepared under this Agreement shall, at the option of the Local Government, become its property, and the Planning Agency shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents and other materials in direct proportion to the extent of services actually completed.

6. **Time of Performance.** The Planning Agency shall ensure that all services required herein should be completed and all required reports, maps, and documents submitted during the period beginning May 1, 2024, and ending June 30, 2025. Time is of the essence.

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

8. **Nondiscrimination Clause.** No person in the United States shall on the grounds of race,

color, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination with any program or activity funded.

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

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

11. **Access to Records and Record Retainage.** All official project records and documents must be maintained during the operation of this project and for a period of three years following closeout.

12. **Amendment.** This Agreement and each of the terms and provisions hereof may only be amended, modified, waived, or supplemented by an agreement in writing signed by each parties.

Signatures Appear on the Following Page.

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

LOCAL GOVERNMENT:
THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

_____ (Seal)
CHARLES WATTS, Mayor

ATTEST:

_____
JESSICA LAIL, Town Clerk

This document has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

_____
BO WEICHEL, Chief Financial Officer

PLANNING AGENCY:
WESTERN PIEDMONT COUNCIL OF GOVERNMENTS

_____
ANTHONY STARR, Executive Director

_____
WPCOG Board Chair

EXHIBIT "A"

TOWN OF VALDESE
PARKS AND RECREATION PLANNING
SCOPE OF SERVICES - WORK PROGRAM
MAY 1, 2024 – JUNE 30, 2025

The following work program and budget are presented as descriptive of the work and dollar amounts requested in the Agreement concerning planning activities by the Western Piedmont Council of Governments ("WPCOG") for the Town of Valdese.

Work Program Process:

1. WPCOG will locate and clearly identify existing park and recreation facilities and, with citizen, staff and council input, evaluate and make recommendations regarding priorities for the improvement and/or expansion of these facilities. The inventory of existing parks and recreation should be developed in GIS data sets. The data sets will be used to generate maps within the master plan.
2. WPCOG will identify, analyze, and make recommendations on how the Town of Valdese might partner with other agencies and municipalities to maximize and leverage resources for the Town's citizens and programs.
3. WPCOG will identify and evaluate current utilized property and undeveloped facilities or open spaces owned by the Town of Valdese and make recommendations as to potential for utilization to serve the community through further recreation services and provide general cost estimates for these projects.
4. Using relevant data from the existing parks and recreation plan and input from citizens, staff and council, WPCOG will develop objective criteria, evaluate, and make recommendations for future priorities for new land acquisition and park/facility construction. Recommendations should include prioritization of both land acquisition and facility construction.
5. WPCOG will identify potential greenway connectors along right-of-ways and provide cost estimates for these projects.
6. WPCOG will evaluate current and projected demographic, sociological, and equity factors pertinent to the Town of Valdese, including population composition, population growth projections and trends, economic factors, and land use patterns and attempt to identify trends that might affect the delivery of recreation and leisure services in the Town of Valdese and make recommendations on how to address them.
7. WPCOG will identify existing programming, events, tourism, and maintenance operations and will identify growth trends related to current and future programing, events, tourism, and maintenance operations and make strategic recommendations on how to navigate enhancement or expansion of these services.
8. WPCOG will identify personnel benchmarks and growth patterns, provide prioritization, and need justifications for each personnel addition, and provide analysis on how the Town can elevate revenue resources directly related to the essential job junction of each position.
9. WPCOG will administer a digital survey that measures the public interest in Parks and recreation as well as the public's desire for future recreational opportunities. WPCOG

will meet with Parks and Recreation staff to finalize the digital survey content prior to release.

10. WPCOG will collect the results from the public input survey.
11. WPCOG will hold two public input meetings. The first meeting will be used to collect information from citizens, staff and council. The second meeting will take place after the plan has been developed and will be used to obtain input about the plan and its recommendations. The Town will secure the location and will publicize the public input meetings. In addition, WPCOG will schedule and hold such other meetings with staff and council (or its committees) to obtain the input and feedback necessary to identify future needs, such as new or modified facilities, programs, and/or events and to develop the plan.
12. WPCOG will write the plan as outlined in the scope.
13. WPCOG will review the draft plan with the Recreation Director and staff to address any concerns or needed changes.
14. WPCOG will present the final document to the Town Council. After reviewing and providing input, the Town Council will be asked to adopt the plan.

<u>The scope of the plan will include</u>:

- An introduction summarizing the plan's purpose and goals and the recreation roles of the Town and other recreational providers.
- Population trends and projections
- Inventory of existing parks, facilities, programs, and special events
- Review of the recreational needs assessment –
    - Public input analysis
    - State and National assessment (trends and needs)
    - Identification of recreation facilities and park types (educational component)
    - Evaluation of park land needs and facility needs.
- Goals and recommendations
    - Proposals/recommendations
    - Priorities
- Action Implementation Plan
    - Economic development initiatives
    - Funding opportunities, strategies, and sources
    - Operating budget/Capital improvements program

<u>Deliverables</u>:

- A recreation public input survey and results
- A Comprehensive Recreation Plan that will address all items included in the scope.
- A Capital Improvements Program that includes recommendations and associated costs
- A list of grant funding, partnership, and resource opportunities
- Maps showing parks, facilities, and connections to park related opportunities.
- Drone photography of key locations associated with the Recreation Plan
- Two to three renderings of a proposed improvement identified during the plan's development.
- Two public input meetings – one at the beginning of the process and another at the end (prior to the Council's review).

- One final presentation to Council for adoption

CONSIDERATION OF COMMITTEE/BOARD APPOINTMENTS Mayor Watts went over the rules of nominating a candidate. Mayor Watts said that he would announce each nomination as received, one at a time.

Facilities Review Committee – Councilman Harvey nominated Mr. Greg Refour – 1-year term, Councilman Harvey nominated Mr. Jerry Hyde – 2-year term, Councilman Harvey nominated Ms. Tessa Collinson – 2-year term, Councilman Harvey nominated Mr. Roger Heavner – 3-year term, and Councilwoman Ward nominated Mr. Glenn Harvey – 3-year term.

Councilman Ogle made a motion to accept all the nominees for the Facilities Review Committee, seconded by Councilwoman Ward. The vote was unanimous.

Drug and Homeless Advisory Task Force(1-year terms) – Councilwoman Ward nominated Rev. Josh Lail, Councilwoman Ward nominated Sgt. William Beck, Councilwoman Ward nominated Ms. Annette Skidmore, Councilwoman Ward nominated Mr. Mark Queen, and Councilman Harvey nominated Councilwoman Heather Ward.

Councilman Harvey made a motion to accept all the nominees for the Drug and Homeless Advisory Task Force, seconded by Councilman Ogle. The vote was unanimous.

Efficiency Task Force(1-year terms) – Councilman Ogle nominated Mr. Rick McClurd, Councilman Ogle nominated Mr. Tim Page, Councilman Ogle nominated Mr. Eddie Perrou, Councilman Ogle nominated Mr. Steve Perry, and Councilman Harvey nominated Mr. Gary Ogle.

Councilman Harvey made a motion to accept all the nominees for the Efficiency Task Force, seconded by Councilman Mears. The vote was unanimous.

Valdese ABC Board – Councilman Harvey nominated Ms. Angela Hoffman, and Councilman Mears nominated Mr. WT Sorrell.

Councilman Harvey made a motion to appoint Ms. Angela Hoffman to the ABC Board, seconded by Councilwoman Ward. Councilman Harvey – Yes, Councilman Ogle – Yes, Councilwoman Ward – Yes, Motion carried and Angela Hoffman was appointed to the Valdese ABC Board.

APPROVED CAPITAL PROJECT BUDGET ORDINANCE – WATER PLANT UPGRADES PROJECT
Assistant Town Manager/CFO Bo Weichel presented the Capital Project Budget Ordinance for the Water Plant upgrades project. Councilman Harvey shared that they met with one of our local manufacturers recently that had concerns about their water. Councilman Harvey wanted to go on record that they were heard and that we would be addressing this. Water Resources Director Greg Padgett said the Water Plant upgrades have nothing to do with the concerns Councilman Harvey is speaking of. Mr. Padgett said it was a distribution issue and that staff is making process changes to address it. Councilman Mears shared that this grant will take care of many future expenses the Town would have had to take care of, which is a blessing to receive. Councilman Harvey asked when we would get the money. Mr. Weichel said they would not give us the money until we started the work, and then it would be reimbursed quarterly. Mr. Weichel noted that we must spend the money first and then get it back.

TOWN OF VALDESE
WATER TREATMENT PLANT UPGRADES PROJECT
CAPITAL PROJECT BUDGET ORDINANCE
DWI PROJECT NO.: SRP-D-134-0038

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

Section 1. The project authorized is the **Water Treatment Plant Upgrades Project (SRP-D-134-0038)** consisting of the construction or alteration and improvement of raw water pumps, raw water piping and control valves, modification of the flash-mix basins and replacement of the flash mixers, replacing the existing flocculators, modification of the existing chemical feed systems, adding tube settlers to the sedimentation basins, rehabilitation of the existing filters, adding an air-scour system to the existing filters, process and sample line piping, miscellaneous site work and all related appurtenances. This project's scope of work is intended to improve the viability of aged existing treatment facilities and in conjunction with a corresponding project for a water line interconnect with the City of Lenoir.
The project is funded through a North Carolina State budget appropriation of $7,000,000 to be administered by the Division of Water Infrastructure (DWI). DWI charges a 3% mandatory fee to appropriate the funding which is taken upfront and reflected in this project ordinance.

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
State Appropriation	6,790,000	54.3480.000
	$ 6,790,000	

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

Source	Amount	Assigned Account Number
Construction	$ 5,357,900	54.8100.760
Contingency	479,100	54.8100.900
Design	488,000	54.8100.040
Bidding & Award	28,000	54.8100.043
Funding Admin	40,000	54.8100.041
Construction Services	397,000	54.8100.045
	$ 6,790,000	

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 Utility 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 4th day of March, 2024.

_____
Charles Watts, Mayor

_____
Jessical Lail, Town Clerk

Councilwoman Lowman made a motion to approve the Capital Project Budget Ordinance DWI Project No.:SRP-D-134-0038, seconded by Councilman Mears. The vote was unanimous.

FY 24/25 BUDGET PREPARATION DISSCUSSION Interim Town Manager Bryan Steen shared that you have a certain amount of money to work with and have to find a way to go as far as possible. Mr. Steen noted that we are waiting for information on the health insurance premiums and retirement contributions, as well as the Strategic Plans and things you would like to see move forward.

MOTION: Councilman Harvey made a motion for the Town Manager to apply the following guidelines in the development of the Town of Valdese FY budget 2024-2025: 1. The Town of Valdese shall levy ad valorem taxes on property at a rate not exceeding 41.5 cents per $100.00 of assessed value, 2. The budget shall be prepared such that there is no reduction in essential services; 3. The budget shall implement and account for a definitive fee differential between Valdese residents and non-residents for all fee-based services offered by the Town of Valdese. Seconded by Councilwoman Ward.

DISCUSSION: Councilman Harvey shared that we have had a lot of review of the Towns budget and taxes over the past year. Burke County did a reassessment, the revenue neutral rate for Valdese was 41.5 cents, the average property assessment went up about 43%, and then Valdese sets the tax rate. Councilman Harvey said that our Council set the rate at 51.5 cents, 24% higher than the revenue-neutral rate. Councilman Harvey talked to hundreds of people and it has been very difficult for them. Councilman Harvey noted that at last year's budget retreat, staff explained that we needed $395,000 of new revenue that would

come from the 51.5 cent tax rate to pay for paving, new entrance signs, and part-time lifeguards and firemen. Councilman Harvey said that Burke County is doing a good job of collecting taxes, and it turns out that we will end up with over $600,000. Councilman Harvey said the extra $220,000 was enough to pick up the Town's make-up portion of the cost overrun at the Old Rock School. Councilman Harvey reminded everyone that the Council has agreed to go through with some kind of permanent pool structure, which will be paid for out of reserve funds. Councilman Harvey also said the Town has been saving and allocating $407,000 yearly to pay the debt service on a 7.2 million USDA Loan that was preliminarily approved, but now that has been canceled, so we have that money we can use for repaving. Lastly, we have $150,000 a year of Powell Bill funds from the State that can be used for repaving. Councilman Harvey stated that we are in good shape, do not have to cut services and have a good tax rate we are proposing.

Councilwoman Lowman said that we are going to have to do something to the Public Safety Building, so we will need some money to do that. Councilwoman Lowman asked Mr. Steen his thoughts. Mr. Steen said that until we get hard numbers, it is speculation. Councilman Harvey said that we have a fund set aside for the Public Safety Building. Mr. Weichel shared that we have 1.5 million in the project fund, but if we take away the $407,000, we will not have anything for future payments. Councilman Mears feels it would be wise to keep contributing to that fund to build up those reserves. He supports lower taxes for our citizens as long as we do not cut essential services. Councilman Harvey encouraged citizens to send the Interim Manager ways the Town can save money and reminded everyone that we now have an Efficiency Task Force to help find ways to save money.

Mr. Steen asked for consideration in amending the motion to include a two-day budget workshop towards the end of April. Councilman Harvey is not in favor of amending the motion and it is clear that the Town Manager's responsibility is to bring a budget. Councilwoman Lowman feels we need a budget retreat and asked staff to send some dates.

VOTE: The vote was unanimous.

Councilman Mears made a motion to add two days to our calendar to discuss the nature of preparing this budget for 2024, seconded by Councilwoman Lowman.

DISCUSSION: Councilwoman Ward would like to have the session but would like the retreat to be more discussion vs. just listening. She feels it would provide her with a better understanding.

VOTE: Councilman Ogle – Yes, Councilwoman Ward – Yes, Councilman Mears – Yes, Councilwoman Lowman – Yes, Councilman Harvey – No, Motion carried.

BUDGET RETREAT DATES: Councilwoman Ward made a motion to set the dates for the budget meetings as dictated by the Town Manager, seconded by Councilwoman Lowman.

VOTE: Councilman Ogle – Yes, Councilwoman Ward – Yes, Councilman Mears – Yes, Councilwoman Lowman – Yes, Councilman Harvey – No, Motion carried.

INTERIM MANAGER'S REPORT: OCP Production: The Diary of Anne Frank, Show Dates March 7, 8, 9, 14, 15 & 16, 2024, 7:30 p.m.; visit www.oldcolonyplayers.com for more information and to purchase tickets.

Next Council Meeting – Citizens Budget Priorities(WPCOG Strategic Plan Results), scheduled Monday, March 18, 2024, 6:00 p.m., Council Chambers, Valdese Town Hall

Next Agenda Review Council meeting is scheduled for Monday, March 25, 2024, 6:00 p.m., Council Chambers, Valdese Town Hall

MAYOR AND COUNCIL COMMENTS: Councilman Harvey shared his comments to the Town Clerk: "ON BEHALF OF THREE NEW COUNCIL MEMBERS – A BRIEF, STATE-OF-THE-ART REPORT FOR THE 1ST QUARTER OF 2024. IN A WORD – "CHANGE!"

- SIX FIRST-TERMERS – THE FIRST TIME SINCE VALDESE BECAME A TOWN
- JESSICA LAIL - LONGEST SERVING BUT YOUNGEST
    - ATTENTION TO DETAIL - EVERY CHALLENGE WITH A SMILE - DOES EVERYTHING ON TIME – PUBLISHED 281-PAGE BOOK ON FRIDAY
- ATTORNEY TIM SWANSON – STEADY AND COMPETENT HAND ON THE TILLER
    - KNOWS THE LAW – ENSURES SMOOTH AND ORDERLY MEETINGS
- INTERIM MANAGER STEEN – MENTOR TO YOUNGER STAFF – BUDGET!!
- WE APPRECIATE MAYOR WATTS AND COUNCIL MEMBERS LOWMAN AND MEARS FOR WELCOMING AND TOLERATING US NEWCOMERS
- THIS ENTIRE NEW COUNCIL INHERITED CHALLENGES, IGNORED FOR 8-10 YRS
    - PUBLIC SAFETY BUILDING - STRUCTURAL ISSUES REPORTED IN 2010
    - 24-YR OLD POOL BUBBLE - TOO ROTTEN TO INFLATE IN 2024
    - ORA RENOVATION BIDS - $500,000 OVER ALLOCATION
- WE THANK ALL CITIZENS OF VALDESE FOR YOUR PATIENCE AND PARTICIPATION IN HELPING THE FIRST-EVER CITIZEN-BASED STRATEGIC PLAN.
    - TUNE IN TWO WEEKS FROM TONIGHT WHEN THE FINAL RESULTS ARE PRESENTED AS GUIDANCE WITH THE FISCAL YEAR 20-25 BUDGET.
- ON BEHALF OF THE ENTIRE COUNCIL, A SPECIAL THANKS TO SIXTEEN INDIVIDUALS WHO HAVE STEPPED FORWARD TO SERVE ON TOWN COMMITTEES.
- IT IS MY PLEASURE TO REPORT THAT THE FACILITIES REVIEW COMMITTEE, WILL MEET IN FULL THIS WEEK, TO GET TO WORK ON A MODERN AND SAFE STRUCTURE FOR OUR POLICE AND FIRE DEPARTMENTS, FURTHER…
- THREE MEMBERS STARTED JOINED A SPECIAL, INFORMAL MEETING ON FEBRUARY 1ST WITH THE STAFF AND ARCHITECT TO REVIEW THE OLD ROCK SCHOOL RENOVATION PLANS.

  AS COUNCILMAN MEARS AND MR STEEN WILL ATTEST, IT WAS AT THAT MEETING THAT THE TOWN RECEIVED THE GUARANTEE TO ENSURE THAT $150,000 WOULD BE RAISED TO COVER THE NEW AUDITORIUM SEATS. THE REVIEW AND DISCUSSION OF THE PLANS, LED TO A FURTHER COST REDUCTION OF OVER $130,000.

  IN SUMMARY, THE ORS RENOVATION AND THE POOL BUBBLE FIX ARE UNDERWAY.
  NOW OUR TOWN CAN GET ON WITH A REDUCTION IN PROPERTY TAXES, ADDITIONAL STREET REPAVING, AND A FIX FOR THE PUBLIC SAFETY BUILDING.

  THANK YOU EACH AND EVERY CITIZEN FOR ALL YOU DO TO HELP ENSURE THAT VALDESE WILL ALWAYS BE THE GREATEST SMALL TOWN IN NORTH CAROLINA!"

ADJOURNMENT: At 8:10 p.m., there being no further business to come before Council, Councilwoman Ward made a motion to adjourn, seconded by Councilman Ogle. The vote was unanimous.

The next regular Council meeting is scheduled for Monday, April 1, 2024 at Valdese Town Hall.

_____ _____

Town Clerk Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL CITIZENS BUDGET PRIORITIES (WPCOG 2024 STRATEGIC PLAN)
MARCH 18, 2024

The Town of Valdese Town Council met on Monday, March 18, 2024, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The Council meeting was live-streamed on YouTube @townofvaldese. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilman Glenn Harvey, and Councilman Paul Mears. Also present were: Interim Town Manager Bryan Steen, Town Attorney Tim Swanson, Town Clerk Jessica Lail, and various Department Heads.

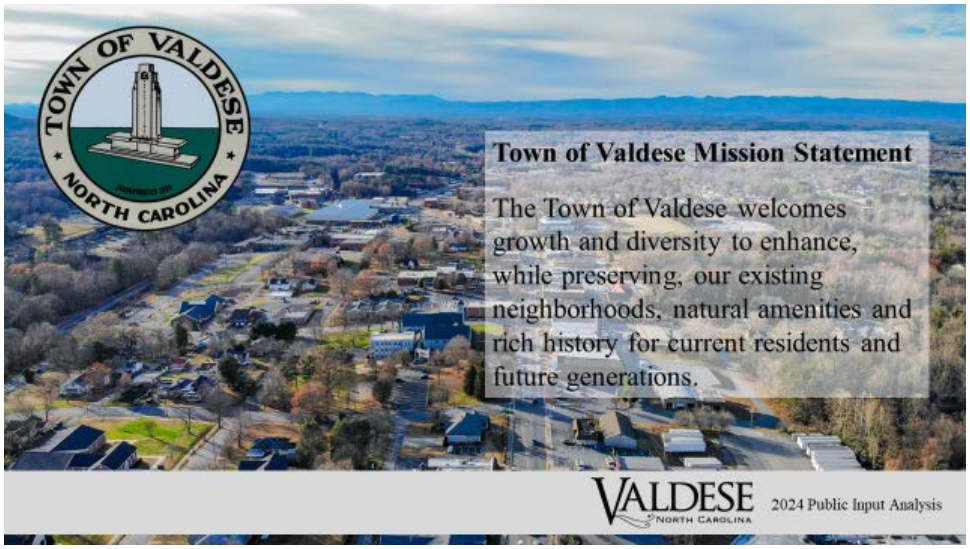
Absent: None

A quorum was present.

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

NEW BUSINESS

PRESENTATION OF THE FINAL 2024 STRATEGIC PLAN Alison Adams, WPCOG Community & Regional Planning Director, provided Council with an overview of the Strategic Planning that was completed with the citizens and Town Council. Ms. Adams presented the following presentation:



PURPOSE AND THE ROLE OF TOWN COUNCIL

- **Main Roles:** establishing administrative policy, adopting ordinances based on North Carolina General Statutes and the Town's Charter for public protection, and levying taxes for these functions. Town Council represents Valdese citizens and serves the community trough legislative and policy making body.

- **Other Duties:**
  - Approve policies and budgets
  - Provide direction to the Town Manager
  - Oversee municipal operations and assets
  - Provide services/facilities to taxpayers
  - Foster the economic, social, and environmental well-being of the town.

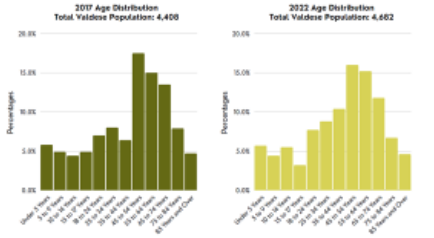


Town of Valdese Demographics- Population Trends



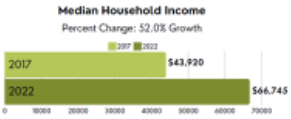
Racial Demographics

	2013-2017 ACS Data		2018-2022 ACS Data		Change (2017-2022)
Race	Number	Percent	Number	Percent	Percent Change
White Alone	4,302	97.6%	4,378	93.5%	1.8%
Black or African American Alone	13	0.3%	69	1.5%	430.8%
American Indian and Alaska Native Alone	17	0.4%	0	0.0%	-100.0%
Asian Alone	59	1.3%	29	0.6%	-50.8%
Mixed Race (Two or More Races)	17	0.4%	131	2.8%	670.6%

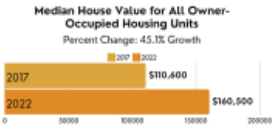


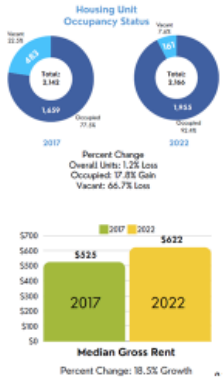
- Overall population growth with a **6.2% increase in total population** and **17.1% increase in families**
- **Increase in median age from 48.5 years old to 50 years old**
- Valdese has seen an **increase in the 25-44 age groups** (). **73.6% increase in ages 35-44 and17.3% increase in ages 25-33**
- Valdese has seen **a decrease in the 15-17 age group (29.6% decrease) and the 75-84 age group (10.3% decrease)**

Town of Valdese Demographics- Housing Trends





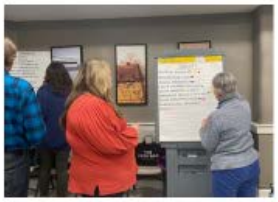




- **Household income (52% growth)** has grown along with **house values (45.1% growth)**
- However- **median gross rent** has only **increased by 18.5%**
- **Housing units have increased** in total number of **units available and occupied.**
  - Meaning an **overall decrease in vacant/unused housing stock.**

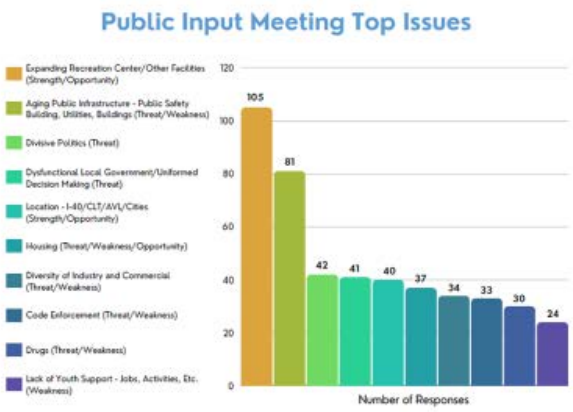
Public Input Meeting

- Meetings held on January 17th and 24th at the Old Rock School.
- Participants participated in a SWOT (Strengths, Weaknesses, Opportunities and Threats) exercise.
- Participants were encouraged to fill out the public input survey either digitally or the one received in the mail.
- Each of the SWOT results were broken down by percent of votes within each category to identify common themes.





Public Input Meeting Results



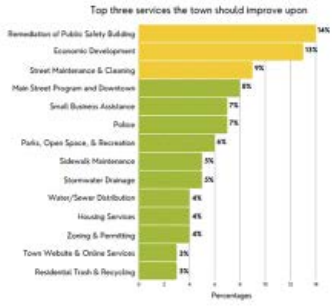
Top Results:

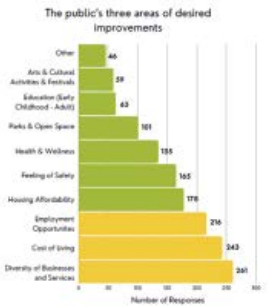
- **Strength/Opportunity:** Expanding Recreation Center and other recreation facilities
- **Threat Weakness:** Aging public infrastructure-Public Safety Building, utilities, public buildings
- **Threat:** Divisive politics

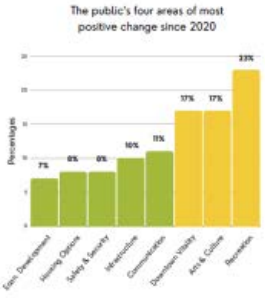
Public Input Survey Results

- Both a digital survey and a paper survey were administered to obtain feedback.
- 1,915 paper surveys were sent and 313 were received providing for a 16.3% response rate.
- Total of 218 digital surveys were completed. The total number of responses both digital and paper were 531.
- A total of 12 questions were asked of the participants – 9 rating scale questions and three open-ended questions.
- Results - comparisons from the paper to digital survey results were very similar. Top 3 to 4 responses were consistent between the two survey types.
- Analyzing the data – paired together the positives (excellent/good), the negatives (Fair/Poor), neutral and Don't know were analyzed individually.
- Written explanations were analyzed with AI technology to create a summarized consensus of the comments received.

Public Survey Results







Areas in need of improvement include:

- Economic development-diversity of businesses/services and a need for more employment opportunities
- Remediation of the Public Safety Building
- Street maintenance/cleaning
- Cost of living

Areas that have improved since 2020

- Recreation
- Arts and culture
- Downtown vitality

Town Council Priorities

During the Town Council's strategic planning session, council members identified the main takeaways from the public input/survey materials. The council participated in a SWOT analysis, which guided a prioritization of goals, needed policy changes, and future projects. The action items stated below were created from the priority identification process and their corresponding votes.

Top Results

1. Hiring the best town manager
2. Tackle Public Safety Building issues
3. Recruitment and retention of town employees
4. Address infrastructure
5. Continue the repaving schedule started in 2023

- **Hiring the best town manager (4)**
- **Tackle the public safety building issues (updating the existing structure) (4)**
- **Recruitment and retention – develop strategies for town employees (3)**
- **Create permanent structure over the recreation pool (3)**
- **Addressing infrastructure (water/sewer and public safety building) (3)**
- **Continue the repaving schedule started in 2023 (3)**
- Address the housing issue (1)
- Continue improving the Old Rock School (consider establishing a committee) (1)
- Recruit at least one job creating industry (significant number of employees) (1)
- Expand cultural affairs program (1)
- Strategy to retain young people

Town Council Focus Areas

From the identified priorities, four focus areas were created as actionable items for the town.

1 Employee Retention & Recruitment

Employee Retention & Recruitment

Recruitment and retention of a town manager and qualified employees

2 Economic Development

Economic Development

Business recruitment, retention, and expansion

3 Public Infrastructure

Public Infrastructure

Public buildings, streets, and utility upgrades

4 Old Rock School

Old Rock School

Expand and upgrade Old Rock School

Focus Area 1: Employee Retention and Recruitment

1. **Recruit and retain a knowledgeable and experienced town manager.**
   a. Complete a standardized nationwide search.
   b. Recruitment of candidates that not only have experience as a town manager, but show strengths in soft skills (empathy, transparency, attentive to employee and citizen needs).
   c. Market position in a way that highlight's Valdese's values and mission.

2. **Conduct analysis regarding employee benefits, compensation, and satisfaction**
   a. Conduct an anonymous survey regarding current benefits to employees that allows for feedback and assesses current employee needs.
   b. Compare Valdese employee benefits and compensation packages to local governments in the region.
   c. Identify vacant positions and departments that will need additional staffing capacity.

3. **Promote the assets in the area to prospective employees.**
   a. Promote the excellent healthcare resources, school systems, shopping, and recreation opportunities that impact the quality of life outside of work.
   b. Market the quality of life in Valdese.
      i. Partner with WPCOG to utilize NC Foothills Experience as recruitment/retention tool.
      ii. Partner with Burke County Tourism for marketing and tourism opportunities.
      iii. Distribute digital and paper marketing/employee recruitment materials throughout the region.
   c. Spotlight and market employee success stories and their employment milestones in order to promote workforce recruitment and retention.

Focus Area 2: Economic Development

1. **Attract and retain young people to the area. Specifically, young adults within the workforce age group.**
   a. Facilitate engagement with young adults within the region. This can be done by job fairs, partnerships with college educators, community college students, and young adult community stakeholders.
   b. Use this data to evaluate the target market audience and incorporate in branding strategy.
   c. Engage with local employers with information on promotional employment opportunities they can attend in the region.
   d. Partner with WPCOG Workforce Development initiatives to promote and attract workforce age adults to the town.

2. **Recruitment of an industry that creates 75 jobs or more.**
   a. Engage in an industrial site identification that can be marketed to potential
   b. Identify possible target industries that would be compatible with Valdese topography, utility capacity, and workforce needs.
   c. Work with Burke County Development Inc. to develop and implement economic development/business recruitment strategies.

3. **Increase and diversify the housing stock within the Town of Valdese.**
   a. Town staff, planning board, and council should provide support for the developers through streamlined efficient processes to ensure project success.
   b. Create a zoning "roadmap" for housing developers to easily understand Town zoning policies and approval processes.
   c. Consider implementing strategies featured in the Western Piedmont Housing Growth Toolkit to promote diverse housing types.

Focus Area 3: Public Infrastructure

1. **Rehabilitate the public safety building.**
   a. Provide appropriate support and resources for the fire and police department.
   b. Develop a cost-effective rehabilitation plan that meets the current and future needs of the police and fire departments.

2. **Construct a permanent structure over the pool at the Valdese Aquatic and Fitness center.**
   a. Identify possible coverage options, compare the cost and functionality and determine a construction timeline.
   b. After construction is complete encourage and market the pool for year-round swimming.

3. **Maintain and implement the current Capital Improvement Plan.**
   a. Expand and replace the water lines on a schedule that represents good stewardship of the utility systems, while balancing consumer needs with the cost burden.
   b. Continue advancing water and wastewater infrastructure development.
      i. Identify annual projects for implementation.
   c. Analyze water and sewer capacity at targeted sites/areas in order to recruit large industries and new employers.

4. **Identify and pursue relevant grant funding for building rehabilitation and utility upgrades**
   a. Work with WPCOG Community and Economic Development Department to seek and obtain grant funding for implementation.

5. **Continue current street paving/maintenance schedule.**
   a. Evaluate feasibility of expediting schedule based on recent progress.
   b. Develop and maintain a street re-paving prioritization plan.

Focus Area 4: Old Rock School

1. **Create a citizen action group that can provide recommendations and guidance to Town Council regarding the future of Old Rock**
   a. Identify Valdese residents and community members who hold experience in relevant fields and therefor can offer expert recommendations.
   b. Consider forming a committee to provide input regarding community activities and future plans for the facility.

2. **Assess the expansion and revitalization of the existing facilities.**
   a. Use insight from the public, town council, the newly formed committee, and staff to identify possible next steps for expansion and revitalization.

3. **Identify and pursue relevant grant funding for building rehabilitation and upgrades.**
   a. Create a funding timeline and planning documents needed to submit grant applications.
   b. Align capital improvement plan with grant submittals and possible funding awards.

4. **Market and advertise existing and expanded activities.**
   a. Evaluate public/private partnerships and small businesses to offer activities/events/etc.

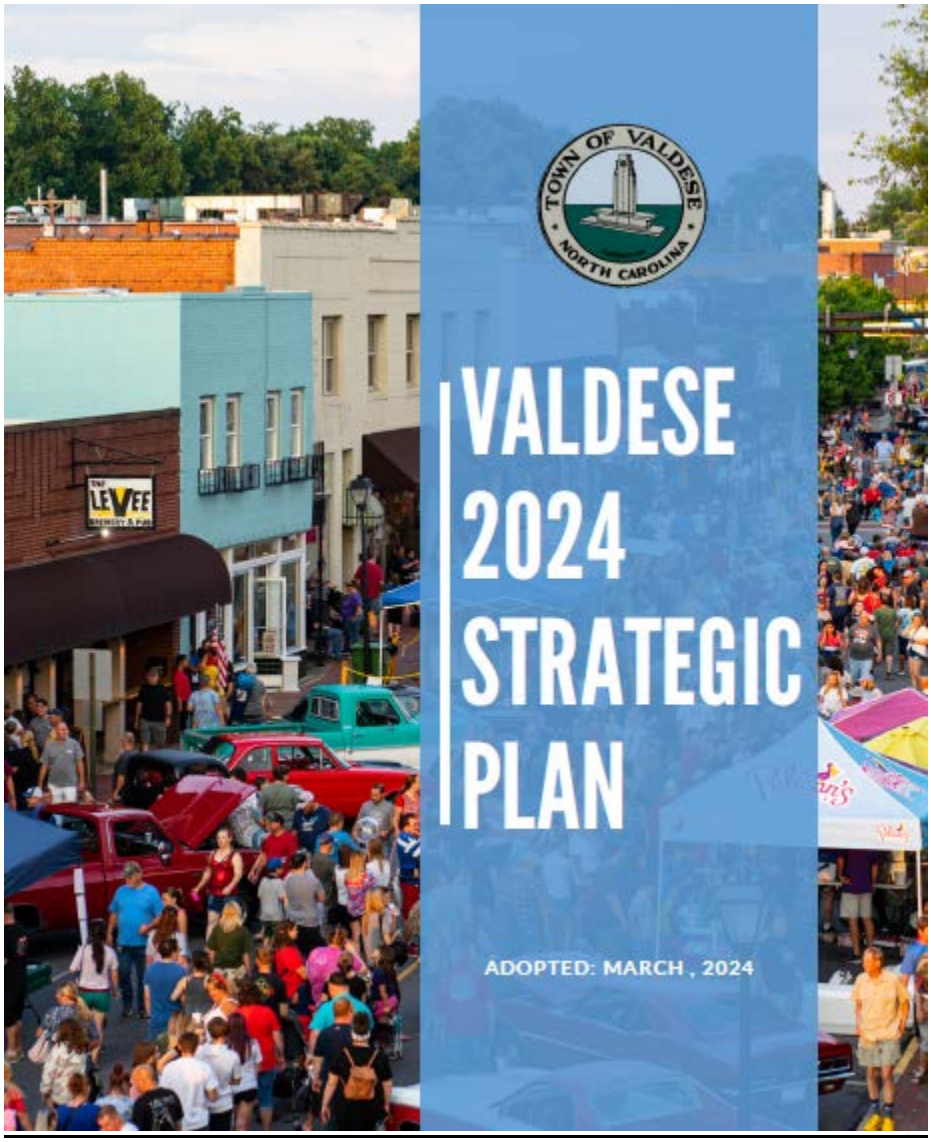
Conclusion

- This plan's implementation is dependent on both the staff and the town council acting on the recommendations in this report.
  - The staff has the responsibility to take on these goals as a part of the operations of the town.
  - The town council must reinforce the desire and need for these actions to occur.
- The staff and town council should update and review progress on these action points throughout the year along with an annual review prior to the beginning of the budgeting process to ensure alignment of priorities and funding.
- Ongoing public input is key to assisting the town with implementation of this plan.



Ms. Adams recommended that this exercise be completed annually. Councilman Harvey thanked Ms. Adams for the great work and hopes we can get started on this earlier next year. Ms. Adams noted that the 2024 Strategic Plan document is a quick reference to hand citizens, but more attachments could be included if Council wishes. Councilman Mears thanked Ms. Adams as well.

ADOPTED 2024 STRATEGIC PLAN Ms. Adams presented the final 2024 Strategic Plan document for adoption consideration.


TOWN OF VALDESE
NORTH CAROLINA
VALDESE
2024
STRATEGIC
PLAN
ADOPTED: MARCH , 2024
THE LEVEE

The Town Council acknowledges its role in vision and action planning for the future of the Town and pledges that this document will be a living, changing, and evolving document to help guide the Town's path to the future.

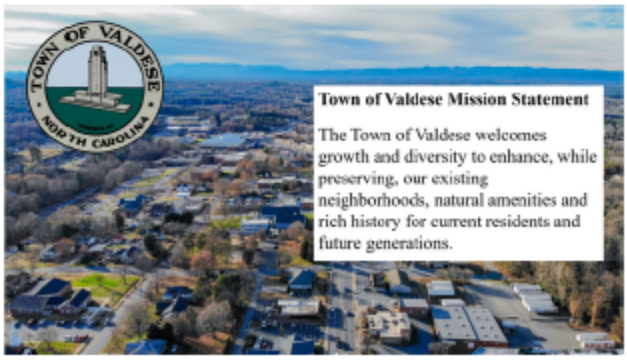
Mayor
Charles Watts

Mayor Pro-Tem
Gary Ogle

Council Members
Glenn Harvey (Ward 1)
Paul Mears (Ward 2)
Rexanna Lowman (Ward 3)
Gary Ogle (Ward 4)
Heather Ward (Ward 5)

Interim Town Manager
Bryan Steen

Town Clerk/Human Resources Director
Jessica Lail



Prepared by Western Piedmont Council of Governments
Alison Adams, Community and Regional Planning Director
Rachel Wooster, Community and Regional Planner
Katelyn Smith, Community and Regional Planner

Town of Valdese Demographics

Total Population:
2017: 4,408 people
2022: 4,682 people
6.2% Increase

Total Number of Families:
2017: 1,063 Families
2022: 1,245 Families
17.1% Increase

Median Age:
2017: 48.5 Years Old
2022: 50.0 Years Old
3.1% Increase

Of these families, the following have an income **below** the poverty level:

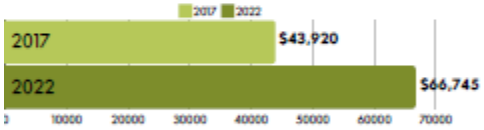
2017: 132 Families; 12.4%
2022: 32 Families; 2.6%

75.8% Decrease

Housing

Median Household Income

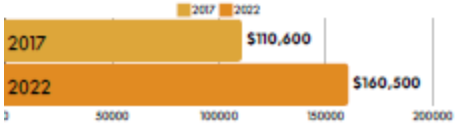
Percent Change: 52.0% Growth



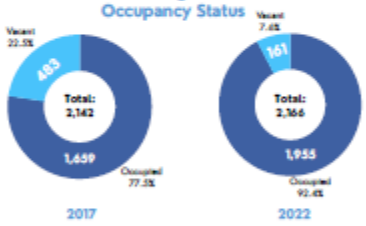
Median Year of Structure Built:
2017: 1969
2022: 1970

Median House Value for All Owner-Occupied Housing Units

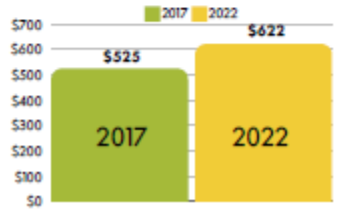
Percent Change: 45.1% Growth



Housing Unit Occupancy Status



Percent Change
Overall Units: 1.2% Loss
Occupied: 17.8% Gain
Vacant: 66.7% Loss



Median Gross Rent

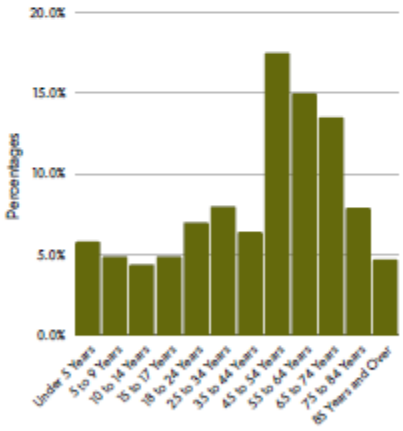
Percent Change: 18.5% Growth

Town of Valdese Demographics

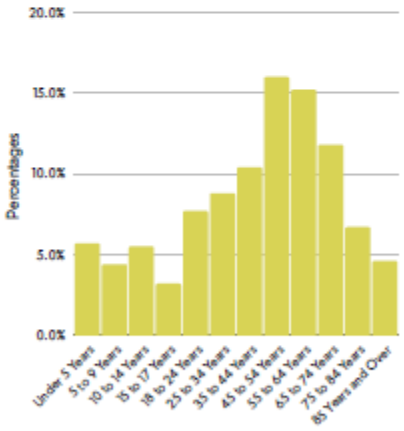
Racial Demographics

	2013-2017 ACS Data		2018-2022 ACS Data		Change (2017-2022)
Race	Number	Percent	Number	Percent	Percent Change
White Alone	4,302	97.6%	4,378	93.5%	1.8%
Black or African American Alone	13	0.3%	69	1.5%	430.8%
American Indian and Alaska Native Alone	17	0.4%	0	0.0%	-100.0%
Asian Alone	59	1.3%	29	0.6%	-50.8%
Mixed Race (Two or More Races)	17	0.4%	131	2.8%	670.6%

2017 Age Distribution
Total Valdese Population: 4,408



2022 Age Distribution
Total Valdese Population: 4,682



Notable Changes in Age Demographics

Increases:

- 73.6% increase in ages 35-44
- 33% increase in ages 10-14
- 17.3% increase in ages 25-33

Decreases

- 29.6% decrease in ages 15-17
- 10.3% decrease in ages 75-84

03



Role of the Town Council

The town council's main roles include establishing administrative policy, adopting ordinances based on North Carolina General Statutes and the Town's Charter for public protection, and levying taxes for these functions. The town council represents the citizens of the Town of Valdese. The council provides community leadership by serving as the legislative and policy-making body. The mayor and council approve policy and budgets and provide direction to the town manager. The council is responsible for providing oversight related to municipal operations and assets, and to provide services and facilities considered necessary or desirable for taxpayers. The council strives to foster the economic, social, and environmental well-being of the town.



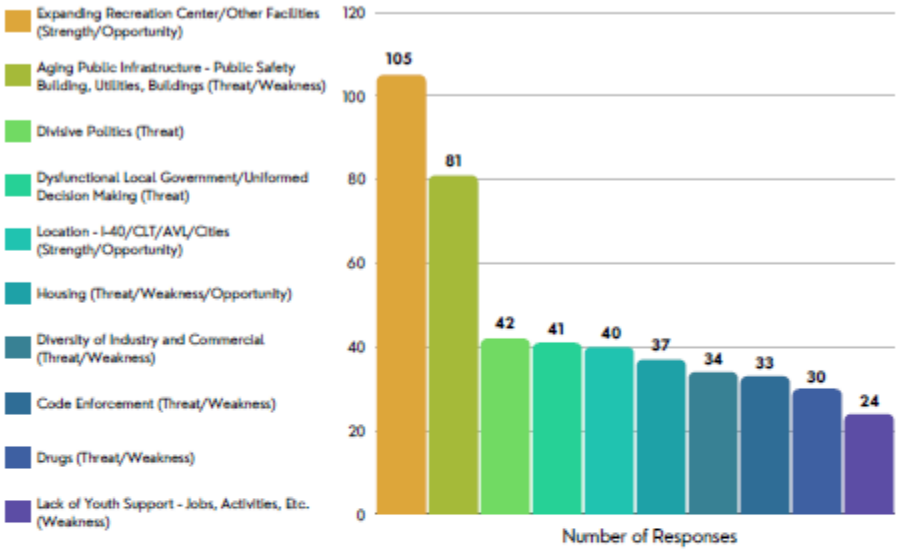
Public Input Meetings

At the request of the mayor and town council, WPCOG staff led attendees through an interactive SWOT analysis to compile input regarding the community's perception of the Town of Valdese's strengths, weaknesses, opportunities and threats. The results of this analysis are a combination of the responses of two public meetings that were held in January 2024. These responses were taken into consideration while drafting the Strategic Plan.

A SWOT (strengths, weaknesses, opportunities, and threats) is defined as the following. Strengths are internal and supportive characteristics that are the foundation of a community and provide stability. Weaknesses are internal and harmful characteristics to the community's stability. Opportunities are external and helpful characteristics for continued growth. Threats are external and harmful characteristics that weaken community stability.

WPCOG staff members moderated a discussion between the attendees on each SWOT category and recorded the identified topics. After the discussion, the attendees voted on individual topics under each SWOT category. Each attendee was instructed to cast up to 4 votes per strength, weakness, opportunity, and threat category. Participants were not permitted to vote for a topic more than once. Below are the collective results from the public input meetings.

Public Input Meeting Top Issues



Public Survey Results

- Both a digital survey and a paper survey were administered to obtain feedback.
- 1,915 paper surveys were sent and 313 were received providing for a 16.3% response rate.
- A total of 218 digital surveys were completed. The total number of responses for both digital and paper were 531.
- A total of 12 questions were asked of the participants – 9 rating scale questions and three open-ended questions.
- Comparisons from the paper to digital survey results were very similar. The top three to four responses were consistent between the two survey types.
- Analyzing the data – paired together the positives (excellent/good), the negatives (fair/poor), neutral and don't know responses were analyzed individually.
- Written explanations were analyzed with AI technology to create a summarized consensus of the comments received.

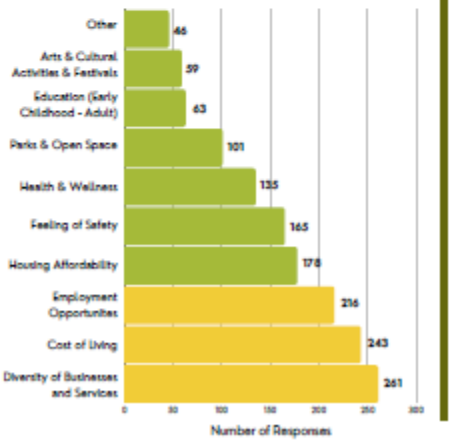
05

Survey Results

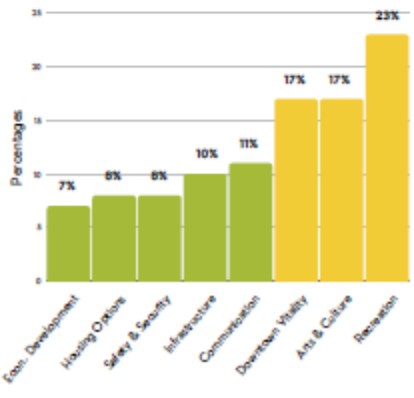
Top three services the town should improve upon



The public's three areas of desired improvements



The public's four areas of most positive change since 2020



06

Town Council Priorities

During the Town Council's strategic planning session, council members identified the main takeaways from the public input/survey materials. The council participated in a SWOT analysis, which guided a prioritization of goals, needed policy changes, and future projects. The action items stated below were created from the priority identification process and their corresponding votes. The items in bold received the most votes from participating council members.

- **Hiring the best town manager (4)**
- **Tackle the public safety building issues (updating the existing structure) (4)**
- **Recruitment and retention – develop strategies for town employees (3)**
- **Create permanent structure over the recreation pool (3)**
- **Addressing infrastructure (water/sewer and public safety building) (3)**
- **Continue the repaving schedule started in 2023 (3)**
- Address the housing issue (1)
- Continue improving the Old Rock School (consider establishing a committee) (1)
- Recruit at least one job creating industry (significant number of employees) (1)
- Expand cultural affairs program (1)
- Strategy to retain young people



Valdese Town Council Focus Areas
2024-2025

From the identified priorities, four focus areas were created as actionable items for the town.



Employee Retention & Recruitment

Recruitment and retention of a town manager and qualified employees



Economic Development

Business recruitment, retention, and expansion



Public Infrastructure

Public buildings, streets, and utility upgrades



Old Rock School

Expand and upgrade Old Rock School

08

Focus Area 1: Employee Retention & Recruitment

1. Recruit and retain a knowledgeable and experienced town manager.		
a. Complete a standardized nationwide search.	**b.** Recruitment of candidates that not only have experience as a town manager, but show strengths in soft skills (empathy, transparency, attentive to employee and citizen needs).	**c.** Market position in a way that highlight's Valdese's values and mission.

2. Conduct analysis regarding employee benefits, compensation, and satisfaction.		
a. Conduct an anonymous survey regarding current benefits to employees that allows for feedback and assesses current employee needs.	**b.** Compare Valdese employee benefits and compensation packages to local governments in the region.	**c.** Identify vacant positions and departments that will need additional staffing capacity.

3. Promote the assets in the area to prospective employees.		
a. Promote the excellent healthcare resources, school systems, shopping, and recreation opportunities that impact the quality of life outside of work.	**b.** Market the quality of life in Valdese. **i.** Partner with WPCOG to utilize NC Foothills Experience as recruitment/retention tool. **ii.** Partner with Burke County Tourism for marketing and tourism opportunities. **iii.** Distribute digital and paper marketing/employee recruitment materials throughout the region.	**c.** Spotlight and market employee success stories and their employment milestones in order to promote workforce recruitment and retention.

Focus Area 2: Economic Development

1. Attract and retain young people to the area. Specifically, young adults within the workforce age group.			
a. Facilitate engagement with young adults within the region. This can be done by job fairs, partnerships with college educators, community college students, and young adult community stakeholders.	**b.** Use this data to evaluate the target market audience and incorporate in branding strategy.	**c.** Engage with local employers with information on promotional employment opportunities they can attend in the region.	**d.** Partner with WPCOG Workforce Development initiatives to promote and attract workforce age adults to the town.

2. Recruitment of an industry that creates 75 jobs or more.		
a. Engage in an industrial site identification that can be marketed to potential industries.	**b.** Identify possible target industries that would be compatible with Valdese topography, utility capacity, and workforce needs.	**c.** Work with Burke County Development Inc. to develop and implement economic development/business recruitment strategies.

3. Increase and diversify the housing stock within the Town of Valdese.		
a. Town staff, planning board, and council should provide support for the developers through streamlined efficient processes to ensure project success.	**b.** Create a zoning "roadmap" for housing developers to easily understand Town zoning policies and approval processes.	**c.** Consider implementing strategies featured in the Western Piedmont Housing Growth Toolkit to promote diverse housing types.

Focus Area 3: Public Infrastructure

1. Rehabilitate the public safety building.	
a. Provide appropriate support and resources for the fire and police department.	**b.** Develop a cost-effective rehabilitation plan that meets the current and future needs of the police and fire departments.

2. Construct a permanent structure over the pool at the Valdese Aquatic and Fitness center.	
a. Identify possible coverage options, compare the cost and functionality and determine a construction timeline.	**b.** After construction is complete encourage and market the pool for year-round swimming.

3. Maintain and implement the current Capital Improvement Plan.		
a. Expand and replace the water lines on a schedule that represents good stewardship of the utility systems, while balancing consumer needs with the cost burden.	**b.** Continue advancing water and wastewater infrastructure development. **i.** Identify annual projects for implementation.	**c.** Analyze water and sewer capacity at targeted sites/areas in order to recruit large industries and new employers.

4. Identify and pursue relevant grant funding for building rehabilitation and utility upgrades
a. Work with WPCOG Community and Economic Development Department to seek and obtain grant funding for implementation.

5. Continue current street paving/maintenance schedule.	
a. Evaluate feasibility of expediting schedule based on recent progress.	**b.** Develop and maintain a street re-paving prioritization plan.

Focus Area 4: Old Rock School

1. Create a citizen action group that can provide recommendations and guidance to Town Council regarding the future of Old Rock School.	
a. Identify Valdese residents and community members who hold experience in relevant fields and therefor can offer expert recommendations.	**b.** Consider forming a committee to provide input regarding community activities and future plans for the facility.

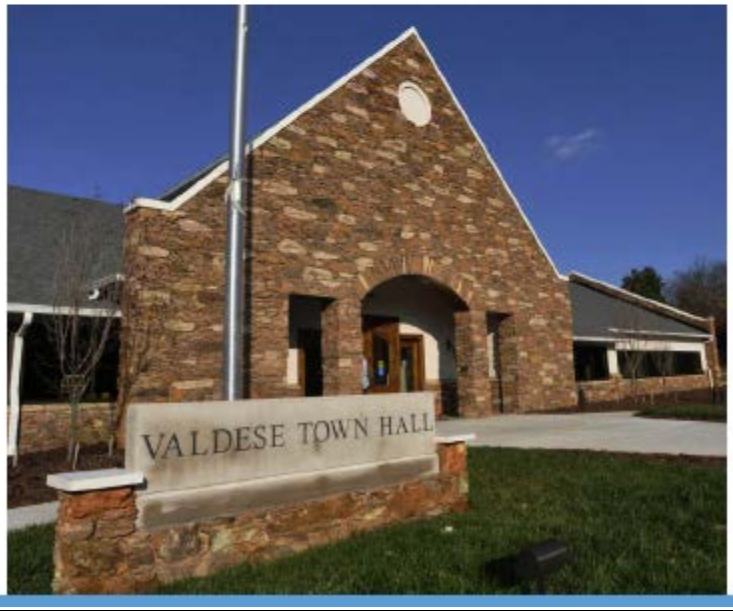
2. Assess the expansion and revitalization of the existing facilities.
a. Use insight from the public, town council, the newly formed committee, and staff to identify possible next steps for expansion and revitalization.

3. Identify and pursue relevant grant funding for building rehabilitation and upgrades.	
a. Create a funding timeline and planning documents needed to submit grant applications.	**b.** Align capital improvement plan with grant submittals and possible funding awards.

4. Market and advertise existing and expanded activities.
a. Evaluate public/private partnerships and small businesses to offer activities/events/etc.

Conclusion

This plan's implementation is dependent on both the staff and the town council acting on the recommendations in this report. The staff has the responsibility to take on these goals as a part of the operations of the Town and the town council must reinforce the desire and need for these actions to occur. The staff and town council should update and review progress on these action points throughout the year along with an annual review prior to the beginning of the budgeting process to ensure alignment of priorities and funding. Ongoing public input is key to assisting the town with implementation of this plan.



13

Councilwoman Lowman made a motion to adopt the 2024 Strategic Plan as presented by Alison Adams from WPCOG, seconded by Councilwoman Ward. The vote was unanimous.

MAYOR AND COUNCIL COMMENTS: Councilman Harvey thanked the citizens who completed the surveys and attended the public input sessions. Councilman Harvey noted that the staff has sent out an RFQ for the Public Safety Building, eight architectural firms have responded, and the Facilities Review committee will recommend which proposal the Council shall pursue. Councilman Harvey asked the citizens to provide suggestions to the staff, Council, or Town Manager on how to save money and raise revenue. Councilman Harvey said they are talking with local manufacturers, and Valdese should be proud of the world-class manufacturers we have. Councilman Harvey shared that there is an world-class Easter Sunrise Service at 7:00 a.m. Easter morning at the Trail of Faith.

Councilwoman Ward shared that the Drug & Homeless Task Force will meet on March 26, 2024, at 7:00 p.m. at Valdese First Baptist Church. Councilwoman Lowman asked if the committees would share their minutes with the Council.

ADJOURNMENT: At 6:36 p.m., there being no further business to come before Council, Councilman Harvey made a motion to adjourn, seconded by Councilman Mears. The vote was unanimous.

The next regular Council meeting is scheduled for Monday, April 1, 2024, 6:00 p.m., at Valdese Town Hall.

_____ _____

Town Clerk Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL PRE- AGENDA MEETING
MARCH 25, 2024

The Town of Valdese Town Council met on Monday, March 25, 2024, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The Council meeting was live-streamed on YouTube @townofvaldese. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilman Glenn Harvey, and Councilman Paul Mears. Also present were: Interim Town Manager Bryan Steen, Town Attorney Tim Swanson, Town Clerk Jessica Lail, and various Department Heads.

Absent: None

A quorum was present.

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

CONSENT AGENDA

APPROVAL OF AGENDA REVIEW MEETING MINUTES OF FEBRUARY 26, 2024

APPROVAL OF CLOSED SESSION MINUTES OF FEBRUARY 26, 2024

APPROVAL OF REGULAR MEETING MINUTES OF MARCH 4, 2024

APPROVAL OF CITIZENS BUDGET PRIORITIES MINUTES OF MARCH 18, 2024

APPROVAL OF VALDESE ABC BOARD TRAVEL POLICY

REQUEST FROM WALDENSIAN STYLE WINES TO SELL ALCOHOL

REQUEST FROM AMERICAN LEGION LADIES AUXILIARY TO SELL ALCOHOL

REQUEST FROM BURKE SUNRISE ROTARY CLUB TO SELL ALCOHOL

RESULT: ALL ITEMS MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 1, 2024, AT 6:00 P.M.

NEW BUSINESS

INTRODUCTION OF NEW EMPLOYEES: Mayor Watts shared that we will have new employees introduced at the April meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 1, 2024, AT 6:00 P.M.

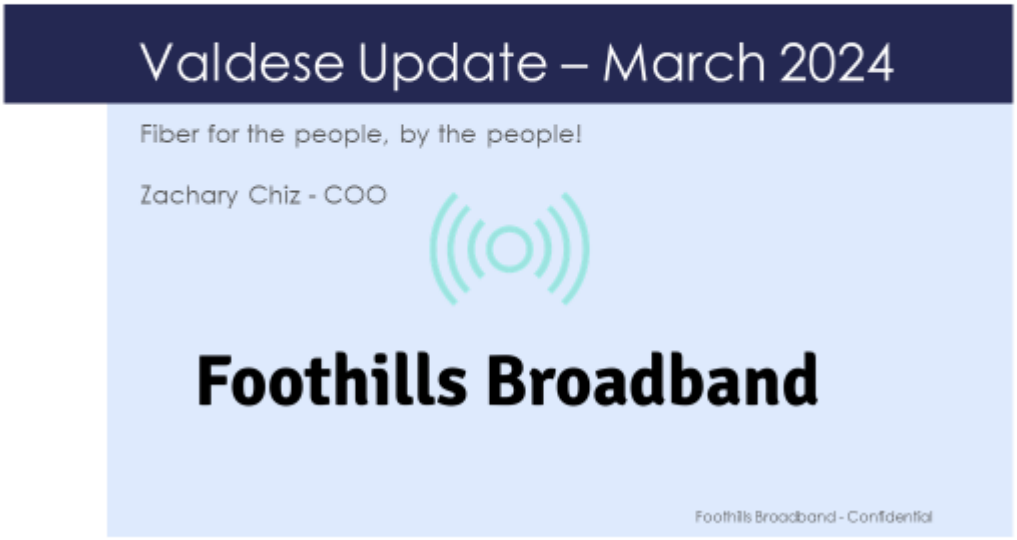
PUBLIC HEARING FOR CDBG WATER PROJECT: Sherry Long, Assistant Executive Director of Western Piedmont Council of Governments, said that we would hold a public hearing at the next meeting to seek citizens' input regarding a CDBG of 3 million dollars for the Berrytown Community. Ms. Long shared that the project would provide 6-inch waterlines and fire hydrants to approximately 81 households. Ms. Long noted that we did not receive the funds last time, but the State has encouraged us to resubmit the grant application. Ms. Long said the request is for 3 million dollars with no local commitment, and we should know by early fall if the project is funded.

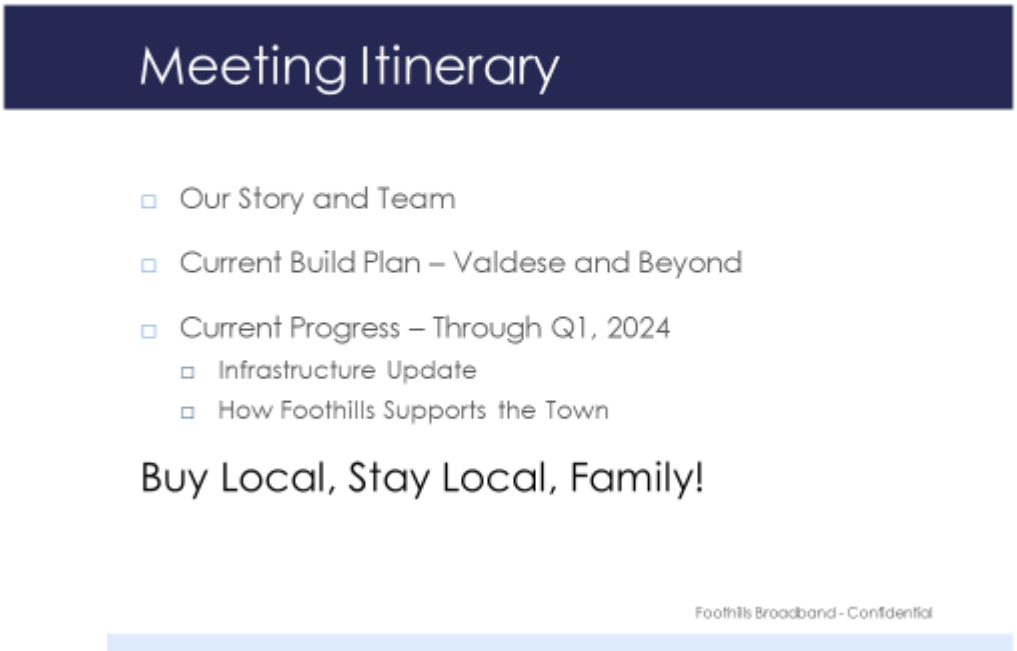
RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 1, 2024, AT 6:00 P.M.

AUTHORIZING RESOLUTION TO SUBMIT AN APPLICATION FOR CDBG FUNDING FOR BERRYTOWN WATER PROJECT Sherry Long, Assistant Executive Director of the Western Piedmont Council of Governments, said that this resolution would need to be approved after the public hearing is closed should the board choose to authorize the grant submission.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 1, 2024, AT 6:00 P.M.

FOOTHILLS BROADBAND INSTALLATION UPDATE Zachery Chiz, COO of Foothills Broadband, presented the Council with the company's history, the current build plan, and progress made so far and identified ways that problems have been fixed.





Why Did We Choose Valdese?

Zachary and Jodi Chiz grew up in Drexel, NC. Jodi's parents now reside in Valdese, NC up on Flat Gap Mountain. For the last several years, the unavailability of internet access on the mountain has proven to be a challenge that only continues to be more evident. Jodi's parents don't have internet access or cell phone service where they live.

In 2021, both of her parents got COVID and were very sick. With no way to check-in on them, the last resort was driving almost 2 hours to physically lay eyes on them to make sure they were okay. Add to that, Zachary and Jodi have two small children who LOVE Nana and Papaw. Being that they have never lived in the same town, Facetime and being able to have that relationship and connection with them over long-distance has been essential to everyone's well-being. It may seem silly to some, but until you live in a place in today's world where you can't just answer the phone when it rings, or connect to Wi-Fi so that you can be in touch with the world around you, you realize how disconnected and isolated that can feel.

Zachary and Jodi chose Valdese to be able to connect their family to the world. To provide the opportunity for young kids to Facetime their grandparents. To provide access to make sure people can call for help if they need it. It's bigger than just surfing the world wide web. It's reconnecting people to people, and providing basic levels of access for safety, security, and support. They look forward to helping your family get and stay connected to their loved ones and the world around them!

Our Story

Buy Local, Hire Local!

- Small, but capable and dedicated!
  - 7 total employees, ramping to 15+ in 2024
- 45 years+ of industry knowledge
  - Construction, Engineering, and Manufacturing
- Contract Labor is local as well!
  - Local to North Carolina

Our Team

Foothills Broadband - Confidential

Foothills Broadband

Current Build Plan – Valdese & Beyond

Foothills Broadband - Confidential

Utilizing Gold Standard Technology

- Truly 100% Fiber To The Home design
- Passive Fiber Network bringing Reliability and Future Proof Investments!
- Utilizing XGS-PON Technology
  - 1-box Home Solution Capable of 10gbps+!
- Best in Industry Manufacturers
  - Nokia Optics
  - Juniper Routing & Switching Core
  - Corning Fiber

Foothills Broadband - Confidential

Fair pricing that won't increase!

Foothills Pricing Plans for Homes and Businesses

*Terms and Conditions Apply

Home	Home +	Home Pro	Business	Business +	Business Pro
$65	$95	$115	$95	$145	Custom Quote
100mbps	1gbps	2gbps	500mbps	1gbps	2gbps

Home

Perfect for customers with basic service needs
- Basic web browsing
- Fewer than 10 devices
- Occasional streaming

Home +

Perfect for working remotely or for school
- 10x to 50x faster than cable
- Up to 200 devices
- Experience HD video & audio like never before.

Home Pro

Perfect for gamers and home businesses
- Supercharge your internet!
- Heavy streaming, gaming, and browsing
- Multiple users during peak hours

Business

Perfect for small businesses!
- Cut the cord for cable!
- Most affordable fiber internet option
- Support your customers like never before

Business +

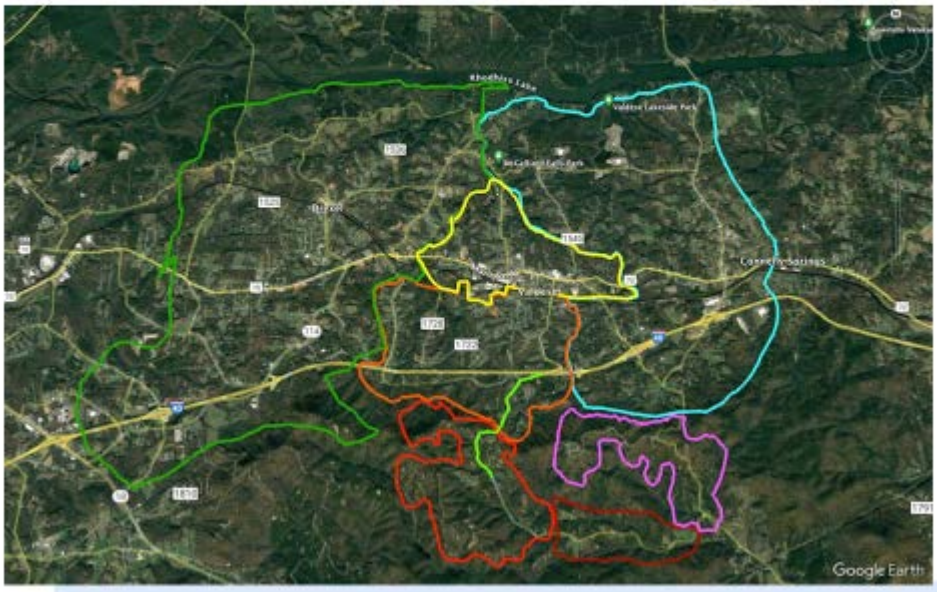
Supercharge your business!
- Built for large file transfers
- Ideal for frequent backups

Business Pro

Let us provide the perfect internet package.
- Full customizable package
- Upgrade your credit card processing

Foothills Broadband - Confidential

Current Build Area – Q4, 2024 Completion



Foothills Broadband - Confidential

Current Progress

- ~1,800 Home Passings to date
  - ~4,000 by end of April
- ~130,000ft or ~24miles of pipe built
- Downtown testing complete! Ready for installs!





Foothills Broadband - Confidential

Supporting the Town

- Restoring the Ground
  - We always restore the ground if we disturb it
  - If residence are not satisfied, we address same day
- When issues arise, we are always on site
  - Above and beyond with repairs
  - When at fault, Foothills pays 100% of the bill
  - Working side by side with town employees
- What we're doing to help
  - Call before we dig on all roads (NC 811)
  - Permitting through NC DOT on DOT Roads
  - Purchase of Ground Penetrating Radar Technology

Foothills Broadband - Confidential



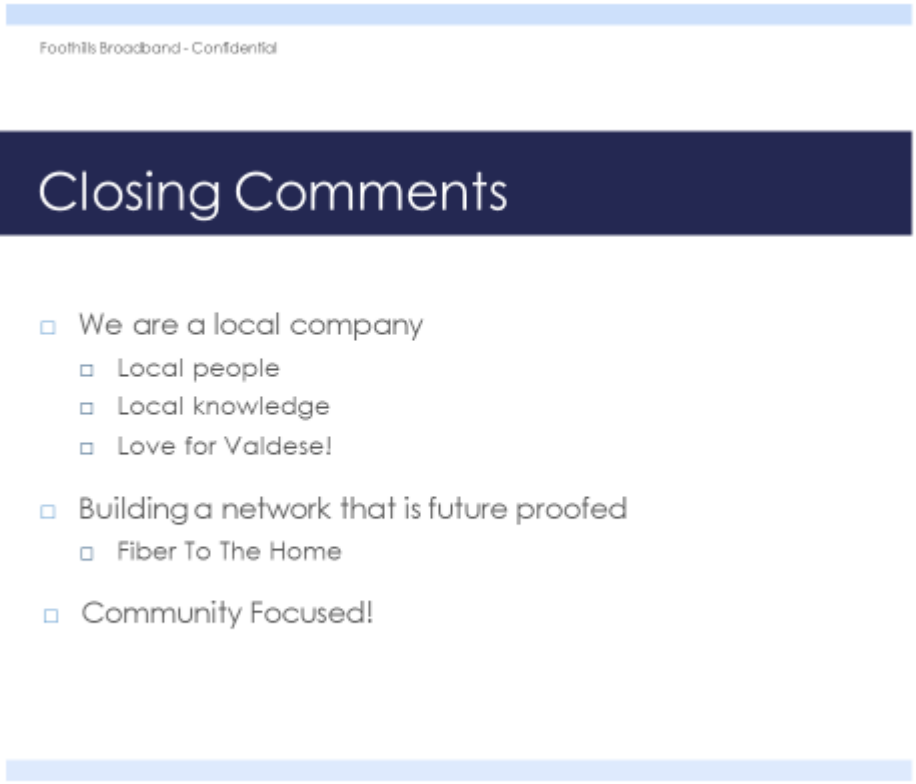




Foothills Broadband - Confidential







Councilman Harvey asked why the Public Works Department has to follow up and repair the broken waterlines rather than a subcontractor. Mr. Chiz said that when there is a service line in the yard to the house, Foothills Broadband can prepare those, but when it comes to the Town's infrastructure, Public Works is the best to repair it because it is completed to the correct standard. Mr. Chiz also said a subcontractor would not get here as fast to repair. Councilman Harvey is concerned about the additional workload that Public Works is doing. Councilman Harvey asked when the repaving would be completed. Mr. Chiz shared that when you disturb the ground, you must let it settle before the patches are repaved. Mr. Chiz will use a local company to complete the paving.

RESULT: ITEM WAS REMOVED FROM THE APRIL 1, 2024, AT 6:00 P.M.

CONSIDERATION OF REQUEST FOR QUALIFICATIONS (RFQ) FOR HOYLE CREEK Parks & Recreation Director David Andersen reminded the Council that the Town accepted 2.2 million dollars in grant funds from the State of North Carolina earlier in the year to restore Hoyle Creek along Lake Rhodhiss Drive. Mr. Andersen said the RFQ is to get the project started.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 1, 2024, AT 6:00 P.M.

REPORTS FROM COMMITTEES

i. **Recommendation from the Parks & Recreation Commission –** Scott Compton, Parks & Recreation Commission chairman, shared that the Commission has been visiting different pool house facilities and called a special meeting of the Parks & Rec Commission on March 11, 2024, and out of that, has a recommendation for the Council to make a motion for the Commission to proceed with seeking the ADA Parks grant. Mr. Compton shared that the Commission also has a recommendation for the pool structure, a fixed aluminum framed structure with removable sides, and will ask the Council to proceed with an RFQ for an architect.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 1, 2024, AT 6:00 P.M.

ii. **Efficiency Task Force –** Eddie Perrou, Chairman reviewed the past two meetings:

Date:	March 11, 2024
Time:	11:30am
Place:	Valdese Town Hall Community room

IN ATTENDANCE

Eddie Perrou, Rick McClurd, Steve Perry, Gary Ogle (Member absent: Tim Page)

APPROVAL OF MINUTES

This was an organization meeting of this committee. No prior minutes to approve.

INTRODUCTION OF MEMBERS/CHAIR APPOINTMENT

All members were introduced by Councilman, Gary Ogle, organizer of the committee. Eddie Perrou was asked and agreed to serve as the Chairperson.

GOALS AND OBJECTIVES OF TASK FORCE

Preliminary discussion was held regarding the establishment of the committees' goals and objectives. It was agreed that specific goals would be set after the budget is determined and the committee has the opportunity to review it.

NEXT MEETING

The meeting was adjourned and the next meeting will be held March 21, 2024 at 11:30am in the Valdese Town Hall Community room.

Date:	March 21, 2024
Time:	11:30am
Place:	Valdese Town Hall Community Room

IN ATTENDANCE

Eddie Perrou, Rick McClurd, Steve Perry, Tim Page, Gary Ogle

INTRODUCTION OF BO WEICHEL

Bo Weichel, Asst. Town Manager and Finance Officer, was introduced to the group. He spoke about the general fund and water, sewer, and utilities funds. He explained what is paid out of each fund. Members of the committee asked questions regarding the tax rate set by the Council (41.5%) and how it will work in the '24-25 budget. No specific plans were given.

At the next meeting, Mr. Weichel will provide the committee with hard copies of the '23-24 budget to study and analyze.

NEXT MEETING

The meeting was adjourned, and the next meeting will be held April 4, 2024, at 11:30am at Valdese Town Hall (room to be determined).

Mr. Perrou does not anticipate reporting anything during the next two Council meetings because it will take a lot of thought to develop specific goals for the Town, and he said all the members want the best for the Town.

RESULT: ITEM WAS REMOVED FROM THE APRIL 1, 2024, AT 6:00 P.M.

iii. **Drug and Homeless Advisory Task Force** – Councilwoman Ward shared that the Homeless & Drug Task Force will meet for the first time tomorrow evening at 7:00 p.m. at the First Baptist Church in Valdese.

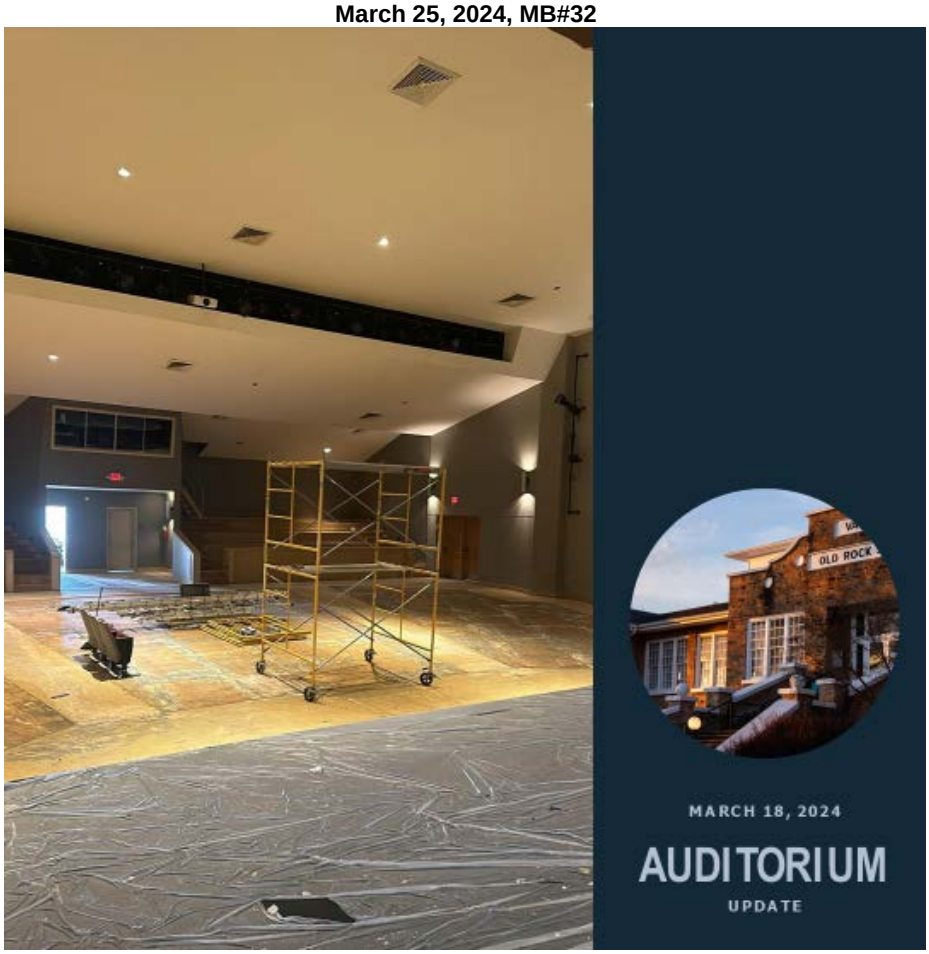
RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 1, 2024, AT 6:00 P.M.

iv. **Facilities Review Committee** – Councilman Harvey shared that the Facilities Review Committee has met twice and is in the process of reviewing the eight proposals received in response to the RFQ the staff sent out for the Public Safety Building. Councilman Harvey said that the committee is interviewing three of the firms this week, with possible repeat interviews, and hopes to recommend a firm at the April 15th Budget Retreat and invite them to submit a contract that can be approved at the May 6th, 2024 Council meeting.

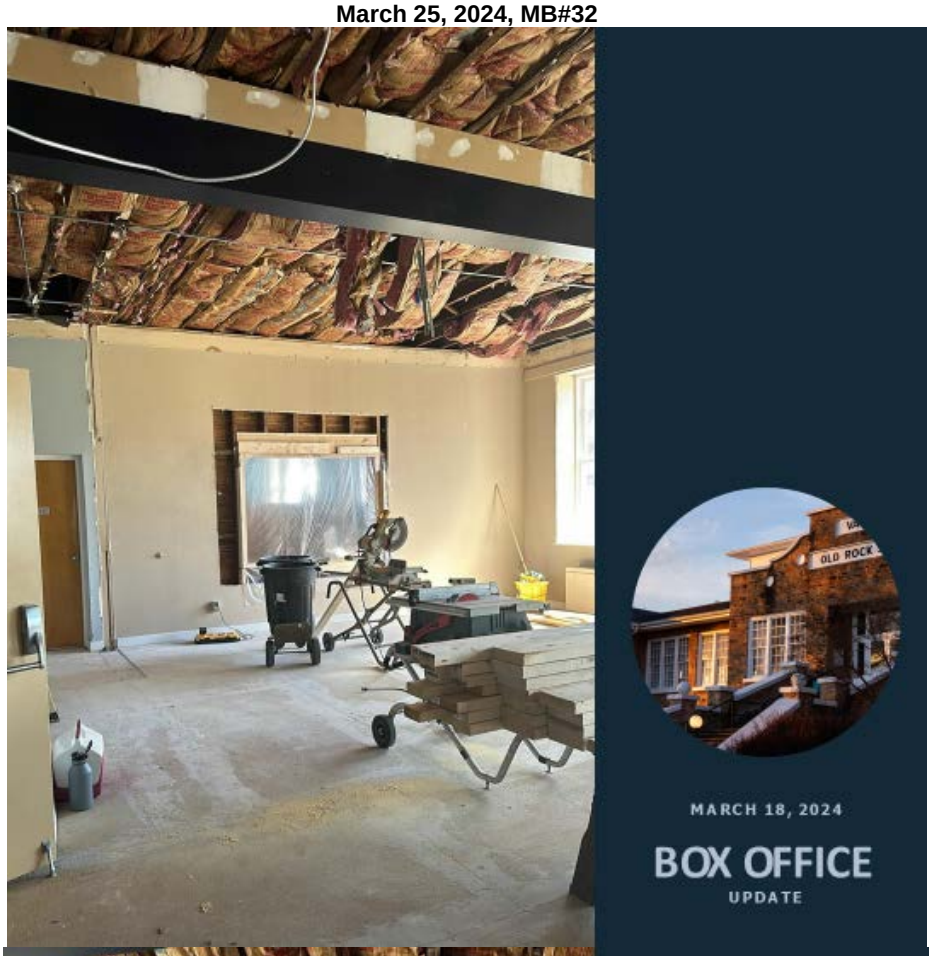
RESULT: ITEM WAS REMOVED FROM THE APRIL 1, 2024, AT 6:00 P.M.

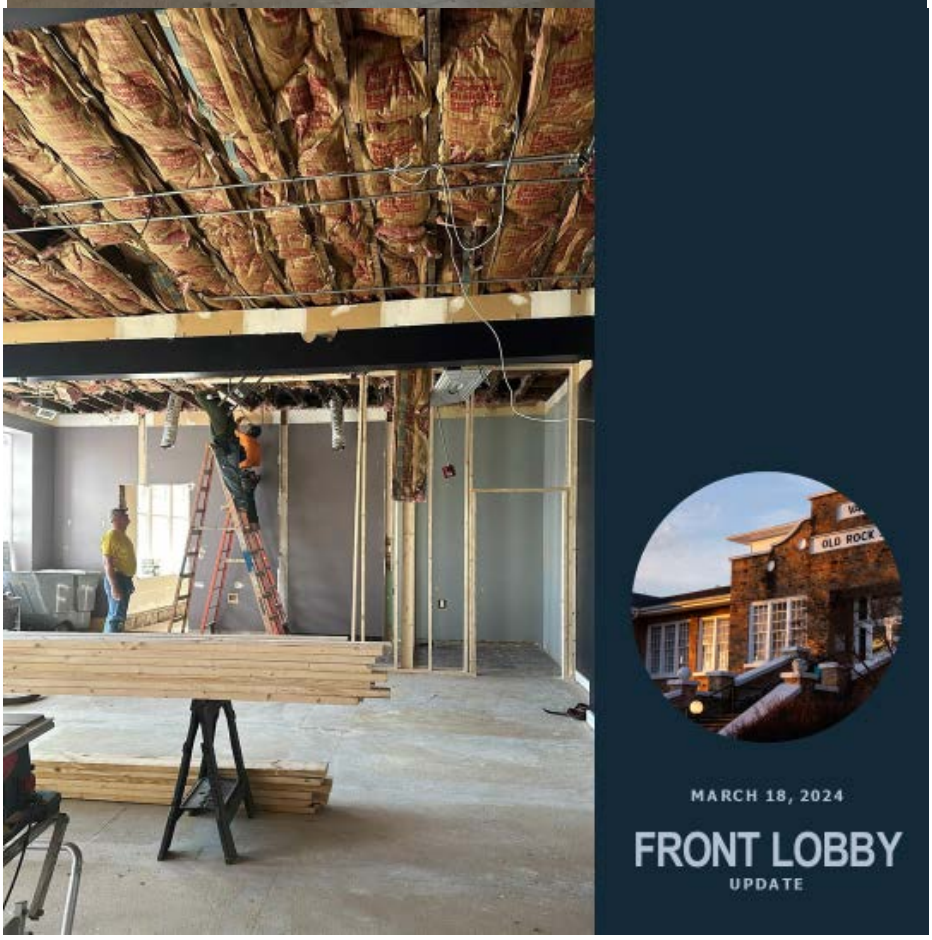
OLD ROCK SCHOOL RENOVATION PROJECT UPDATE Community Affairs Director gave an update on the status of the ORS renovations:

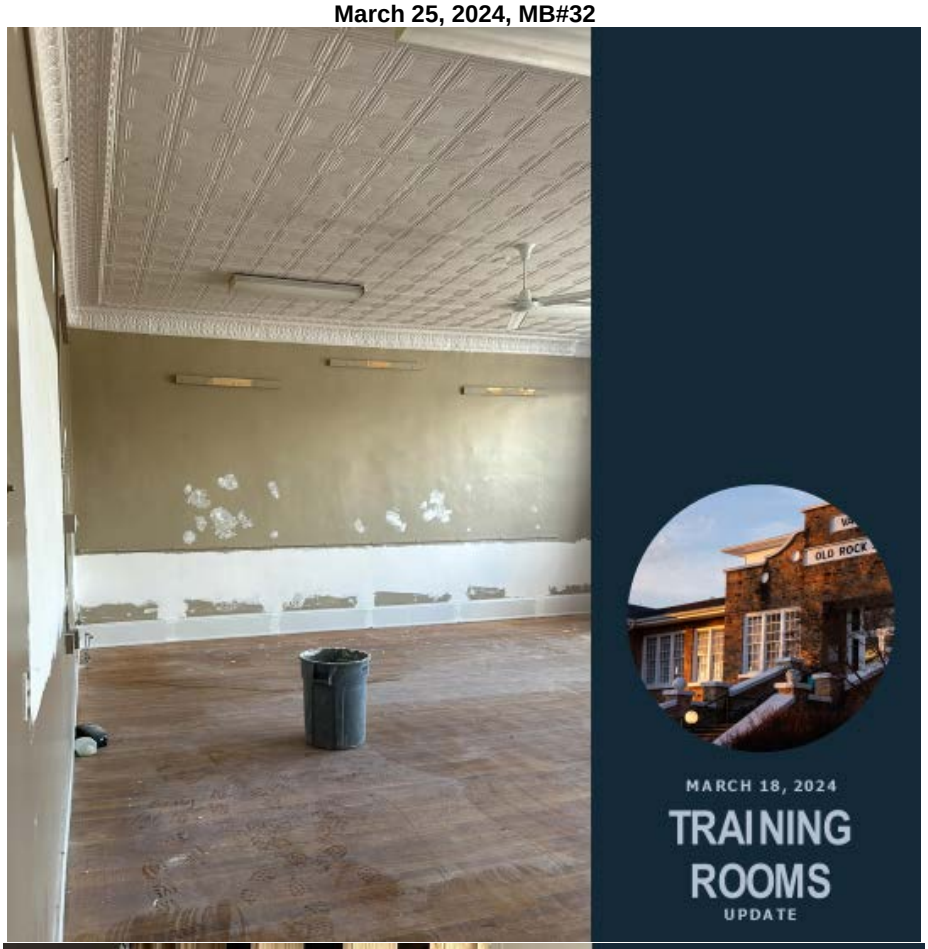


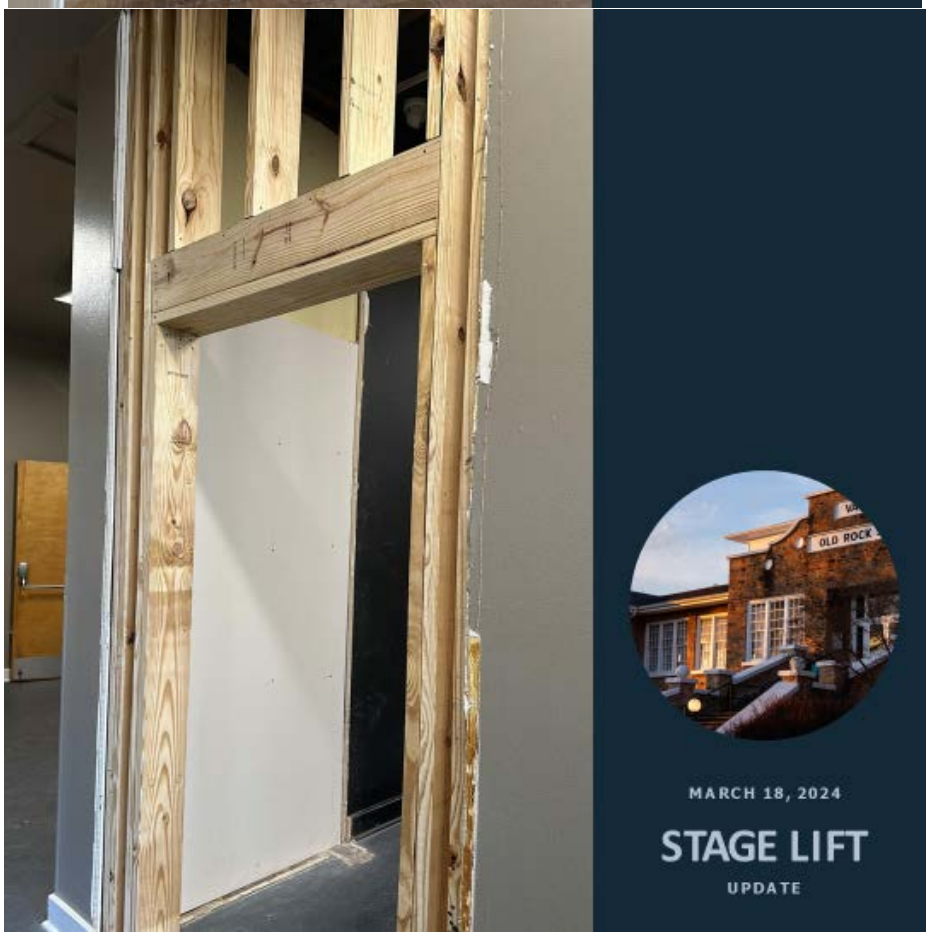

OLD ROCK
MARCH 18, 2024
AUDITORIUM
UPDATE


OLD ROCK
MARCH 18, 2024
BATHROOM
EXPANSION
UPDATE


OLD ROCK
MARCH 18, 2024
BOX OFFICE
UPDATE


OLD ROCK
MARCH 18, 2024
FRONT LOBBY
UPDATE


OLD ROCK
MARCH 18, 2024
TRAINING ROOMS
UPDATE


OLD ROCK
MARCH 18, 2024
STAGE LIFT
UPDATE

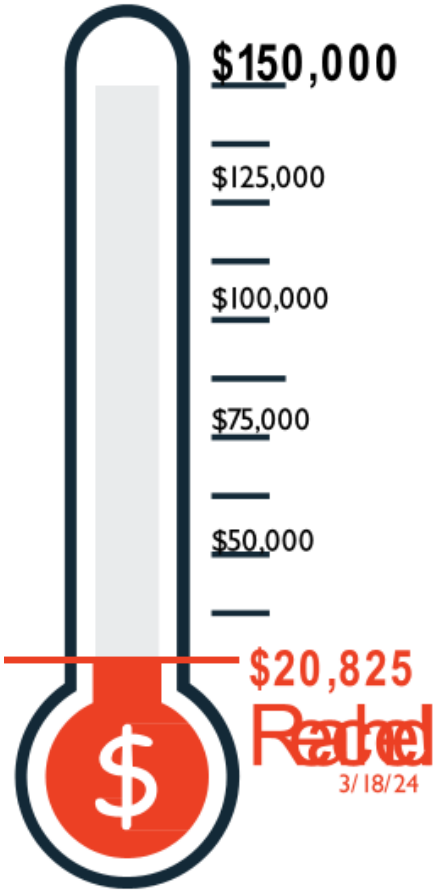




MARCH 18, 2024

STAGE LIFT

UPDATE



Thank you to the wonderful donors for supporting this renovation!

DIAMOND SPONSORS:

BROWN FAMILY CHARITABLE FUND P

LATINUM:

KELLEX SEATING

GOLD:

KEVIN & TINA FARRIS
UNC HEALTH BLUE RIDGE

SILVER:

REXANNA LOWMAN
CHRISTINA NAYLOR
MARK BUFF

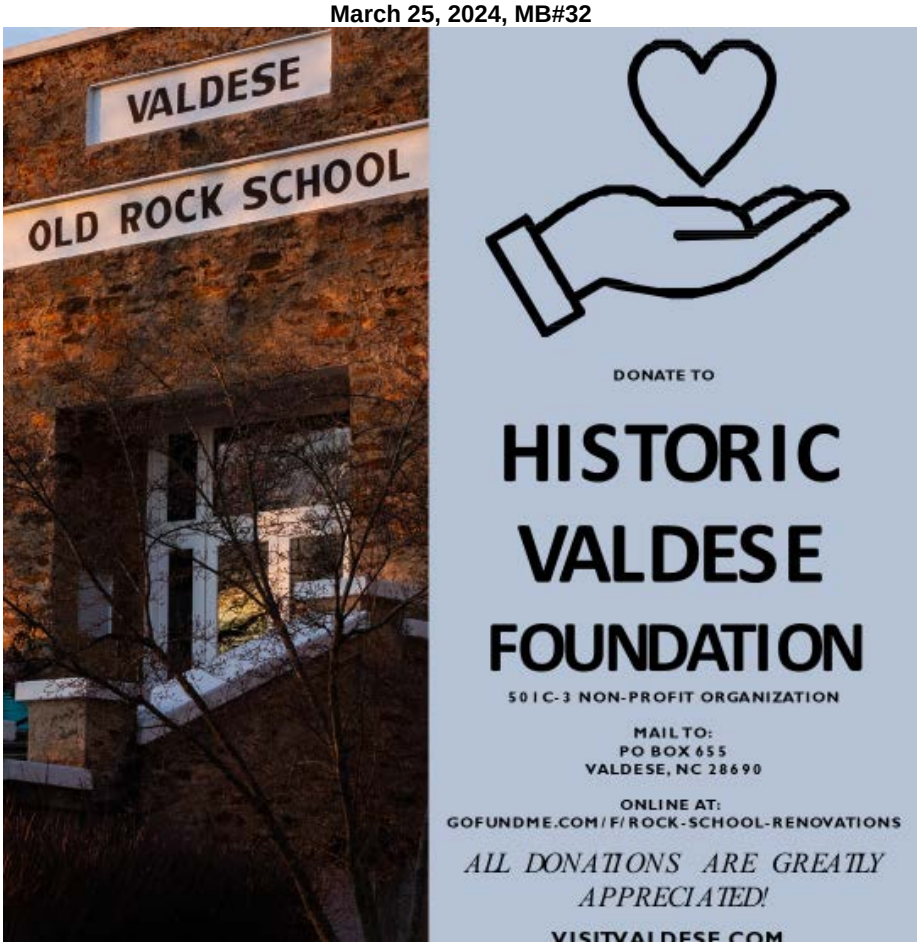
BRONZE:

NANCY & GENE TUCKER
SUSAN SHERLOCK
MERIDIAN SPECIALTY YARN GROUP

IVORY:

ROSE & WILL MUELLER
DAN & SARAH HOYLE
EMMA DRAUGHN
BRIAN THOMPSON
WILLIAM PHILLIPS, JR.
ELSIE WHISENANT
DAVID FLETCHER M
ILDRED FLETCHER
RENEE & MICHAEL LA CORTE
KATIE & SCOTT STILLWELL
SPENCE & JAYNE BORDEN
PHILIP BRENDEL
GRETCHEN COSTNER

Make your donation today at visitvaldese.com



Old Rock School Renovation - *Potential Phase Two?*

New monies to apply for:
Rural Downtown Economic Development Grants

$12,500 per job created or retained (330 within 1 block of ORS)
5% match (Town of Valdese funds)
Deadline April 1st with panel review April 18th - decisions shortly after

Requirements:
Project items must have been included in the original grant application with RTFG (May 2022)

- ADA & NC Fire Code Improvements
- Efficiency
- Safety

Application will focus on:

- New HVAC (fan coil units) = Efficiency
- New Fire Doors & hardware = NC Fire Code
- Flooring (removing trip hazards) = ADA

Goals:
To keep same timeframe for construction & further current project impacts

TOTAL GRANT REQUEST
= $480,000

PHASE TWO
RENO
OLD ROCK SCHOOL

Councilman Mears asked if this new grant was completely separate from the first grant, and Ms. Angi said yes. Ms. Angi said the second grant they put in place for gap funding and the Rural Downtown Economic Development asked the Town to apply for it and thought it would be a good fit. Councilman Harvey asked if residents wished to donate to the Town by check, and they would receive a letter from the Town stating their contribution. Councilman Harvey also wondered if they would be recognized with similar levels of recognition. Ms. Angi said there would not be a problem with that; she would need to work with Bo to make sure she knows who donated. Ms. Angi said they would still need to fill out the same form.

RESULT: ITEM WAS REMOVED FROM THE APRIL 1, 2024, AT 6:00 P.M.

FY 2024-2025 PAVING PRIORITIES Public Works Director Allen Hudson shared that traditionally, the Paving Committee meets once a set number is budgeted for the next FY street paving. Mr. Hudson has streets identified from the paving assessment that was completed in 2022. Mr. Hudson shared that ten streets were approved and completed for $444,225 last year. Mr. Hudson said we needed to wait until the budget was adopted to see how much money we had to use for street paving. Councilwoman Lowman asked how much we get in Powell Bill funds. Assistant Town Manager/CFO Bo Weichel said we get $125,000. Councilman Harvey asked Mr. Hudson to look into DOT working with the Town to provide engineering and paving services as they did for Pilot Mountain.

RESULT: ITEM WAS REMOVED FROM THE APRIL 1, 2024, AT 6:00 P.M.

TAX COLLECTION UPDATE Assistant Town Manager/CFO Bo Weichel shared an update on the current tax collection and compared it to the prior two years. Mr. Weichel noted that the 2023-24 numbers are slightly scud due to the reval year.

Tax Collection Update	
Tax Year	Collected
2023-24 (July - February)	2,643,251
2022-23 (July - February)	2,070,436
2021-22 (July - February)	2,000,679

Tax Collection 2023-24 Budget Summary		
Budget Amount	Amount Expected to Collect	Over (Under) Budget
per Burke County Estimated Values	*Actual Billed Values*	
2,440,668	2,659,207	~~218,539~~

2023-2024 Budget Allocation GENERAL FUND REVENUES			
FUND BALANCE APPROPRIATED	10-3990-000		~~238,279~~

20 K

Councilman Harvey discussed the $400,000 monies the Town has set aside for the Public Safety building/debt service. He asked if the Council could re-allocate that money for different uses. Mr. Weichel said that was correct.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 1, 2024, AT 6:00 P.M.

CONSIDERATION OF APPROVING RESOLUTION AUTHORIZING UPSET BID PROCESS FOR THE SALE OF TOWN-OWNED PROPERTY – 104 ROLLER ST. SW Assistant Town Manager/CFO Bo Weichel shared that the Town has received an offer from Barktopia Stay & Play Pet Resort & Daycamp, LLC, for $35,000 for the property.

2.09 Acre Tract at 104 Roller Street SW



Councilman Harvey asked how that Town came into procession of the property. Mayor Watts believes the Town got it back in the 80s when the structure on it burnt. Councilman Harvey saw that someone bought it in 2012 for $300,000, and then the Town took it over in 2013 for $0 and was curious about the history. Councilman Harvey feels that the Facilities Review Committee needs to consider all the options for a Public Safety Building before the Town disposes of any parcels and does not feel it is a good offer or timing.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 1, 2024, AT 6:00 P.M.

APPROVAL OF BUDGET AMENDMENTS Assistant Town Manager/CFO Bo Weichel shared two Budget Amendments:

i. To transfer $6,500.00 from the General Fund Balance to cover Recreation concession sales

Parks and Recreation primary concession stand is closing in on the revenue target for the current budget year. This means we will also expend more than planned for concession supplies. The sales revenue is a direct correlation to the amount of items sold. This amendment increases the sales revenue and expense line for more supplies.

ii. To transfer $30,000.00 from the General Fund Balance to cover the salary for Town Attorney fees

Attorney fees included in the budget are based on historical need of services billed on an hourly basis. The last few months have had triple the amount of use and associated fees. This results in shortage of funds to pay the Attorney for the final three months of this fiscal year.

Councilman Mears asked the Council why we have the additional increases in attorney fees. Town Attorney Tim Swanson said the hourly rate is the same; it is just more hours due to requested tasks. Mr. Swanson has been more involved in projects, public records, email requests, and meetings. Councilwoman Ward feels that we should look into fees for public records requests. Councilwoman Lowman does not think charging fees is what we should do; the citizens have a right to our emails. Mayor Watts cautions the Council to tread lightly with the First Amendment Rights for our citizens and the open meetings law.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON APRIL 1, 2024, AT 6:00 P.M.

INTERIM MANAGER'S REPORT:

Annual Budget Retreat is scheduled for April 15 & 16, 2024, 9:00 a.m. – 5:00 p.m. at the Council Chambers, Valdese Town Hall

Council Meeting – Council Budget Review, scheduled Monday, April 22, 2024, 6:00 p.m., Council Chambers, Valdese Town Hall

OCP Production: Jimmy Buffett's Escape to Margaritaville, Show Dates April 25, 26 & 27 and May 2, 3 & 4, 2024, 7:30 p.m.; visit www.oldcolonyplayers.com for more information and to purchase tickets.

Next Agenda Review Council meeting is scheduled for Monday, April 29, 2024, 6:00 p.m., Council Chambers, Valdese Town Hall

Next Regular Council meeting scheduled for Monday, May 6, 2024, 6:00 p.m., Council Chambers, Valdese Town Hall

ADJOURNMENT: At 7:34 p.m., there being no further business to come before Council, Councilwoman Lowman made a motion to adjourn, seconded by Councilman Mears. The vote was unanimous.

_____ _____

Town Clerk Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL REGULAR MEETING
APRIL 1, 2024

The Town of Valdese Town Council met on Monday, April 1, 2024, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The Council meeting was live-streamed on YouTube @townofvaldese. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilman Glenn Harvey, and Councilman Paul Mears. Also present were: Interim Town Manager Bryan Steen, Fill in Town Attorney Terry Taylor, Town Clerk Jessica Lail, and various Department Heads.

Absent: Town Attorney Tim Swanson

A quorum was present.

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

OPEN FORUM/PUBLIC COMMENT:

MICROPHONE – GEORGE HENNE, JR., 145 MAIN ST W APT. 4, VALDESE: Mr. Henne provided a copy of his public comments to the Clerk:

My name is George F. Henne Jr. and I live at 145 Main Street West, Apartment 4, here in Valdese.

I have a suggestion for our town council meetings that I hope would not be very expensive, but might be appreciated by some. I made this suggestion after the last town council meeting to one of my former students and he seemed positive about the suggestion.

I think it is great if the town council meetings are being live streamed, and having four large monitors to view presentations and let speakers know how much time they have left, is impressive. But I like to attend these meetings in person if I can, and usually I sit in the back.

The only problem I have, however, is that when we have a soft-spoken speaker here at the microphone, or if they stand too far away from the microphone, I can't hear what they have to say. And I want to hear what anyone has to say.

With all the technological ability we have in today's day and age, I was hoping that something could be economically done to install a couple small speakers to our system so that everyone's words might be projected out loud and clear into the audience.

I think that would be beneficial for many people, not just an old person like me. Thank you.

TAX RATE – KAREN CLARK – CAURSO, 805 MICOL AVE., VALDESE: Ms. Clark-Caruso provided a copy of her public comments to the Clerk:

I'm going to tell you something you probably don't hear too often. My husband and I have been telling people for years that we don't mind paying our Town of Valdese property taxes.

There's a good reason for that. We feel like we get great value for the services we receive that our tax dollars fund. Because of this, I have concerns about the 41.5 cents tax rate the majority of council pledged when campaigning for the seats you won. At the time we were told this rate was revenue neutral and that there would be no cuts to any services or jobs. Ten cents seems like a pretty drastic cut to me.
I am also concerned about going from a promise of no services cuts to no essential services cuts. If during your budget retreat you find cuts are necessary, I urge you to uphold part of your campaign promise – a revenue neutral tax rate – even if it means a rate that is higher than 41.5 cents. Please consider whatever the revenue neutral rate has to be with no cuts to services or jobs. Maybe that rate will be 45 cents, maybe 48.5 cents, maybe it will be 43 cents. You will still have cut the tax rate while maintaining services and jobs. My hope is that a year from now, we will still be feeling good about paying our Valdese property taxes. Thank you

THANKFULNESS – BROOKE HEAVNER, 207 FOREST DR, VALDESE: Mr. Heavner provided a copy of his public comments to the Clerk:

Thank you from Brooke

With the newly elected Town Council starting their 5 Month, I would like to share some words positivity and gratitude instead of negativities that have seemingly been constant at these meetings. After watching the past few town council meetings and reading numerous articles of "The Paper", I came to realize that some folks looking from afar must think things are awful in our great little town. However, I wanted to take the opportunity to share a few of the accomplishments in this short period of time and praise our town council for what they have achieved and are working towards. I, as well as many others, are extremely happy with the results thus far.

1. Implementation of livestream monthly meetings.
2. Old Rock School Repairs and Maintenance issues.
    a. Agreed upon designs and funding- ready to start and finish this project hopefully by Festival.
3. Pool Bubble
    a. Agreed to finance and fix this project hopefully by swim season in the fall.
4. Reduced taxes back to revenue neutral VS the 2022 Year.
5. Appointed interim town manager to help work through the budget year as well as hire a new police chief. (Congratulations Chief Sharpe)
6. Developed the Facilities Review Committee to work on getting our Public Safety Departments into a safe working environment, ASAP. Notes from this committee.
    a. Received and Reviewed 8 new proposals and interviewed 3 of these firms for potential hire. Looking to hear more on this tonight.
7. Developed Efficiencies Task force.
    a. This committee has agreed to set specific goals after the current budget is adopted to meet the town's needs for the coming year.
8. Drug and Homeless task force. (First meeting notes)
    a. Working with law enforcement and to create more community watch groups.
    b. Working to pull local Church groups together to help law enforcement with emergency resources for homelessness.

I want to say a huge THANK YOU all for accomplishing these tasks and more to come. SO, with that I am going to leave everyone with a few words that I hung in my High School locker and that I have kept close ever since, courtesy of Theodore Rosevelt.

It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs, who comes short again and again, because there is no effort without error and shortcoming; but who does actually strive to do the deeds; who knows great enthusiasms, the great devotions; who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who neither know victory nor defeat."

TRANSPARANCY – KATIE STILLWELL, 3187 MONTANYA VIEW DR., VALDESE: Ms. Stillwell provided a copy of her public comments to the Clerk:

My name is Katie Gravel Stilwell, and I live at 3187 Montanya View Drive in Valdese. I grew up in this town. My dad, Jack Gravel, was a long time youth baseball coach in Valdese. My mom, Renee Gravel, worked for many years at the Valdese Recreation Center. My family considers Valdese a special place to call home.

I would like to speak about the issue of transparency. According to the dictionary, transparency is "a situation in which business and financial activities are done in an open way without secrets, so that people can trust that they are fair and honest."

Transparency was a key buzz word throughout WHO's campaign strategy. Accusations were made that the former town council was NOT always transparent - meaning that they were not open, fair, and honest. Many promises were made regarding WHO's honest and open intentions. However, in just the few months since he has taken office, Councilman Harvey has been outed as being the opposite of transparent. He has sent emails from private accounts thinking they would not be a part of the public domain. He has hand delivered messages to the town hall thinking these messages would also remain private. And most recently, he has attempted to prevent the usual budget retreat for the entire council so that everyone's input can be considered. Instead, he wanted to meet one on one with the town manager and each council member regarding the budget. Would this be legal? Yes, but once again, it seems suspicious and not having the appearance of transparency. Also, regarding the budget, Mr. Harvey has promised a tax cut and has also vowed not to cut services but has been evasive regarding what defines "essential services."

Please do better, Mr. Harvey. The citizens of Valdese need and deserve your integrity and respect. They need transparency.

INFO – RICK MCCLURD – 408 GARROU AVE SE, VALDESE: Mr. McClurd noted that revenue neutral is around 41.5, and if everyone knocked on all the doors he knocked on during the election, you would see that many people cannot afford anything above 41.5. Mr. McClurd shared that anyone can give the Town a big check if they want to pay more in taxes. Mr. McClurd said that transparency works on both sides, and he is proud of the WHO group's work during the campaign. Mr. McClurd said we had a big vote turnout because they knocked on doors and got people interested. Mr. McClurd hopes we can do something to help the people in need.

SMALL BUSINESS WANTING TO EXPAND – MARKIE JAMES, 132 MAIN ST E, VALDESE: Ms. James owns Bark Side Pet Grooming and wants to expand her business in Town by taking on a partner, Brittany Buchanan, to open a boarding daycare, training, and grooming facility. She shared that they would like to host AKC sporting events, bringing in a lot of tourism. Ms. James noted they are trying to procure land and asked for the Council's support.

BUDGET – JEAM-MARIE COLE, 705 BERTIS ST, VALDESE: Ms. Cole noticed that there is a budget retreat and was curious if there was a time they would give the public a review. Ms. Cole would like some feedback on the budget retreat. Ms. Cole said that she would be willing to take a little less than the 41.5 cent tax rate rather than giving up services. Ms. Cole owns two properties in Valdese and would like it to come down. Ms. Cole believes the Public Safety Building is necessary and thinks we should build a new one but cut it down from the big plan.

CONSENT AGENDA: (enacted by one motion)

APPROVED AGENDA REVIEW MEETING MINUTES OF FEBRUARY 26, 2024

APPROVED CLOSED SESSION MINUTES OF FEBRUARY 26, 2024

APPROVED REGULAR MEETING MINUTES OF MARCH 4, 2024

APPROVED CITIZENS BUDGET PRIORITIES MINUTES OF MARCH 18, 2024

APPROVED VALDESE ABC BOARD TRAVEL POLICY Valdese ABC Board Travel Policy for FY 24-25.

VALDESE
ABC BOARD

1018 MAIN STREET WEST • VALDESE, NC 28690 • PHONE 828-879-2227 • FAX 828-874-0332

TRAVEL POLICY

Proposed Date: March 19,2024
Effective Date: July 1, 2024

Re: Adoption of Town of Valdese Travel Policy
JULY 01, 2000, "Revised"

PROPOSED

The following guidelines will be used as a travel policy for all employees traveling on Valdese ABC Board business:

1. Reimbursement of travel expenses-

   Meals will be covered on a per day rate. (Based on the current Federal Per Diem Rate.) The Federal Per Diem Rates listing (found online at www.gsa.gov) is updated on an annual basis in October. If the traveler's destination is not listed on the website, the standard rate is used.

   When traveling to attend a conference, where some meals are provided by the conference, remaining meals not provided by the conference will be eligible for reimbursement on a reasonable and actual basis (receipts required).

   When on a trip not involving an over-night stay, expenses (i.e. mileage, meals) will be eligible for reimbursement on a reasonable and actual basis (receipts required).

   Lodging will be covered for reasonable and actual cost (receipt required). Unless attending a conference, the Federal Per Diem Listing should be used as a guideline in determining reasonable cost.

2. Board credit cards may be used to reserve lodging. Travel related cost however, should not be charged to the credit cards. All travel expenses will be covered through travel advances and / or reimbursements.

3. It is the responsibility of the General Manager to determine which meal allowances are eligible for reimbursement to employees for partial day travel. Reimbursement will be for reasonable and actual cost (receipt required).

4. All requests for travel expense reimbursement (i.e. meals, lodging, mileage, etc.) must be accompanied by a travel expense report.

5. Other issues-

- Transportation: As a general rule, it is the Board's policy that an employee is authorized to use a private vehicle and be reimbursed at the current standard mileage rate. The current standard rate shall be the same as paid by the Town of Valdese following the IRS rate.

- Registration: Registration fees are generally paid in advance directly to the vendor, not from travel advance.

- Advances: The Board does permit employees to request advances whenever an estimated trip cost exceed $25. If the cost is less than $25, employee must seek reimbursement when the trip is completed.

Adopted this the 19th day of March, 2024

_____
Chairman

Attest:

_____
Secretary/Treasurer

DOSED

APPROVED REQUEST FROM WALDENSIAN STYLE WINES TO SELL ALCOHOL Waldensian Style Wines has been authorized to sell wine at the Craft Market event on April 27, 2024, from 9:00 a.m. to 4:00 p.m., Independence Day Celebration on June 28, 2024, from 5:00 p.m. until 11:00 p.m., and the 49th Annual Waldensian Festival events on August 9, 2024, from 5:00 p.m. – 11:00 p.m. & April 10, 2024, from 9:00 a.m. to 5:00 p.m.

APPROVED REQUEST FROM AMERICAN LEGION LADIES AUXILIARY TO SELL ALCOHOL The Ladies Auxiliary has been authorized to sell beer at the Independence Day Celebration on June 28, 2024, from 5:00 p.m. until 11:00 p.m.

APPROVED REQUEST FROM BURKE SUNRISE ROTARY CLUB TO SELL ALCOHOL The Burke Sunrise Rotary has been authorized to sell beer at the 2024 Waldensian Festival events on August 9, 2024, from 5:00 p.m. until 11:00 p.m. and April 10, 2024, from 12:00 p.m. until 5:00 p.m.

Councilman Mears made a motion to approve the aforementioned items on the Consent Agenda, seconded by Councilwoman Ward. The vote was unanimous.

End Consent Agenda

ITEMS REMOVED FROM CONSENT AGENDA: None

INTRODUCTION OF NEW EMPLOYEES Interim Town Manager Bryan Steen introduced Marc Sharpe, the new Police Chief. Parks & Recreation Director David Andersen introduced Chipper McGinnis, the new Athletic Supervisor.

PUBLIC HEARING FOR CDBG WATER PROJECT The Town Council for the Town of Valdese held a public hearing, for providing explanation and description of the FY 2023-2024 North Carolina Department of Environmental Quality (DEQ) Community Development Block – Infrastructure Grant (CDBG-I).

Sherry Long, Assistant Executive Director of Western Piedmont Council of Governments was present to discuss the purpose of the public hearing for the Town of Valdese's CDBG-I funding application. Ms. Long stated that the purpose of the public hearing was to obtain citizens' views and to respond to funding proposals and answer any questions posed by citizens. Ms. Long also stated that the public hearing must cover the Town's community development needs, development of the proposed activities, and a review of program compliance before the submission of the Town's CDBG-I funding application to the state of the North Carolina.

The Town proposes requesting funding from NCDEQ'S CDBG-I program for the Berrytown Waterline Project. The proposed project will meet the following community and housing needs of the Town by replacing aging and undersized water lines, replacing water service lines, and installing fire hydrants and other appurtenances along Berry School Avenue, Berrytown Avenue, Berrytown Street, Bost Johnson Avenue, Bost Johnson Avenue Extension, and CV Johnson Drive.

The purpose of the CDBG-I grant program is to improve the quality of life for low to moderate income people by providing a safe, clean environment and clean drinking water through water and sewer infrastructure improvements and extensions of service.

- To benefit a residential area where at least 51% of the beneficiaries are low to moderate income as defined by the United States Department of Housing and Urban Development.
- To perform eligible activities.
- To minimize displacement, and
- Provide displacement assistance as necessary.

For the fiscal year of 2023 the CDBG-I funding available is expected to be $18 Million, and each the maximum available grant is $3 million over a 3-year period. Applications for funding are received by April 30, 2024.

The CDBG program is able to fund a wide variety of community development activities. The State of North Carolina has chosen to fund several activities: water and sewer infrastructure, neighborhood revitalization, COVID-19 related projects, and economic development projects that lead to job creation or retention. The infrastructure program, or CDBG-I program can find a range of water and sewer infrastructure and economic development activities, including, but not limited to the, following:

Water:

- Projects that resolve water loss in distribution systems.
- Projects that extend public water to areas with contaminated wells.
- Projects that extend water lines to areas with dry wells.
- Projects that assist with low water pressure in public water systems.
- Projects that regionalize two or more water systems.
- Project that rehabilitate or replace a water treatment plant.

Wastewater:

- Projects that resolve inflow and infiltration to collection systems and surcharges from pumps stations and manholes.

- Projects that extent public sewer to areas with failed septic tanks.
- Projects that rehabilitate a wastewater treatment plant to allow for greater efficiency/compliance with regulations.

The Town/City/County is seeking an amount in CDBG-I funds not to exceed $3 Million for the Berrytown Waterline Project. The purpose of the Town's request is to replace approximately 8,215 LF of aging and undersized water lines, replace water service lines, and install fire hydrants and other appurtenances along Berry School Avenue, Berrytown Avenue, Berrytown Street, Bost Johnson Avenue, Bost Johnson Avenue Extension, and CV Johnson Drive. The project will assist with low water pressure in the service area.

The project proposed by the Town of Valdese was identified in the Town's 10-year Capital Improvement Plan, updated and adopted in September 2023. Informal community meetings were held in the project area to inform citizens of the potential project, and get feedback from the residents.

A total of 100% of the CDBG-I funding will be used to benefit Low to Moderate Income (LMI) people. The project area in the Town of Valdese has been determined to have an income survey area LMI rate of 70.262%. The project area includes all homes located along Berry School Avenue, Berrytown Avenue, Berrytown Street, Bost Johnson Avenue, Bost Johnson Avenue Extension, and CV Johnson Drive.

The range of activities covered by the CDBG-I funds for the Berrytown Waterline Project includes:

- Construction
- Environmental Review
- Engineering Design
- Construction Administration and observation.
- Legal activities
- Surveying
- Grant Administration

If Town of Valdese is awarded a CDBG-I grant, the town is required to adhere to federal procurement requirements and other federal regulations which include:

- American with Disabilities Act/Section 504 Survey
- Davis-Bacon & Related Labor Acts
- Adoption/Submittal of a Citizen's Participation Plan
- Adoption/Submittal of an Equal Opportunity Plan
- Adoption/Submittal of a Fair Housing Plan
- Adoption/Submittal of a Language Access Plan
- Adoption/Submittal of a Relocation Assistance Plan
- Adoption/Submittal of a Section 3 Plan
- Excess Force Provision

The State of North Carolina requires that the if the Town of Valdese receives CDBG grant funding that the town will certify that they will comply with the requirements of the general displacement and relocation policy for CDBG grant funding. This policy assists low to moderate income people with costs associated with relocation or displacement, should such relocation become necessary due to the project activities. CDBG funds can be used for those costs, if necessary. If no displacement and relocation will occur as a result of the proposed CDBG grant activity, then the Town of Valdese confirms that during this public hearing.

In the past, the Town has applied for and received for the following completed CDBG project:

Meridian Yarns CDBG-ED Water Project – installed a generator, valve, and associated appurtenances at Valdese Water Treatment Plant

Valdese CDBG-NR Scattered Sites Housing Project – rehabilitated 12 homes for low-moderate-income residents

The Town will submit its CDBG-I application for the Berrytown Waterline Project on April 30, 2024. The CDBG-I application will be available for review during normal business hours in the Planning Department at Town Hall at 102 Massel Avenue SW in Valdese. Additional information is available from ljohnson@valdesenc.gov or 828-879-2124.

Should you have any complaints or grievances regarding the subject public hearing, they should be addressed to the addressee mentioned above within fifteen (15) business days or by April 22, 2024, and a written response to the written complaints and/or grievances will be sent by the Town/City/County within fifteen (15) business days, where practicable.

Motion was made by _____ (Members) to close the public hearing.

Motion was made by _____ (Members) to adjourn the meeting.

(Date)

_____

Mayor/Board Member

_____

Town/City/County Clerk

Mayor Watts opened the Public Hearing at 6:32 p.m.

Mayor Watts asked if anyone wished to speak. Hearing none, Mayor Watts closed the Public Hearing at 6:33 p.m.

Councilwoman Lowman made a motion to approve the CDBG Water project for the Berrytown community project as presented, seconded by Councilman Mears. The vote was unanimous.

APPROVED AUTHORIZING RESOLUTION TO SUBMIT AN APPLICATION FOR CDBG FUNDING FOR BERRYTOWN WATER PROJECT Sherry Long, Assistant Executive Director of Western Piedmont Council of Governments presented the following Resolution:

RESOLUTION BY GOVERNING BODY OF APPLICANT

WHEREAS, Title I of the Federal Housing and Community Development Act of 1974, as amended, has established the U.S. Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program, and has authorized the making of grants to aid eligible units

of government in funding the cost of construction, replacement, or rehabilitation of water and wastewater infrastructure, and that the North Carolina Department of Environmental Quality (NCDEQ) Division of Water Infrastructure (DWI) was delegated the authority by the state legislature to administer the water and wastewater infrastructure portion of the state grant monies received from the U.S. HUD Small Cities (States) CDBG program by Session Law 2013-360, Section 15.15(a) as amended by Section 5.3 of Session Law 2013-363, and

WHEREAS, The Town of Valdese has need for and intends to implement a construction project described as the replacement of aging and undersized water lines, replacement of water service lines, and installation of fire hydrants and other appurtenances along Berry School Avenue, Berrytown Avenue, Berrytown Street, Bost Johnson Avenue, Bost Johnson Avenue Extension, and CV Johnson Drive; and

WHEREAS, The Town of Valdese intends to request State grant assistance for the project,

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

That Town of Valdese, the **Applicant**, will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Bryan Steen, Interim Town Manager, and Allen Hudson, Public Works Director, the **Authorized Officials**, and successors so titled, are hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a grant to aid in the construction of the project described above.

That the **Authorized Officials**, and successors so titled, are hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 1st of April, 2024, at Valdese Town Hall, North Carolina.

_____

(Signature of Chief Executive Officer)

_____

(Title)

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting Town Clerk of the Town of Valdese does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Town Council duly held on the 1st day of April, 2024; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of April, 2024.

_____

(Signature of Recording Officer)

_____

(Title of Recording Officer)

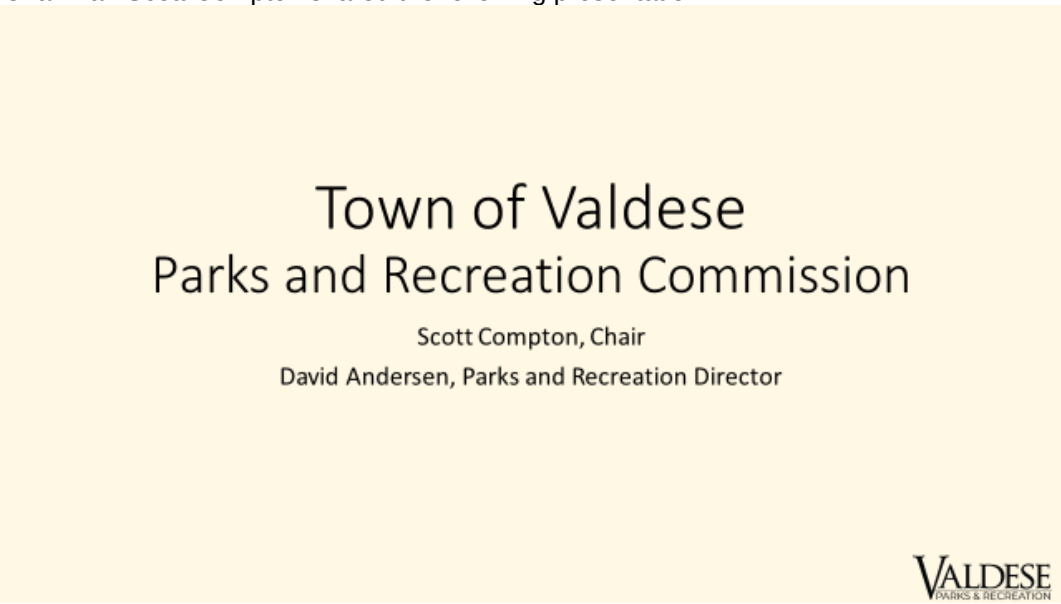
Councilman Mears made a motion to approve the Resolution to submit an application for CDBG funding for Berrytown Water project, seconded by Councilwoman Lowman. The vote was unanimous.

APPROVED REQUEST FOR QUALIFICATIONS (RFQ) FOR HOYLE CREEK Staff will submit an RFQ for the Hoyle Creek Restoration and Sidepath.

Councilwoman Lowman made a motion to authorize the Request for Qualifications for the Hoyle Creek project, seconded by Councilman Ogle. The vote was unanimous.

REPORTS FROM COMMITTEES:

i. **Recommendation from the Parks & Recreation Commission** Parks & Recreation Commission Chairman Scott Compton shared the following presentation:



Special Meeting March 11, 2024

- To prepare and provide requested recommendations for town council
- 4 of 6 voting members present
- Councilman Ogle and Director Andersen present as non-voting members
- Discussion of funding options
  - Grant funding, private donations, town funds
- Discussion of the different types of structures members had visited
  - Pros/Cons of each structure
  - How each structure might meet our specific needs?
  - Cost comparisons

VALDESE PARKS & RECREATION

Recommendations from Special Meeting

<u>The Parks and Recreation Commission has recommended that:</u>

1. The town seek the Accessible Parks Grant to offset cost of the pool structure.
2. The town install a fixed aluminum frame structure with removable sides.

VALDESE PARKS & RECREATION

Recommendation 1:

- The Town seek the Accessible Parks Grant to offset total cost
  - This grant will provide up to $500,000 with a $100,000 match from the town.*
  - The grant will increase access to community center amenities.
    - A ramp will be constructed for tennis court from the existing pool deck.
    - A ramp will be constructed to the front of gym and a semi-automatic door to the lobby will be installed.
    - Remaining funds will be assigned to the cost of the pool structure, including design fees.
- The Local Governing Body (Town Council) must pass a motion supporting the project as a part of the application.
  - The application is being written and will be completed prior to the May 1, 2024 due date.

VALDESE PARKS & RECREATION

Recommendation 2:

- The town should install a fixed aluminum frame structure with removable sides to meet the needs of year-round pool access.
  - Commissioners visited several of these structures in the Charlotte, Raleigh, and Greenville, South Carolina
  - The facility operators currently using these structures are very satisfied with the structural function and integrity of this design.
  - This design provides the versatility needed to meet the programming requests of our patrons, as well as providing opportunities for additional programming in the future.
  - The design will allow us to keep the pool open year around with features of removable sides and radiant heating.
    - The facility will allow us to continue to serve schools, Aquacise classes, provide swim lessons without interruptions, and meet the needs of competition programs such as Masters, Xcell Aquatics, and Special Olympics.
  - The facility operators will be able to remove the side panels during the summer months.
    - This will provide access to an increased deck space that meets patron requests for both shade and sunlight at the pool.
    - This will also reduce chemical costs, as it is easier to maintain a desired water temperature as less UV exposure will minimize chlorine loss.
    - We would also likely see fewer heat related illnesses in summer.

VALDESE PARKS & RECREATION

Recommendation 2 - Continued:

- We believe this design will present minimal construction disruption to programming.
- The structure is engineered to meet and exceed the required wind and snow loads of 15lbs of snow and 115 mile per hour winds.
- The structure is made with architectural fabric over an aluminum frame with stainless steel hardware, which are materials ideal for an aquatic environment.
  - The side panels come with a 7 year warranty, but evidence shows they have a much longer lifespan of 10-15 years.
  - The roof membrane comes with a 15 year warranty, and an estimated 20-25 year lifespan, which is on par with other commercial roof system warranties.
- As of March 26, 2024, the manufacturer is estimating a cost of $559,020 ($42/sq.ft. at 13,310 sq.ft).
  - This structure remains an economically feasible option.
  - This cost does not include site preparation work or required design services such as foundation work, electrical and natural gas
  - There is currently no estimate on site preparation costs yet as design services are required to finalize construction costs.
  - The RFQ responses for this design service were due Thursday, March 28. We received several responses and will begin reviewing and interviewing in April.

VALDESE PARKS & RECREATION

Fixed Aluminum Structure Examples

Images from structure approx. 10 years in age owned and operated by Marlins of Raleigh Swim Team at Silverton.



Exterior Day Time

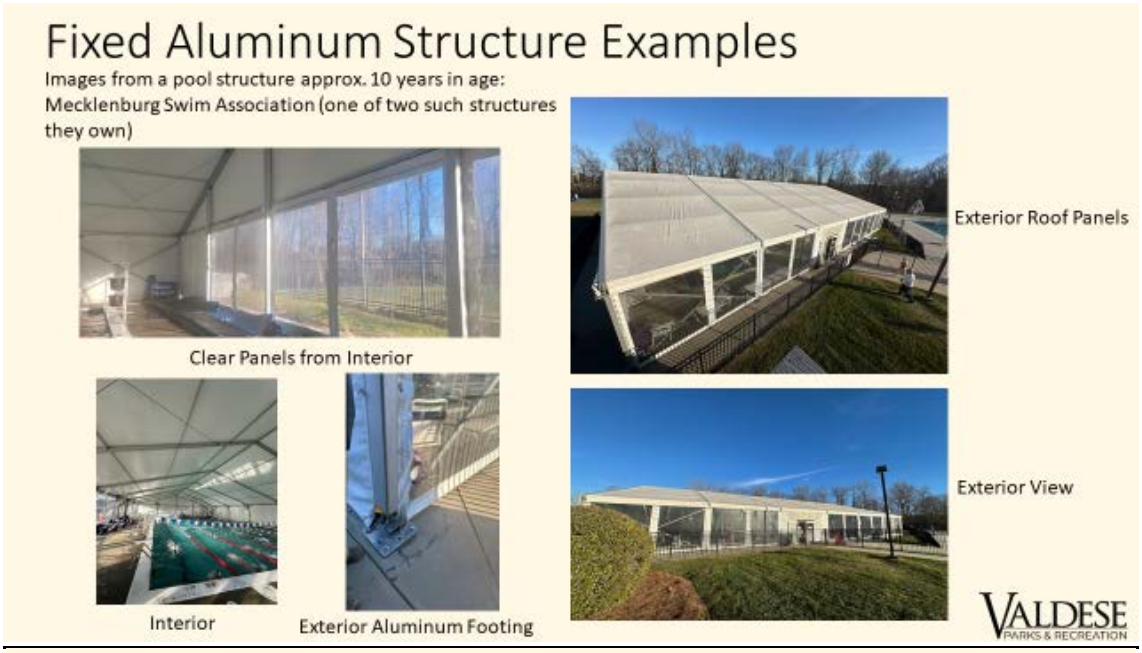


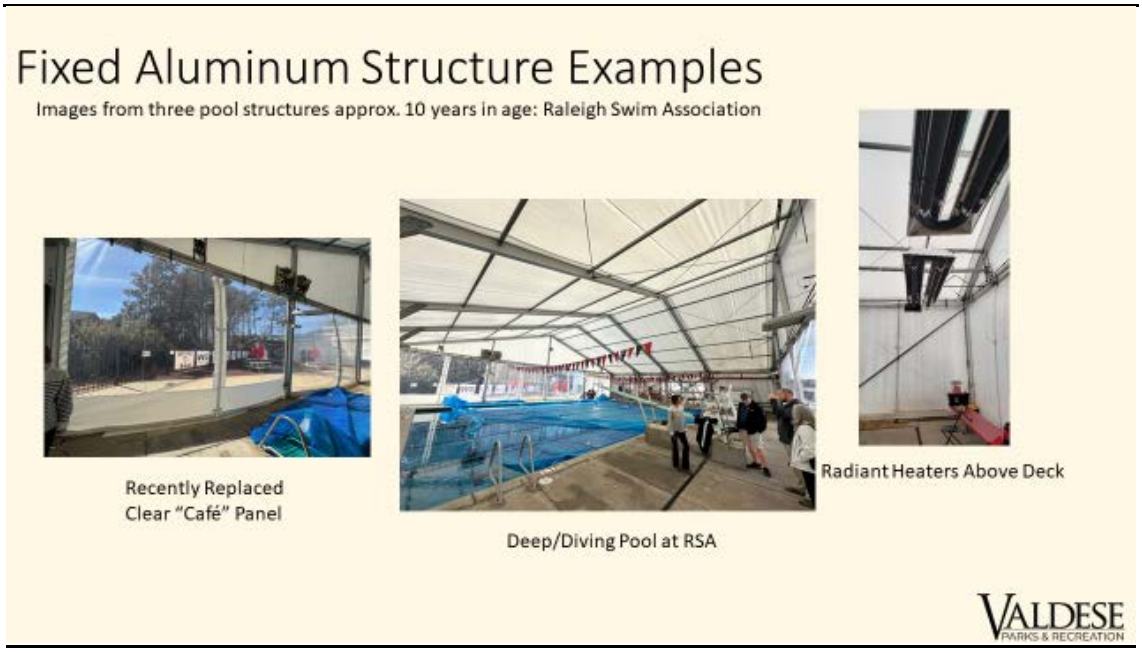
Interior Ceiling



Exterior Night Time

VALDESE PARKS & RECREATION





Councilman Ogle made a motion to support the Parks and Recreation grant application, seconded by Councilwoman Lowman. The vote was unanimous.

ii. **Drug and Homeless Task Force** Councilwoman Ward shared that the task force met on March 26, 2024, and the committee would like to recommend amending the current resolution to allow a minimum of five members to bring more expertise to the committee. Councilwoman Ward said that would be on the agenda in May. Councilwoman Ward shared that the committee is considering creating more community watch groups. Pastor Josh Lail will work with local churches to help with different needs in the community and apprise the Police Department. Councilwoman Ward said they have spoken to the WPCOG and will set up a public meeting with them.

TAX COLLECTION UPDATE Assistant Town Manager/CFO Bo Weichel updated Council that through the month of February the County has collected 2.64 million in taxes.

Councilman Harvey made a motion that the $407,000 being set aside each year for the Public Safety Building account and related debt, instead be allocated to street repaving in Fiscal Year 2024-25.

Attorney Terry Taylor said that the budget resolution would need to come before this and be properly prepared. Attorney Taylor said that staff could take the suggestion and add it in the budget if funds are available at the Public Hearing.

Councilman Harvey stated, "Given the condition of so many miles of the town's streets at a repaving cost that has been running about $300,000 per mile, and that "Street Repaving" is the only strategic high-priority item that is yet to be addressed, it would be fiscally responsible to allocate this $407,000 that will not be needed for the public safety building in Fiscal Year 2024-25 to extend the 2023 repaving plan another year. Thus, not placing an unnecessary tax burden on Valdese property owners, as follows:

1. One year ago, Burke County did a countywide reassessment that raised the assessed value of Valdese residences by an average of over 43%.
2. In June 2023 – the council adopted an ad valorem tax rate of 51.5 cents, 24% higher than the State-mandated calculation of 41.5 cents; creating severe hardship on hundreds of Valdese owners of the smaller, older homes.
3. In December 2023, the council unanimously terminated the architectural contract and a $7.2 million, USDA provisional public safety building loan.
4. On March 4, 2024 – the council unanimously set the 2024 tax rate at 41.5 cents.
5. Citizens who do not need the tax reduction, can contribute the amount to the town for ORS renovation, pool structure, etc.
6. Since 2019, our town management and councils have been setting aside several revenue and savings items, providing $407,000 annually towards the public safety facility construction and debt service.
7. That account now stands at nearly $1.5 million due to four factors:
    a. The annual $407,0000 budget contributions;
    b. $500,000 received from the State for this purpose;
    c. $120,000 proceeds from the sale of the old Pineburr mill;
    d. $225,000 saved with the December termination of the architectural firm.
8. In February 2023, Councilmen Mears and Harvey and Manager Steen met with the Speaker of the NC House, Tim Moore. As a result, Representative Hugh Blackwell is pursuing an active request for public safety building funding, the outcome of which will not be known until next year.
9. Since it will be at least one more year before we know the cost and funding needs for a public safety building resolution, it would be an unnecessary burden on Valdese taxpayers to again raise taxes to seek $400,000 of new revenue for repaving streets, when this $407,000 carry forward carve-out, will not be needed for the public safety facilities or related debt service in Fiscal Year 24-25."

Councilman Harvey said that this Council unanimously adopted the budget guidelines last month, and for everybody who does not need that, you can contribute money to the Town for the Old Rock School, pool structure, Public Safety Building, or whatever you would like.

Councilwoman Lowman asked Councilman Harvey why we would not need any money for the Public Safety building during FY 24-25. Councilman Harvey said that we may need some money but we are sitting on a fund for 1.5 million for the Public Safety Building and it would take a lot of time to get an architectural firm hired, and a plan designed.

Councilman Harvey withdrew his motion.

APPROVED AUTHORIZING UPSET BID PROCESS FOR THE SALE OF TOWN-OWNED PROPERTY-104 ROLLER ST SW Assistant Town Manager/CFO Bo Weichel said we received an offer in the amount of $35,000.00 for this property and reviewed the upset bid process.

RESOLUTION AUTHORIZING UPSET BID PROCESS

Sale of 2.09 Acre Tract at 104 Roller Street SW, Valdese, NC (REID: 30985)

WHEREAS, the Town of Valdese (the "Town") is the owner of that certain tract or parcel of real property (the "Property") situated in Lovelady Township, Valdese, North Carolina commonly known as 104 Roller Street SW, Valdese, North Carolina, PIN: 2733654336, REID: 30985, which Property is more particularly described in Deed Book 2078, Pages 494, Burke County Registry as follows:

BEING ALL of Tract 3, containing 2.730 acres, more or less, as shown on that certain plat entitled "Property to be conveyed to Solely DG, LLC", prepared by Douglas A. Garber, PLS, dated October 27, 2011, as recorded in Plat Book 41, Page 234, Burke County Registry;

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

WHEREAS, on or about March 13, 2024, the Town received an offer to purchase the Property from Barktopia Stay & Play Pet Resort & Daycamp, LLC for $35,000.00; and

WHEREAS, Barktopia Stay & Play Pet Resort & Daycamp, LLC has deposited five percent (5%) of its bid with the town clerk.

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

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

2. The Town Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the Property and the amount of the offer and shall state the terms under which the offer may be upset.

3. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the Town Clerk within ten (10) days after the notice of sale is published. At the conclusion of the 10-day period, the Town Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

4. If a qualifying higher bid is received, the Town Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Town Council.

5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first $1,000.00 of that offer and five percent (5%) of the remainder of that offer.

6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid. The deposit may be made by cashier's check or by certified check. The Town will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The Town will return the deposit of the final high bidder at closing.

7. The terms of the final sale are that:

(a) the Town Council must approve the final high offer before the sale is closed, which it will do within thirty (30) days after the final upset bid period has passed;
(b) the buyer must pay the purchase price in certified funds at the time of closing;
(c) the Property shall be sold "as is" and subject to all existing easements;
(d) the Town will reserve easements for all town utility lines located on or under the Property; and
(e) the Property shall be conveyed by special warranty deed.

8. The Town reserves the right to withdraw the Property from sale at any time before the final high bid is accepted and the right to reject all bids at any time.

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

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

Councilman Harvey made a motion to accept the offer and undertake the upset bid process and include that the proceeds be allocated to the account # 35 Public Safety Account, if that is appropriate. Attorney Taylor said that would not be appropriate, it is appropriate to start the upset bid process but reallocating funds is changing a budget item.

Councilman Harvey made a motion to proceed with the upset bid process, seconded by Councilwoman Lowman.

Discussion: Councilman Harvey asked that Town Manager when staff brings items to the agenda that they inform the Council what it is all about.

The vote was unanimous.

Assistant Town Manager/CFO Bo Weichel shared that at the May meeting, Council will see three more offers for separate parcels.

BUDGET AMENDMENTS: Assistant Town Manager/CFO Bo Weichel presented the following budget amendment to cover extra Recreation concession sales:

Valdese Town Council Meeting — Monday, April 1, 2024

Budget Amendment # 12-10

Subject: Parks and Recreation sales of concessions

Description: Parks and Recreation primary concession stand is closing in on the revenue target for the current budget year. This means we will also expend more than planned for concession supplies. The sales revenue is a direct correlation to the amount of items sold. This amendment increases the sales revenue and expense line for more supplies.

Proposed Action:

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

Section I:

The following revenues available to the Town will be increased:

Account	Description	Decrease/ Debit	Increase/ Credit
10.3970.031	Recreation Concession Sales		6,500
	Total	$0	$6,500

Amounts appropriated for expenditure are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
10.6200.481	Concession Supplies	6,500	
	Total	$6,500	$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 Lowman made a motion to approve the budget amendment as presented, seconded by Councilman Mears. The vote wan unanimous.

Assistant Town Manager/CFO Bo Weichel presented the following budget amendment to cover extra Town Attorney fees:

Valdese Town Council Meeting — Monday, April 1, 2024

Budget Amendment # 13-10

Subject: Attorney Fees

Description: Attorney fees included in the budget are based on historical need of services billed on an hourly basis. The last few months have had triple the amount of use and associated fees. This results in shortage of funds to pay the Attorney for the final three months of this fiscal year.

Proposed Action:

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

Section I:

The following revenues available to the Town will be increased:

Account	Description	Decrease/ Debit	Increase/ Credit
10.3990.000	General Fund Balance Appr.		30,000
	Total	$0	$30,000

Amounts appropriated for expenditure are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
10.4200.040	Professional Services	30,000	
	Total	$30,000	$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.

Council did not make a motion so the budget amendment will be carried over to the May 6, 2024 agenda.

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

Annual Budget Retreat is scheduled for April 15 & 16, 2024, 9:00 a.m. – 5:00 p.m. at the Council Chambers, Valdese Town Hall

Council Meeting – Council Budget Review, scheduled Monday, April 22, 2024, 6:00 p.m., Council Chambers, Valdese Town Hall

OCP Production: Jimmy Buffett's Escape to Margaritaville, Show Dates April 25, 26 & 27 and May 2, 3 & 4, 2024, 7:30 p.m.; visit www.oldcolonyplayers.com for more information and to purchase tickets.

Spring Craft Market, Saturday, April 27, 2024, ORS Temple Field, 9:00 a.m. – 4:00 p.m.
Next Agenda Review Council meeting is scheduled for Monday, April 29, 2024, 6:00 p.m., Council Chambers, Valdese Town Hall

MAYOR AND COUNCIL COMMENTS: Councilman Mears appreciates the Town committees and the hard work everyone is doing.

Councilwoman Ward said, "Go Wolfpack."

Councilman Ogle said that the Parks & Recreation Commission has worked hard and appreciates their work.

Mayor Watts also appreciates everyone and believes that the Strategic Plan will be a guideline as to what the citizens want.

Councilman Harvey complimented Scott Compton on his great presentation and echoed everything. Councilman Harvey encouraged everyone to come out to the budget workshops, and if anyone has suggestions, please make those.

Councilwoman Lowman thanked the committees and welcomed Chief Marc Sharpe to Valdese as our Police Chief.

ADJOURNMENT: At 7:27 p.m., there being no further business to come before Council, Councilwoman Lowman made a motion to adjourn, seconded by Councilman Mears. The vote was unanimous.

The next meeting is a regularly scheduled meeting on Monday, May 6, 2024, 6:00 p.m., Valdese Town Hall.

_____ _____

Town Clerk Mayor

jl

TOWN OF VALDESE
ANNUAL COUNCIL/DEPARTMENT HEAD BUDGET RETREAT
MONDAY, APRIL 15, 2024 & TUESDAY, APRIL 16, 2024

The Town of Valdese Town Council met on April 15 & 16, 2024, at 9:00 a.m., for the Annual Budget Retreat, in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilman Glenn Harvey, and Councilman Paul Mears. Also present were: Interim Town Manager Bryan Steen, Town Clerk Jessica Lail, and Department Heads.

Absent: None

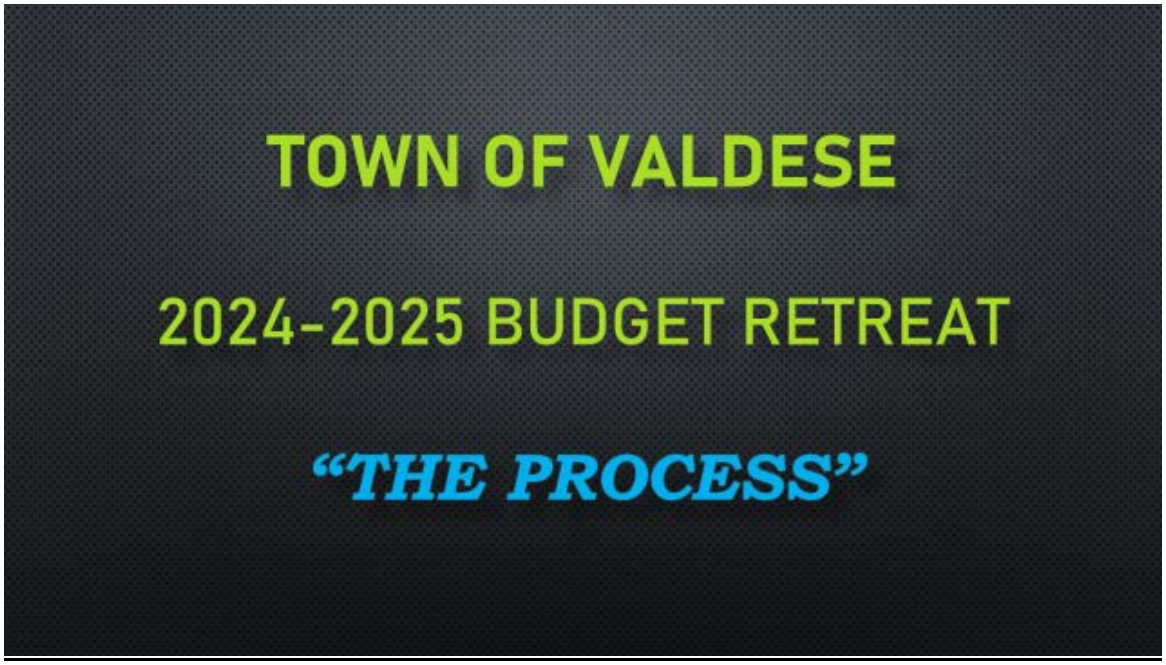
A quorum was present; however, no action was planned.

DAY 1 – APRIL 15, 2024

CALL TO ORDER At 9:00 a.m., Mayor Watts opened the meeting with an invocation and led in the Pledge of Allegiance to the Flag. Mayor Watts welcomed everyone to the Budget Retreat. Mayor Watts stated, "As we move through today's agenda, let us keep in mind that it is the Town Council's responsibility to establish the type and level of services that the Town of Valdese provides for our citizens. Currently, our citizens enjoy many quality services not offered in larger municipalities. Quality services provided by loyal and dedicated employees who take pride in providing the best for our citizens. Let us also remember the results of the Valdese 2024 Strategic Plan, which was just finalized. Based on citizen input, our four focus areas are: Employee Recruitment and Retention, Economic Development, Public Infrastructure, and the Old Rock School. So moving forward, we must be mindful of citizen expectations of quality services and the 2024 Strategic Plan. Both of which will help ensure a bright and flourishing future for Valdese."

Councilman Harvey understands that there will be no reduction in services in FY 24-25 and wants to hear how the staff is going to live within the revenue or dip into the reserves as they did last year.

BUDGET PROCESS Assistant Town Manager/CFO Bo Weichel presented the budget process to give Council an overview of preparing for the budget. Mr. Weichel shared that staff has around 500 hours of time in preparing for the budget.



Two IMPORTANT Annual Documents

BUDGET
(June)



AUDIT
(December)



TRADITIONAL vs. ZERO-BASED

Traditional budgeting:

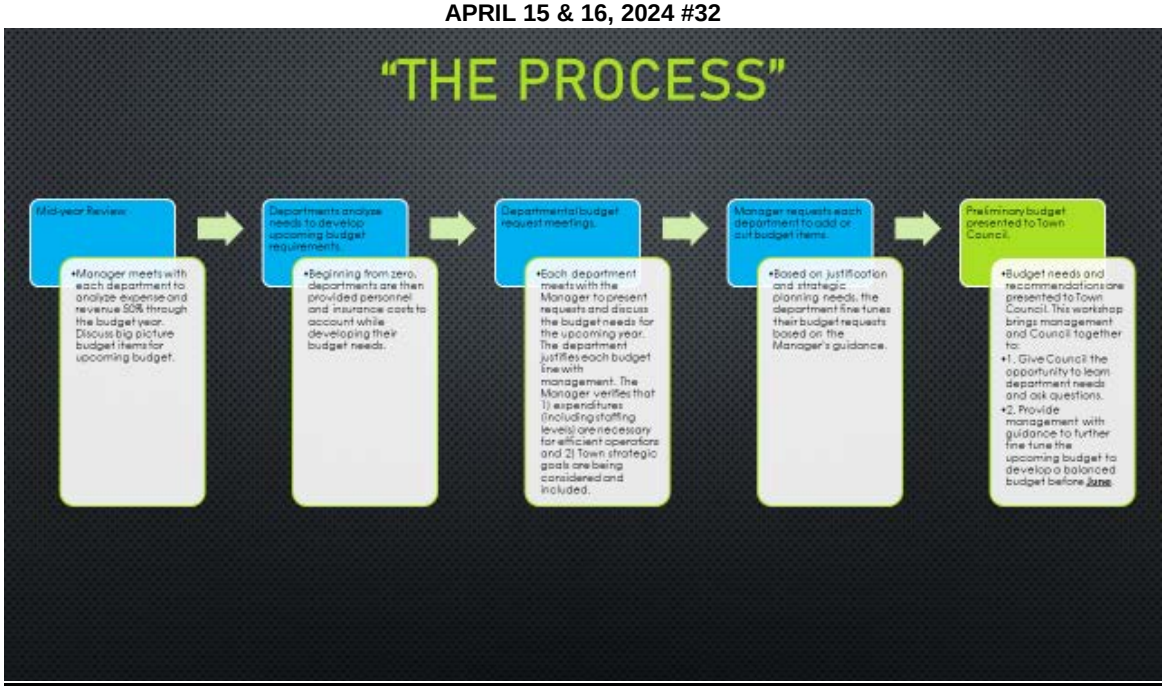
- Utilizes incremental increases over previous budgets (i.e. 3% increase in spending)
- Only analyzes new expenditures.

Zero-based budgeting (ZBB):

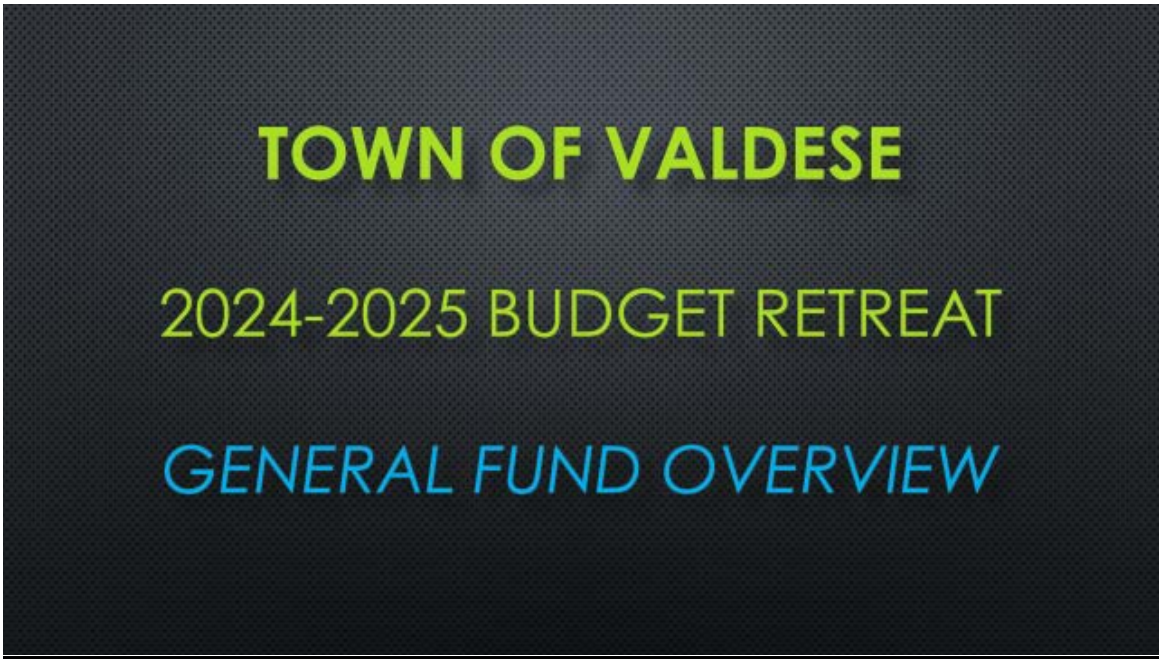
- Unlike traditional budgeting, zero-based starts each department budget at zero. The budgets are then built around what is needed for the upcoming fiscal year.
- ZBB requires justification of both old and new expenditures.
- Through a series of meetings, the Manager and staff analyze each individual expense for the upcoming fiscal year to determine the granular need for the Town.

Why use ZBB?:

- Lowered costs may result as ZBB helps prevent the misallocation of resources that may happen over time compared to when a budget grows incrementally through traditional budgeting.
- Instead of blindly increasing each department's budget by a certain percentage and masking the cost increase, the Town can identify situations across departments and allocate available resources where needed.
- For example, ZBB allows strategic goals to be implemented into the budgeting process by tying them to specific functional areas of the organization.



GENERAL FUND OVERVIEW Assistant Town Manager/CFO Bo Weichel provided an overview of the Town's general fund balance, debt services, and budget challenges. Mr. Weichel shared that the unassigned fund balance for last year was in the amount of $6,587,564, with a 105% fund balance percentage of expenditures. Mr. Weichel shared that this was a decrease of 7.88% from the prior year. Mr. Weichel identified items that will affect this year's fund balance. Mr. Weichel identified challenges for the upcoming year.



Two IMPORTANT Annual Documents

BUDGET
(June)



AUDIT
(December)



FUND BALANCE

DEBT SERVICE

BUDGET CHALLENGES

FUND BALANCE

PURPOSE OF FUND BALANCE

- PREVENT SHORT-TERM BORROWING
- RESERVE FOR EMERGENCIES, UNFORESEEN EVENTS, OR UNEXPECTED OPPORTUNITIES
- INCREASE AVAILABLE FUNDS FOR INVESTMENT
- AVOID NEGATIVE ATTENTION FROM THE LOCAL GOVERNMENT COMMISSION (LGC)

General Fund

Where did we end on June 30th?

- Unassigned Fund Balance was $ 6,587,565
- Fund Balance Percentage 105% of Expenditures
- Decrease From Prior Year of 7.88%

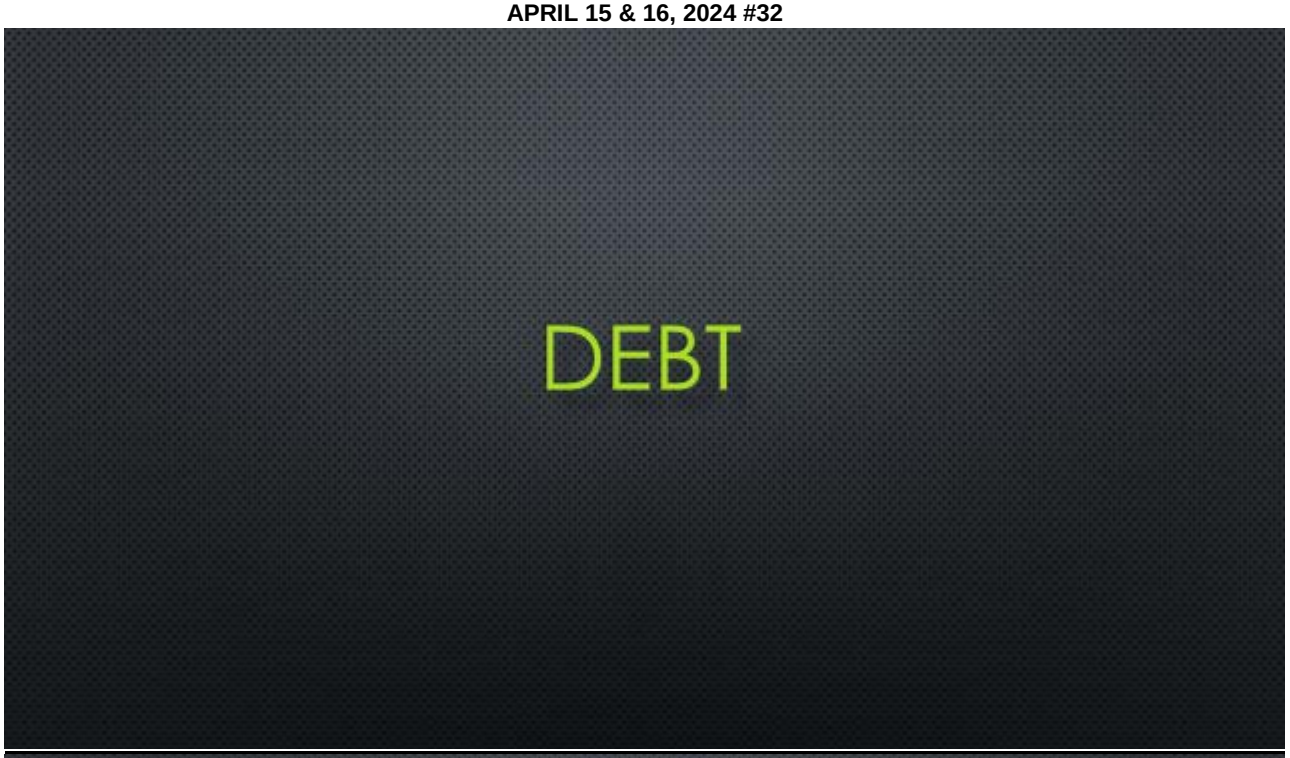
General Fund

What Will Impact Fund Balance So Far This Year?

- Fund Balance Appropriations $617,684

Fitness Center HVAC replacement	25,950
Unified Development Ordinance (UDO)	33,717
WPCOG Strategic Planning	8,030
Board of Election fees	4,930
Interim Manager	90,700
Prior Manager Accrued Vacation Payout	12,500
Cameras in Council Chambers	3,907
Town Manager Search - Baker Tilly	17,000
Increased Use of Attorney Services	30,000
Transfer to Street Paving Fund for Additional Paving (August 2023)	150,000
Transfer to Old Rock School project WPCOG grant admin (August 2023)	25,000
Transfer to Old Rock School project to match cost of bid (February 2024)	215,950
	617,684

- Fund Balance Appropriated $238,279 from FY 23-24 Budget Process
- Property Tax Values Increase May & June 2023 $218,539
- Sales Tax Revenue Projected to Add $150,000 Additional Revenue



TOWN OF VALDESE
General Fund Debt

	Annual Payment	Balance Remaining	Years Remaining
Fire Ladder Truck (USDA)	52,761	738,654	14
Trucks & Equip-Street (Truist)	53,743	107,486	2
Town Hall (USDA)	88,878	2,399,706	27
Splash Park (USDA)	19,483	662,422	34
Patrol Vehicles (Truist)	18,471	18,471	1
Total	**233,336**	**3,926,739**	
Operating Debt Ratio	**3.10%**		

Mr. Weichel provided Council with a debt amortization schedule over the next 40 years.

Debt Service Schedule (General Fund)

EXHIBIT 3

GENERAL								
	Fire	Street	New	Rec	Police			
	Ladder Truck	FY21-22 Vehicles/Equip	Town Hall	Splash Park	3 cars			
FY	(USDA)	(TRUIST)	(USDA)	(USDA)	(Truist)		*Total*	*Reduction*
25	52,761.00	53,743.00	88,878.00	19,483.00	18,470.14		233,335.14	
26	52,761.00	53,743.00	88,878.00	19,483.00			214,865.00	18,470.14
27	52,761.00		88,878.00	19,483.00			161,122.00	53,743.00
28	52,761.00		88,878.00	19,483.00			161,122.00	0.00
29	52,761.00		88,878.00	19,483.00			161,122.00	0.00
30	52,761.00		88,878.00	19,483.00			161,122.00	0.00
31	52,761.00		88,878.00	19,483.00			161,122.00	0.00
32	52,761.00		88,878.00	19,483.00			161,122.00	0.00
33	52,761.00		88,878.00	19,483.00			161,122.00	0.00
34	52,761.00		88,878.00	19,483.00			161,122.00	0.00
35	52,761.00		88,878.00	19,483.00			161,122.00	0.00
36	52,761.00		88,878.00	19,483.00			161,122.00	0.00
37	52,761.00		88,878.00	19,483.00			161,122.00	0.00
38	52,761.00		88,878.00	19,483.00			161,122.00	0.00
39			88,878.00	19,483.00			108,361.00	52,761.00
40			88,878.00	19,483.00			108,361.00	0.00
41			88,878.00	19,483.00			108,361.00	0.00
42			88,878.00	19,483.00			108,361.00	0.00
43			88,878.00	19,483.00			108,361.00	0.00
44			88,878.00	19,483.00			108,361.00	0.00
45			88,878.00	19,483.00			108,361.00	0.00
46			88,878.00	19,483.00			108,361.00	0.00
47			88,878.00	19,483.00			108,361.00	0.00
48			88,878.00	19,483.00			108,361.00	0.00
49			88,878.00	19,483.00			108,361.00	0.00
50			88,878.00	19,483.00			108,361.00	0.00
51			88,878.00	19,483.00			108,361.00	0.00
52				19,483.00			19,483.00	
53				19,483.00			19,483.00	
54				19,483.00			19,483.00	
55				19,483.00			19,483.00	
56				19,483.00			19,483.00	
57				19,483.00			19,483.00	
58				19,483.00			19,483.00	
59								
	738,654.00	107,486.00	2,399,706.00	662,422.00	18,470.14		3,926,738.14	

BUDGET CHALLENGES

2024 Budget Challenges for Valdese

Operating:

- State Mandated 0.75% Increase of Retirement (13.66%)
- State Mandated 1.00% Increase of Law Enforcement Retirement (14.04%)
- Cost of Living Adjustment for Employees
- Health Insurance Premium Increase of 3.7%
- Republic Sanitation and Recycling contract increase of 5%
- Inflationary Price Increases on Equipment, Materials, and Services
- Tax Rate 41.5 cents

Capital:

- Street Improvements
- Public Safety Facility

GENERAL FUND REVENUE Mr. Weichel reviewed the General Fund revenues. Mr. Weichel noted that the green column represents what is being proposed, and the other columns represent past data and account codes. Mr. Weichel shared the ad valorem taxes are the only revenue calculated by the state. Mr. Weichel went through the general fund revenues line by line.

EXHIBIT 4

2024-2025 Budget Allocation
GENERAL FUND REVENUES

Line Item Description	Account Code	2021-22 Actual	2022-23 Actual	2022-23 Budget	2023-24 Budget	2024-25 Recommended
PRIOR 2020 AD VALOREM TAXES	10-3010-201	9,097	9,793	16,000	8,000	5,000
PRIOR 2021 AD VALOREM TAXES	10-3010-211	20,690	10,779	22,000	15,000	6,500
PRIOR 2022 AD VALOREM TAXES	10-3010-221	2,088,946	22,656	50,000	20,000	12,000
PRIOR 2023 AD VALOREM TAXES	10-3010-231	0	2,134,683	2,081,302	45,000	20,000
2024 AD VALOREM TAXES	10-3010-241	0	0	0	2,440,668	2,234,454
MOTOR VEHICLE TAXES	10-3100-000	215,212	225,925	192,000	216,000	222,000
TAX REFUNDS	10-3120-001	-13,811	-10,678	-10,679	-8,256	-7,885
TAX PENALTY & INTEREST	10-3170-000	26,139	17,334	10,000	10,000	10,000
OCCUPANCY TAX	10-3200-000	66,648	89,978	110,000	152,000	95,000
INTEREST ON INVESTMENTS	10-3290-000	12,150	439,134	0	100,000	200,000
ABC STORE	10-3330-000	0	0	0	0	50,000
RENTS	10-3310-000	66,676	70,639	68,400	68,400	74,400
DONATIONS	10-3350-000	35,000	1,927	0	0	0
DONATIONS-RECREATION	10-3350-002	0	0	0	0	0
OTHER	10-3350-030	-29,346	5,658	2,500	2,500	3,700
UTILITY FRANCHISE TAX	10-3370-000	436,229	447,295	440,000	440,000	440,000
ALCOHOL/BEVERAGE TAX	10-3410-000	18,562	22,058	19,000	18,500	19,500
POWELL BILL ST ALLOCATION	10-3430-000	162,972	165,695	146,300	146,300	166,300
UNRESTRICTED SALES TAX	10-3450-010	1,597,037	1,822,710	1,465,039	1,720,144	1,879,492
ALARM PERMIT FEES	10-3530-010	1,380	1,330	1,500	1,300	0
JAIL FEES	10-3580-000	400	814	500	400	500
REFUSE COLLECTION FEES	10-3590-000	209,071	209,686	202,000	205,000	210,000
RECYCLE FEES	10-3590-010	45,643	45,947	44,200	45,000	46,000
SOLID WASTE DISPOSAL TX	10-3590-020	3,550	3,763	3,400	3,400	3,800
CEMETERY REVENUES	10-3610-000	18,525	19,425	5,000	5,000	5,000
SALES TAX CERTIFICATION REFUND	10-3670-000	31,718	36,333	7,000	7,000	5,000
SALE OF REAL PROPERTY	10-3820-000	1,250	23,265	0	0	0
SALE OF FIXED ASSETS	10-3830-000	7,450	25,101	0	0	0
ABATEMENTS	10-3930-001	1,478	3,650	0	0	0
HOUSING AUTHORITY	10-3970-020	20,162	21,249	21,000	20,000	20,000
PARAMOUNT FORD	10-3970-021	1,819	1,432	1,910	1,910	1,910
XTREME MACHINES	10-3970-022	901	607	809	809	809
ORS FACILITY RENTALS	10-3970-025	17,301	15,245	15,700	23,075	22,075
ORS AUDITORIUM & TICKET SALES	10-3970-026	52,041	54,995	50,000	54,000	58,000
ORS LEASES	10-3970-027	25,395	28,878	24,300	30,480	25,492
C.A. TOURS	10-3970-028	2,450	584	500	1,000	1,000
YOUTH SPORTS REGISTRATION FEES	10-3970-029	9,994	14,975	11,000	14,500	14,500
COMMUNITY CENTER MEMBERSHIP	10-3970-030	142,777	144,815	144,000	153,000	153,500
COMMUNITY CENTER CONCESSIONS	10-3970-031	32,869	35,818	33,600	37,000	44,000
SUMMER SWIM TEAM	10-3970-032	3,972	4,723	4,000	4,500	4,500
BOWLING	10-3970-033	46,483	57,114	46,325	55,000	55,000
VENDING	10-3970-034	1,181	1,097	1,000	1,200	1,200
RECREATION CREDIT CARD FEES	10-3970-035	2,141	2,754	1,500	2,000	3,000
WALDENSIAN FOOTRACE	10-3970-036	2,845	3,295	3,000	3,000	4,000
MCGALLIARD FALLS CONCESSIONS	10-3970-038	4,193	3,422	2,500	4,000	4,000
RECREATION MISC REV & PARK REN	10-3970-039	29,800	30,520	32,000	32,000	32,000
ORS FACILITY FEES	10-3970-126	2,261	1,744	1,500	2,000	2,000
TEACHERS COTTAGE RENTALS	10-3970-127	2,261	1,710	1,500	8,000	8,000
MERCHANDISE SALES	10-3970-128	2,261	103	1,500	2,000	2,000
C. A. CONCESSIONS	10-3970-129	3,131	2,177	3,500	3,500	3,000
PRO RATA	10-3970-300	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000
CAPITAL PROJECTS	10-3970-302	221,000	221,000	221,000	221,000	221,000
FESTIVAL	10-3970-920	23,715	20,360	15,000	20,000	20,000
TRANSFER FROM CAPITAL RESERVE	10-3970-930	0	0	0	0	0
FUND BALANCE APPROPRIATED	10-3990-000	133,830	-632,700	150,653	238,279	0
POWELL BILL FUND BALANCE	10-3991-000	0	0	0	0	0
PROCEEDS FROM FINANCING	10-3995-001	245,292	245,292	0	0	0
PROCEEDS FROM GRANTS	10-3995-002	0	0	0	0	0
TOTAL		7,162,741	7,226,109	6,763,259	7,693,609	7,501,747

Mr. Weichel shared that TR-101 from the NCPTS V4 system and is a report from Burke County. It tells us our total tax value we can budget for in the next fiscal year. This information is from the end of March 2024, so it will change.

EXHIBIT 5

Date run: 4/3/2024 12:06:19 PM
Data as of: 4/2/2024 8:06:49 PM

TR-101 Assessed Value Report

NCPTS V4

Report Parameters:

Abstract Update Date Start: **Min** Abstract Update Date End: **Max** Tax District: **VALDESE**

Abstract Type: **BUS, IND, PUB, REI, RMV** Tax Year: **2024** Year For: **2024**

Abstract Status: **Adj Pending, Imaged, Mailed, Not RFB, Pre-list, Received, Rejected, RFB** Flag Type: **No Flags, Address Confidential, Annexation Processed, AUDIT, BC EMPLOYEE DEBT, Bill**

Default Sort-By: **Tax District, Abstract Type, Tax Year** Grouping: **No Grouping,Abstract Type,Tax Year**

Abstract Type	# of Abstracts	Land Value ($)	Improvement Value ($)	Land Deferred Value ($)	Historical Deferred Value Builders	Tax Relief($) Exempt.($)	Assessed Value - Real ($)	Assessed Value - Personal ($)	Total Taxable Value
TAX DISTRICT: VALDESE ABSTRACT TYPE: BUS TAX YEAR: 2024									
BUS	244							70,074,968	70,074,968
						2,420			
Total	**244**							**70,074,968**	**70,074,968**
						2,420			
TAX DISTRICT: VALDESE ABSTRACT TYPE: IND TAX YEAR: 2024									
IND	147					2,880		801,086	798,206
Total	**147**					**2,880**		**801,086**	**798,206**
TAX DISTRICT: VALDESE ABSTRACT TYPE: PUB TAX YEAR: 2024									
PUB	11								
Total	**11**								
TAX DISTRICT: VALDESE ABSTRACT TYPE: REI TAX YEAR: 2024									
REI	2,808	93,636,906	374,973,753	182,314		216,177	467,829,616	351,012	467,964,451
						598,729			
Total	**2,808**	**93,636,906**	**374,973,753**	**182,314**		**216,177**	**467,829,616**	**351,012**	**467,964,451**
						598,729			

PAGE 1 of 1

538,837,625 taxable value x $0.415 rate = 223,617,614 / 100 = 2,236,176 x 98.65% collection rate = $2,205,988

GENERAL FUND DEPARTMENT OPERATING & CAPITAL:

GOVERNING BODY Mr. Weichel said that this is our smallest department budget. Mr. Weichel noted that this budget went down due to one of the Council members not taking the insurance or stipend. Councilman Harvey asked the Council to consider changing salaries, wages, and group insurance by getting out of the insurance plan. Councilman Harvey shared that it is more transparent if we take it out, he is concerned with the age of Council members, and from an ethical standard. Councilman Harvey suggested moving the monies for the insurance to the stipend.

EXHIBIT 6

2024-2025 Budget Allocation
GOVERNING BODY

Line Item Description	Account Code	2021-22 Actual	2022-23 Actual	2022-23 Budget	2023-24 Budget	2024-25 Recommended	Manager Cuts
SALARIES & WAGES	10-4100-020	18,300	17,133	18,300	18,300	15,500	
PROFESSIONAL SERVICES	10-4100-040	0	0	0	0	0	
FICA TAX	10-4100-050	972	996	1,400	1,400	1,186	
GROUP INSURANCE	10-4100-060	33,004	51,479	59,535	53,689	45,608	
TRAINING	10-4100-140	930	1,437	1,500	2,500	2,500	
DEPT SUPPLIES	10-4100-330	120	571	100	100	100	
IT	10-4100-490	0	0	0	0	0	
DUES AND SUBSCRIPTIONS	10-4100-530	0	0	0	0	0	
MISCELLANEOUS	10-4100-570	1,086	2,000	2,000	1,000	500	(500)
CAPITAL OUTLAY	10-4100-740	8,703	23,693	23,000	0	0	
CONTINGENCY	10-4100-999	0	0	0	0	0	
TOTAL		63,115	97,309	105,835	76,989	65,394	(500)

ADMINISTRATION Mr. Weichel plugged in $140,000 for the Town Manager's salary, so it will affect the overall number if it is more than that. Mr. Weichel identified line items that we will need to increase, such as Attorney fees under professional services. Councilman Harvey would like to see the Town budget $30,000 for staff training under Organizational Development and Teamwork, Customer Service, and Process Improvement.

2024-2025 Budget Allocation
ADMINISTRATION

Line Item Description	Account Code	2021-22 Actual	2022-23 Actual	2022-23 Budget	2023-24 Budget	2024-25 Recommended	Manager Cuts
SALARIES & WAGES	10-4200-020	376,149	391,848	405,192	414,826	454,214	
PART TIME PAY	10-4200-022	0	8,052	3,840	0	14,000	
PROFESSIONAL SERVICES	10-4200-040	45,574	65,644	77,375	90,225	167,915	
HEALTH REIMBURSEMENT (HRA)	10-4200-041	0	0	0	55,500	61,000	
FICA TAX	10-4200-050	28,309	30,102	31,304	31,548	35,632	
GROUP INSURANCE	10-4200-060	54,722	53,002	60,175	45,774	48,608	
RETIREMENT	10-4200-070	41,747	46,622	48,245	52,464	60,893	
UNEMPLOYMENT CHARGES	10-4200-080	0	0	4,000	3,000	3,000	
TELEPHONE & INTERNET	10-4200-110	17,885	23,067	23,150	23,150	24,350	
POSTAGE	10-4200-111	2,970	2,505	4,000	4,000	4,000	
PRINTING	10-4200-120	2,284	3,071	7,100	3,100	3,100	
ELECTRIC	10-4200-130	7,252	8,009	8,460	9,000	10,000	
TRAINING	10-4200-140	7,576	7,456	13,310	13,310	11,010	(2,300)
MAINT & REPAIR BLDG & GROUNDS	10-4200-150	22,178	13,907	17,021	17,021	17,045	
MAINT & REPAIR - EQUIP	10-4200-160	3,051	1,866	4,020	4,400	4,600	
MAINT & REPAIR - AUTO	10-4200-170	0	0	250	250	250	
ADVERTISING	10-4200-260	1,412	3,731	2,850	2,850	2,850	
AUTO SUPPLIES GAS	10-4200-311	409	352	500	1,000	1,000	
AUTO SUPPLIES TIRES	10-4200-313	0	0	0	0	0	
AUTO SUPPLIES OIL	10-4200-314	0	0	40	40	50	
DEPT SUPPLIES & MATL	10-4200-330	12,903	12,247	15,700	15,700	15,100	(600)
CONTRACTED SERVICES	10-4200-450	25,193	36,156	44,416	43,956	38,620	(10,000)
IT	10-4200-490	45,573	53,283	74,270	73,070	77,830	
DUES & SUBSCRIPTIONS	10-4200-530	9,153	11,806	15,000	15,500	14,800	(700)
INSURANCE & BONDS	10-4200-540	102,696	116,568	140,092	140,092	153,000	
MISC EXPENSE	10-4200-570	8,045	6,069	10,950	10,950	15,350	(4,000)
CAPITAL OUTLAY	10-4200-740	0	2,000	2,000	20,000	22,000	
ECONOMIC DEVELOPMENT GRANT	10-4200-763	0	0	0	0	0	
BURKE COUNTY LIBRARY	10-4200-930	40,000	40,000	40,000	40,000	40,000	
DEBT SERVICE	10-4200-962	88,878	88,878	88,878	88,878	88,878	
TRANSFER TO CAPITAL RESERVE	10-4200-963	0	0	0	0	0	
CONTINGENCY	10-4200-990	0	0	0	0	0	
TOTAL		943,959	1,026,241	1,142,138	1,219,604	1,389,095	(17,600)

PUBLIC WORKS ADMINISTRATION/GARAGE FACILITIES Mr. Weichel identified a few increases under this department, such as iMaint, a web-based work order program, supplies/materials, and a new item: the fuel master system annual fee.

2024-2025 Budget Allocation
PUBLIC WORKS ADMIN

Line Item Description	Account Code	2021-22 Actual	2022-23 Actual	2022-23 Budget	2023-24 Budget	2024-25 Recommended	Manager Cuts
SALARIES & WAGES	10-4250-020	122,970	101,862	88,723	93,614	98,202	
OVER TIME PAY	10-4250-021	1,791	1,040	1,448	1,448	1,521	
PART TIME PAY	10-4250-022	0	0	0	0	0	
PROFESSIONAL SERVICES	10-4250-040	220	65	550	550	550	
FICA TAX PAYABLE	10-4250-050	9,082	7,607	6,858	7,192	7,549	
GROUP INSURANCE	10-4250-060	27,043	28,966	29,295	17,818	18,663	
RETIREMENT PAYABLE	10-4250-070	14,116	12,430	10,902	12,138	13,480	
PRINTING	10-4250-120	0	0	500	500	500	
ELECTRIC	10-4250-130	6,569	7,125	7,200	7,200	7,560	
NATURAL GAS	10-4250-131	2,991	3,000	3,000	3,000	3,150	
TRAINING	10-4250-140	0	0	0	3,000	2,500	(500)
MAINT & REPAIR BLDGS & GROUNDS	10-4250-150	16,603	11,076	12,524	13,024	12,500	(2,400)
MAINT & REPAIR EQUIP	10-4250-160	1,669	2,592	3,100	3,500	4,000	
MAINT & REPAIR AUTO	10-4250-170	440	915	915	1,500	1,500	
AUTO SUPPLIES GAS	10-4250-311	4,208	3,275	4,332	6,000	5,500	(500)
AUTO SUPPLIES TIRES	10-4250-313	2,120	1,420	1,420	1,420	1,420	
AUTO SUPPLIES OIL	10-4250-314	72	0	184	184	184	
DEPT SUPPLIES & MATERIAL	10-4250-330	11,236	11,551	13,500	14,500	15,000	(1,500)
CHEMICALS	10-4250-332	0	299	500	500	500	
UNIFORMS	10-4250-360	1,329	1,380	1,380	1,580	1,580	
CONTRACTED SERVICES	10-4250-450	1,356	3,585	5,216	5,216	10,016	(800)
IT	10-4250-490	0	0	0	0	0	
DUES & SUBSCRIPTIONS	10-4250-530	0	1,010	2,325	2,325	2,325	
MISC EXPENSE	10-4250-570	0	0	0	0	0	
CAPITAL OUTLAY	10-4250-740	0	11,347	20,000	41,000	45,000	(4,880)
TOTAL		223,815	210,545	213,874	237,209	253,200	(10,580)

PUBLIC WORKS GROUNDS & MAINTENANCE Mr. Weichel shared that there has been little change in this department other than the Capital expenditure, which went from $0 last year to $49,000 this year due to a Capital Improvement Plan need.

2024-2025 Budget Allocation
GROUNDS AND MAINTENANCE

Line Item Description	Account Code	2021-22 Actual	2022-23 Actual	2022-23 Budget	2023-24 Budget	2024-25 Recommended	Manager Cuts
SALARIES & WAGES	10-4350-020	101,106	132,473	144,556	151,646	158,490	
OVER TIME PAY	10-4350-021	5,005	2,997	4,973	4,973	6,266	
PART TIME PAY	10-4350-022	11,842	11,976	10,400	10,400	10,400	
FICA TAX	10-4350-050	8,586	10,786	9,126	12,658	13,280	
GROUP INSURANCE	10-4350-060	26,936	28,711	38,548	34,652	37,110	
RETIREMENT	10-4350-070	11,929	16,239	13,242	20,018	22,293	
TRAINING	10-4350-140	14	379	400	400	400	
MAINT & REPAIR BLDGS & GROUND	10-4350-150	12,395	3,968	4,150	7,150	7,150	
MAINT & REPAIR EQUIP	10-4350-160	2,111	3,477	3,480	3,480	3,480	
MAINT & REPAIR AUTO	10-4350-170	472	912	2,253	2,253	1,500	(753)
AUTO SUPPLIES - GAS	10-4350-311	4018	5129	6,160	6,500	6,500	
AUTO SUPPLIES DIESEL	10-4350-312	133	369	928	928	928	
AUTO SUPPLIES - TIRES	10-4350-313	1346	1349	1,350	1,350	1,350	
AUTO SUPPLIES - OIL	10-4350-314	537	441	566	566	566	
DEPT SUPPLIES & MATERIAL	10-4350-330	3224	1697	3,600	3,600	4,250	
CHRISTMAS DECORATIONS	10-4350-331	9884	7465	7,500	0	0	
CHEMICALS	10-4350-332	2101	2453	2,500	2,500	2,500	
UNIFORMS	10-4350-360	1765	1590	1,590	2,400	2,400	
CONTRACT SERVICES	10-4350-450	0	0	500	500	500	
HELPING HANDS	10-4350-451	0	0	4,800	4,800	4,800	
IT	10-4350-490	0	0	0	0	0	
MISC EXPENSE	10-4350-570	5127	0	0	2,000	2,500	(500)
CAPITAL OUTLAY	10-4350-740	0	0	0	0	49,000	
ARBOR BEAUTIFICATION	10-4350-927	3,583	3,432	10,800	10,800	10,800	(1,000)
TOTAL		212,114	235,843	271,422	283,574	346,463	(2,253)

PLANNING DEPARTMENT Mr. Weichel discussed salary line for the Planning Director. Councilman Harvey does not understand why we budget for a full-time employee if we don't have one. Councilman Harvey said that is not zero-based budgeting.

2024-2025 Budget Allocation
PLANNING

Line Item Description	Account Code	2021-22 Actual	2023-23 Actual	2022-23 Budget	2023-24 Budget	2024-25 Recommended	Manager Cuts
SALARIES & WAGES	10-4900-020	610	630	670	40,920	40,920	
PART TIME PAY	10-4900-022	33,576	36,137	37,240	39,660	40,980	
PROFESSIONAL SERVICES	10-4900-040	967	0	7,000	7,000	7,000	
FICA TAX	10-4900-050	2,518	2,707	7,469	6,125	6,226	
GROUP INSURANCE	10-4900-060	0	0	9,529	9,055	9,122	
RETIREMENT	10-4900-070	0	0	7,345	5,216	5,519	
TRAINING	10-4900-140	0	0	500	500	500	
MAINT & REPAIR BLDG & GROUNDS	10-4900-150	0	0	750	0	0	
MAINT & REPAIR EQUIP	10-4900-160	1,896	474	2,720	3,500	3,500	
ADVERTISING	10-4900-260	0	0	1,125	1,125	1,125	
DEPT SUPPLIES & MATL	10-4900-330	557	683	695	700	700	
CONTRACTED SERVICES	10-4900-450	3,631	0	3,000	3,000	3,000	
ABATEMENTS	10-4900-451	526	800	9,000	9,000	7,000	(2,000)
IT	10-4900-490	0	0	0	0	0	
DUES & SUBSCRIPTIONS	10-4900-530	200	144	344	344	344	
MISC EXPENSE	10-4900-570	964	386	1,000	1,000	1,000	
CAPITAL OUTLAY	10-4900-740	1,250	12,250	16,000	3,000	100,000	
TOTAL		46,695	54,211	104,387	130,145	226,935	(2,000)

POLICE DEPARTMENT Mr. Weichel shared that there are minimal changes in this department. Councilwoman Lowman asked how many years we keep a car. Mr. Weichel said ten years.

2024-2025 Budget Allocation
POLICE

Line Item Description	Account Code	2021-22 Actual	2022-23 Actual	2022-23 Budget	2023-24 Budget	2024-25 Recommended	Manager Cuts
SALARIES & WAGES	10-5100-020	613,073	673,591	667,184	727,693	747,669	
OVER TIME PAY	10-5100-021	8,250	10,905	9,830	16,624	16,624	
PART TIME PAY	10-5100-022	15,491	10,020	16,560	10,560	10,560	
EXTRA DUTY HOURS	10-5100-024	19,588	18,424	24,363	29,186	29,186	
PROFESSIONAL SERVICES	10-5100-040	885	1,557	1,650	1,800	1,800	
FICA TAX	10-5100-050	49,190	53,134	54,445	59,503	61,032	
GROUP INSURANCE	10-5100-060	126,262	136,716	136,588	129,734	138,013	
DEFERRED COMP 401K	10-5100-065	29,322	32,530	32,887	35,357	36,196	
RETIREMENT	10-5100-070	76,341	90,709	90,317	104,601	114,785	
TELEPHONE	10-5100-110	6,364	6,414	6,471	6,471	6,471	
POSTAGE	10-5100-111	556	368	1,090	1,286	1,000	(286)
PRINTING	10-5100-120	0	0	1,174	1,174	500	(674)
TRAINING	10-5100-140	1,197	1,003	2,500	2,500	2,500	
MAINT & REPAIR BLDG & GROUNDS	10-5100-150	3,924	2,754	1,570	2,588	2,688	
MAINT & REPAIR EQUIP	10-5100-160	2,486	3,231	4,192	4,517	4,517	
MAINT & REPAIR AUTO	10-5100-170	11,686	8,395	11,495	13,275	13,275	
ADVERTISING	10-5100-260	0	0	354	100	0	
AUTO SUPPLIES GAS	10-5100-311	48,320	36,398	40,000	45,000	45,000	
AUTO SUPPLIES TIRES	10-5100-313	5,021	5,095	5,500	5,500	5,500	
AUTO SUPPLIES OIL	10-5100-314	763	2,770	2,850	2,000	2,000	
DEPT SUPPLIES & MATL	10-5100-330	13,007	25,525	21,945	21,125	22,920	
UNIFORMS	10-5100-360	13,681	16,719	16,300	14,920	15,340	
CONTRACTED SERVICES	10-5100-450	13,668	18,401	27,892	27,962	14,228	(14,806)
IT	10-5100-490	13,368	7,100	12,242	10,772	13,334	
DUES & SUBSCRIPTIONS	10-5100-530	31	0	400	424	224	(200)
INSURANCE & BONDS	10-5100-540	0	0	2,065	2,065	0	(2,065)
MISC EXPENSE	10-5100-570	0	0	0	0	0	
CAPITAL OUTLAY	10-5100-740	121,431	46,019	45,000	45,000	56,000	
DEBT SERVICE - CARS	10-5100-910	18,470	18,470	18,471	18,471	18,471	
TOTAL		1,212,375	1,226,248	1,255,335	1,340,208	1,379,832	(18,031)

FIRE DEPARTMENT Mr. Weichel identified changes and noted that the debt for Engine 1 had been paid off, so that dropped off. Mr. Weichel said the most significant difference is that they have a Capital Outlay item this year that they did not have last year.

2024-2025 Budget Allocation
FIRE

Line Item Description	Account Code	2021-22 Actual	2022-23 Actual	2022-23 Budget	2023-24 Budget	2024-25 Recommended	Manager Cuts
SALARIES & WAGES	10-5300-020	325,193	348,525	336,034	348,043	370,580	
OVER TIME PAY	10-5300-021	605	1,379	1,000	1,000	1,000	
PART TIME PAY	10-5300-022	67,623	49,846	65,555	67,875	65,875	(2,000)
EXTRA DUTY HOURS	10-5300-024	27,006	38,243	39,741	39,741	41,400	
PROFESSIONAL WAGES	10-5300-040	1,383	2,171	5,900	7,980	6,980	(1,000)
FICA TAX	10-5300-050	31,596	33,148	33,719	34,815	36,513	
GROUP INSURANCE	10-5300-060	65,844	71,096	75,842	80,601	86,299	
RETIREMENT	10-5300-070	40,077	47,261	45,626	49,992	56,200	
TELEPHONE	10-5300-110	418	456	457	457	1,080	
POSTAGE	10-5300-111	106	72	200	200	200	
PRINTING	10-5300-120	0	658	700	700	500	(200)
ELECTRIC	10-5300-130	10,710	11,319	14,400	14,400	15,840	
NATURAL GAS	10-5300-131	3,912	4,050	4,550	4,550	5,005	
TRAVEL	10-5300-140	11,537	7,042	14,672	18,800	18,120	(1,200)
MAINT & REPAIR BLDGS & GROUNDS	10-5300-150	5,696	7,062	6,598	6,568	6,900	
MAINT & REPAIR EQUIP	10-5300-160	8,440	6,406	10,065	10,165	12,210	
MAINT & REPAIR AUTO	10-5300-170	9,349	20,735	17,120	16,450	19,110	
ADVERTISING	10-5300-260	0	0	500	500	500	(500)
AUTO SUPPLIES GAS	10-5300-311	1,978	1,583	1,600	2,580	2,530	(500)
AUTO SUPPLIES DIESEL	10-5300-312	4,785	8,608	5,565	7,650	10,350	
AUTO SUPPLIES TIRES	10-5300-313	0	1,200	1,200	4,800	10,600	
AUTO SUPPLIES OIL	10-5300-314	1,859	1,220	1,628	2,019	2,025	
DEPT SUPPLIES & MATL	10-5300-330	14,246	46,805	38,805	39,705	38,955	(300)
UNIFORMS	10-5300-360	2,120	4,205	7,000	7,000	7,000	
CONTRACTED SERVICES	10-5300-450	3,200	1,600	1,600	0	0	
IT	10-5300-490	3,941	2,896	3,560	3,735	9,000	
DUES & SUBSCRIPTIONS	10-5300-530	4,193	3,839	5,855	5,345	6,545	
INSURANCE & BONDS	10-5300-540	21,465	22,026	21,650	22,735	25,815	
MISC EXPENSE	10-5300-570	0	0	0	0	0	
SAFETY	10-5300-572	6,207	8,141	8,180	9,640	9,660	(280)
TRANSFER TO PUBLIC SAFETY BUILDING	10-5300-720	100,000	124,000	124,000	324,000	324,000	
CAPITAL OUTLAY	10-5300-740	27,278	172,774	175,000	0	75,000	
DEBT SERVICE - ENG #1	10-5300-910	26,908	26,908	26,908	26,908	0	(26,908)
DEBT SERVICE LADDER TRK	10-5300-912	52,761	52,761	52,761	52,761	52,761	
TOTAL		880,436	1,128,035	1,147,991	1,211,715	1,318,553	(32,888)

PUBLIC WORKS STREETS Mr. Weichel noted that Duke Energy's rate increased, and diesel exhaust fluid repairs were added, which was an EAP mandate.

2024-2025 Budget Allocation
STREET

Line Item Description	Account Code	2021-22 Actual	2022-23 Actual	2022-23 Budget	2022-23 Budget	2024-25 Recommended	Manager Cuts
SALARIES & WAGES	10-5600-020	118,540	135,551	128,877	144,791	151,847	
OVER TIME PAY	10-5600-021	3,911	4,002	4,459	4,787	6,031	
PART TIME PAY	10-5600-022	0	0	0	0	0	
PROFESSIONAL SERVICES	10-5600-040	0	0	1,000	1,000	1,000	
FICA TAX	10-5600-050	9,048	10,261	10,041	11,284	11,919	
GROUP INSURANCE	10-5600-060	29,694	38,340	38,620	34,724	37,014	
RETIREMENT	10-5600-070	13,771	16,716	15,961	19,041	21,282	
ELECTRIC	10-5600-130	1,574	1,663	1,860	1,860	2,064	
ELECTRIC - STREET LIGHTS	10-5600-133	60,930	62,663	66,980	66,980	75,348	
ELECTRIC - TRAFFIC LIGHTS	10-5600-134	791	621	1,224	1,224	1,344	
TRAINING	10-5600-140	42	0	350	350	1,000	
MAINT & REPAIR BLDGS & GROUNDS	10-5600-150	9,918	10,124	16,100	16,100	17,100	
MAINT & REPAIR EQUIP	10-5600-160	2,962	9,668	12,046	12,046	10,000	(2,046)
MAINT & REPAIR AUTO	10-5600-170	5,660	7,553	8,173	8,173	12,000	
AUTO SUPPLIES GAS	10-5600-311	2,198	3,699	3,700	3,800	3,800	
AUTO SUPPLIES DIESEL	10-5600-312	12,269	19,213	16,047	16,047	16,047	
AUTO SUPPLIES TIRES	10-5600-313	3,213	1,198	5,836	5,836	5,500	(336)
AUTO SUPPLIES OIL	10-5600-314	187	1,191	2,954	2,954	2,954	
DEPT SUPPLIES & MATL	10-5600-330	3,355	4,289	7,900	8,600	8,600	(500)
CHEMICALS	10-5600-332	1,379	1,762	2,000	2,000	2,000	
UNIFORMS	10-5600-360	2,264	1,590	1,590	2,400	2,800	
CONTRACTED SERVICES	10-5600-450	2,268	9,288	1,080	1,080	1,080	
IT	10-5600-490	0	0	0	0	0	
CAPITAL OUTLAY	10-5600-740	246,063	38,997	32,000	0	60,000	
TRANSFER TO STREETS PROJECT FUN	10-5600-900	0	0	0	225,000	225,000	
DEBT SERVICE	10-5600-910	53,743	53,743	53,743	53,743	53,743	
TOTAL		583,780	432,132	432,541	643,820	729,473	(2,882)

POWELL BILL Mr. Weichel said that we received funds from the state for street paving. If we don't use the full amount, it goes into the Powell Bill fund for future uses, but it has to be used for street-related items.

2024-2025 Budget Allocation
POWELL BILL

Line Item Description	Account Code	2021-22 Actual	2022-23 Actual	2022-23 Budget	2023-24 Budget	2024-25 Recommended
SALARIES & WAGES	10-5700-020	0	0	0	0	0
OVER TIME PAY	10-5700-021	0	0	0	0	0
PROFESSIONAL SERVICES	10-5700-040	0	0	0	0	0
PROF SERVICES PAVING PROJECT	10-5700-041	0	0	0	0	0
FICA TAX	10-5700-050	0	0	0	0	0
GROUP INSURANCE	10-5700-060	0	0	0	0	0
RETIREMENT	10-5700-070	0	0	0	0	0
MAINT & REPAIR BLDG & GRDS	10-5700-150	1,294	741	4,000	4,000	4,000
MAINT & REPAIR - PATCHING	10-5700-151	1,319	7,999	8,000	8,000	8,000
RIGHT OF WAY	10-5700-153	0	0	0	0	0
DRAINAGE AND STORM SEWER	10-5700-154	1,097	624	3,000	3,000	3,000
SNOW AND ICE REMOVAL	10-5700-155	0	3,387	3,800	3,800	3,800
MAINT & REPAIR EQUIP	10-5700-160	0	0	0	0	0
MAINT & REPAIR VEHICLE	10-5700-170	0	0	0	0	0
DEPT SUPPLIES & MATL	10-5700-330	1,832	2,499	2,500	2,500	2,500
CONTRACTED SERVICES	10-5700-450	0	13,100	0	0	0
MISC EXPENSE	10-5700-570	0	0	0	0	0
CAPITAL OUTLAY OTHER	10-5700-720	0	0	0	0	0
CRACK SEALING	10-5700-721	0	0	0	0	0
CAPITAL OUTLAY SIDEWALKS	10-5700-730	0	11,890	0	0	20,000
CAPITAL OUTLAY	10-5700-740	100,609	0	0	0	125,000
DEBT SERVICE	10-5700-910	0	125,000	125,000	125,000	0
TOTAL		106,151	165,240	146,300	146,300	166,300

PUBLIC WORKS SANITATION Mr. Weichel noted that our Republic Contract is in this department in the amount of $304,400, and they have built into the contract that we will increase the rates each year, and they are sticking strong to that. Mr. Weichel said that Republic charges us $14.24, but the Town charges $12.30, so our revenues are less than our expenditures. The last increase was in 2021 for $1.00.

2024-2025 Budget Allocation
SANITATION

Line Item Description	Account Code	2021-22 Actual	2022-23 Actual	2022-23 Budget	2023-24 Budget	2024-25 Recommended	Manager Cuts
SALARIES & WAGES	10-5800-020	31,553	33,589	32,028	35,217	36,931	
OVER TIME PAY	10-5800-021	1,070	1,058	1,084	1,138	1,434	
PART TIME PAY	10-5800-022	0	0	0	0	0	
PROFESSIONAL SERVICES	10-5800-040	0	0	0	0	0	
FICA TAX	10-5800-050	2,456	2,610	2,493	2,741	2,895	
GROUP INSURANCE	10-5800-060	8,989	9,613	9,673	8,699	9,278	
RETIREMENT	10-5800-070	3,663	4,149	3,963	4,625	5,170	
POSTAGE	10-5800-111	939	0	1,000	3,000	3,000	
PRINTING EXPENSE	10-5800-120	356	0	750	900	900	
TRAINING	10-5800-140	0	0	0	0	0	
MAINT. & REPAIR EQUIPMENT	10-5800-160	0	945	2,000	2,000	2,000	
MAINT. & REPAIR AUTO & TRUCK	10-5800-170	628	848	2,134	2,134	5,000	
ADVERTISEMENT	10-5800-260	0	0	0	0	600	
AUTO SUPPLIES GAS	10-5800-311	2,983	4,017	4,852	4,000	4,000	(500)
AUTO SUPPLIES DIESEL	10-5800-312	1,366	1,808	2,000	1,700	1,500	(790)
AUTO SUPPLIES TIRES	10-5800-313	2,290	67	2,290	2,290	2,290	
AUTO SUPPLIES OIL	10-5800-314	600	401	628	628	628	
DEPT SUPPLIES & MATERIALS	10-5800-330	192	1,269	1,400	1,400	1,400	
CHEMICAL	10-5800-332	0	127	200	200	200	
UNIFORMS	10-5800-360	937	690	690	1,260	1,260	
CONTRACTED SERVICES	10-5800-450	262,231	281,446	266,424	296,267	304,400	
IT	10-5800-490	0	0	0	0	0	
MISCELLANEOUS EXPENSE	10-5800-570	0	0	0	0	0	
CAPITAL OUTLAY	10-5800-740	0	0	32,000	165,000	6,000	
DEBT SERVICE	10-5800-910	0	0	0	0	0	
TOTAL		320,253	342,637	365,609	533,199	388,886	(1,290)

PARKS & RECREATION Mr. Weichel said that the department is requesting an hourly rate increase. Mr. Weichel identified a few decreases, such as natural gas usage, if we go with a permanent structure and building repairs. The Council discussed rate fees for memberships, etc., being different for residents vs non-residents. Parks & Recreation Director David Andersen discussed the various fees and the pros and cons of increasing costs and verifying if someone lives in Town or out of Town.

2024-2025 Budget Allocation
RECREATION

Line Item Description	Account Code	2021-22 Actual	2022-23 Actual	2022-23 Budget	2023-24 Budget	2024-25 Recommended	Manager Cuts
SALARIES & WAGES	10-6200-020	253,610	259,300	258,446	281,126	292,874	
OVER TIME PAY	10-6200-021	0	0	0	0	0	
PART-TIME PAY	10-6200-022	178,651	224,381	243,920	263,259	284,784	
PROFESSIONAL SERVICES	10-6200-040	769	755	1,000	1,000	1,000	
FICA TAX	10-6200-050	31,986	36,466	38,391	41,566	44,111	
GROUP INSURANCE	10-6200-060	60,185	65,469	65,989	59,151	56,350	
RETIREMENT	10-6200-070	28,955	31,532	31,364	36,159	39,864	
TELEPHONE	10-6200-110	795	379	1,200	1,200	400	
POSTAGE	10-6200-111	0	0	0	0	0	
PRINTING	10-6200-120	0	0	0	0	0	
ELECTRIC	10-6200-130	37,496	36,470	46,000	40,000	40,000	
NATURAL GAS	10-6200-131	52,463	71,818	49,000	54,000	50,000	
TRAINING	10-6200-140	1,191	1,377	1,500	2,500	3,000	
MAINT & REPAIR BLDGS	10-6200-150	39,171	61,208	32,550	33,150	22,800	
PARK REPAIRS	10-6200-151	0	9,954	10,000	8,000	9,300	
MAINT & REPAIR EQUIPMENT	10-6200-160	14,425	15,435	15,950	16,850	16,500	(500)
MAINT & REPAIR AUTO	10-6200-170	1,481	329	1,200	1,000	1,000	
ADVERTISING	10-6200-260	416	500	500	1,000	1,500	
AUTO SUPPLIES GAS	10-6200-311	2,642	2,379	1,820	2,340	3,500	
AUTO SUPPLIES TIRES	10-6200-313	0	0	0	0	0	
AUTO SUPPLIES OIL	10-6200-314	0	33	240	240	240	
DEPT SUPPLIES & MATERIALS	10-6200-330	18,194	22,821	21,900	22,525	32,050	
CHEMICALS	10-6200-332	10,669	14,645	16,000	17,000	15,000	(2,000)
UNIFORMS	10-6200-360	381	628	1,000	1,000	1,500	
CONTRACTED SERVICES	10-6200-450	33,946	35,464	38,986	35,586	37,200	
WALDENSIAN FOOTRACE	10-6200-454	2,967	3,873	4,000	4,500	4,500	
SWIM TEAM	10-6200-480	1,377	491	1,500	2,000	2,500	
P F R CONCESSIONS	10-6200-481	24,276	27,200	24,000	25,000	33,000	
P F R OTHER	10-6200-484	9,795	8,488	8,000	8,000	9,000	
DUES AND SUBSCRIPTIONS	10-6200-530	3,226	2,065	5,000	4,045	3,545	
CAPITAL OUTLAY	10-6200-740	97,395	41,020	0	104,800	79,280	
DEBT SERVICE	10-6200-910	19,483	19,483	19,483	19,483	19,483	
TOTAL		925,945	993,963	938,939	1,086,480	1,104,281	(2,500)

Recreation Revenue Forecast (INCLUDED WITH GENERAL FUND REVENUE)						
YOUTH SPORTS REGISTRATION FEES	10-3970-029	9,994	14,975	11,000	14,500	14,500
COMMUNITY CENTER MEMBERSHIPS	10-3970-030	142,777	144,815	144,000	153,000	153,500
COMMUNITY CENTER CONCESSIONS	10-3970-031	32,869	35,818	33,600	37,000	44,000
SUMMER SWIM TEAM	10-3970-032	3,972	4,723	4,000	4,500	4,500
BOWLING	10-3970-033	46,483	57,114	46,325	55,000	55,000
VENDING	10-3970-034	1,181	1,097	1,000	1,200	1,200
RECREATION CREDIT CARD FEES	10-3970-035	2,141	2,754	1,500	2,000	3,000
WALDENSIAN FOOTRACE	10-3970-036	2,845	3,295	3,000	3,000	4,000
MCGALLIARD FALLS CONCESSIONS	10-3970-038	4,193	3,422	2,500	4,000	4,000
RECREATION MISC REV & PARK RENT	10-3970-039	29,800	30,520	32,000	32,000	32,000
TOTAL		276,255	298,533	278,925	306,200	315,700

COMMUNITY AFFAIRS Mr. Weichel discussed why the occupancy tax jumped up last year. Community Affairs Director Morrissa Angi reviewed the fee range of the Friday Night bands.

2024-2025 Budget Allocation
COMMUNITY AFFAIRS

Line Item Description	Account Code	2021-22 Actual	2022-23 Actual	2022-23 Budget	2023-24 Budget	2024-25 Recommended	Manager Cuts
SALARIES & WAGES	10-6250-020	151,121	162,574	168,075	171,855	180,309	
OVER TIME PAY	10-6250-021	0	0	0	0	0	
PART-TIME PAY	10-6250-022	19,711	28,195	26,000	30,000	33,000	
PROFESSIONAL SERVICES	10-6250-040	0	0	1,380	1,380	1,380	
FICA TAX	10-6250-050	12,816	14,297	14,727	15,323	16,199	
GROUP INSURANCE	10-6250-060	28,221	36,658	36,910	32,994	35,323	
RETIREMENT	10-6250-070	17,124	19,633	20,248	21,985	24,417	
TELEPHONE	10-6250-110	0	0	0	100	0	
POSTAGE	10-6250-111	3,693	1,294	5,500	5,500	5,500	
PRINTING	10-6250-120	3,548	3,532	4,600	4,600	4,600	
ELECTRIC	10-6250-130	31,298	30,528	35,500	31,000	34,000	(2,000)
NATURAL GAS	10-6250-131	11,400	8,997	9,000	11,500	11,500	
TRAINING	10-6250-140	98	183	200	200	200	
MAINT. & REPAIR BLDGS	10-6250-150	24,702	26,752	22,000	24,900	25,000	
MAINT & REPAIR EQUIPMENT	10-6250-160	2,000	1,636	1,700	1,700	2,400	
MAINT & REPAIR AUTO	10-6250-170	0	0	0	0	200	
ADVERTISING	10-6250-260	6,486	6,024	7,000	8,000	8,000	
AUTO SUPPLIES - GAS	10-6250-311	0	0	0	0	300	
AUTO SUPPLIES - TIRES	10-6250-313	0	0	0	0	0	
AUTO SUPPLIES - OIL	10-6250-314	0	0	0	0	100	
DEPT SUPPLIES & MATERIAL	10-6250-330	7,905	5,942	6,400	6,600	7,000	
EVENT SUPPLIES & DÉCOR	10-6250-331	500	34,085	500	14,000	14,000	
CONCESSION STAND TRAILER	10-6250-332	2,884	3,488	3,500	4,000	4,000	
CONTRACTED SERVICES	10-6250-450	36,113	27,542	23,500	30,500	31,350	
CONT SERVICES ENTERTAINMENT	10-6250-452	90,111	82,667	84,000	86,000	92,475	
CONT SERVICES TOURISM	10-6250-453	462	216	500	500	500	
IT	10-6250-490	486	0	500	500	500	
DUE AND SUBSCRIPTIONS	10-6250-530	1,187	331	800	1,050	1,050	
WELLNESS	10-6250-572	6,409	6,132	7,000	7,000	7,000	
CAPITAL OUTLAY	10-6250-740	117,000	60,000	60,000	95,000	35,000	
BUILDING REUSE & FACADE	10-6250-920	2,500	5,000	5,000	5,000	5,000	
FESTIVAL	10-6250-922	19,999	20,894	20,000	28,700	29,200	
MAIN STREET PROGRAM	10-6250-924	3,000	2,992	3,000	3,000	3,000	
VALDESE TOURISM COMMISSION	10-6250-925	74,214	97,567	100,000	142,000	85,000	
TOTAL		674,988	687,159	667,540	784,887	697,504	(2,000)

Community Affaris Revenue Forecast (INCLUDED WITH GENERAL FUND REVENUE)							
OCCUPANCY TAX	10-3200-000	66,648	89,978	110,000	152,000	95,000	
ORS FACILITY RENTALS	10-3970-025	17,301	15,245	15,700	23,075	22,075	
ORS AUDITORIUM & TICKET SALES	10-3970-026	52,041	54,995	50,000	54,000	58,000	
ORS LEASES	10-3970-027	25,395	28,878	24,300	30,480	25,492	
C.A. TOURS	10-3970-028	2,450	584	500	1,000	1,000	
ORS FACILITY FEES	10-3970-126	2,261	1,744	1,500	2,000	2,000	
TEACHERS COTTAGE RENTALS	10-3970-127	2,261	1,710	1,500	8,000	8,000	
MERCHANDISE SALES	10-3970-128	2,261	103	1,500	2,000	2,000	
C. A. CONCESSIONS	10-3970-129	3,131	2,177	3,500	3,500	3,000	
FESTIVAL	10-3970-920	23,715	20,360	15,000	20,000	20,000	
TOTAL		197,464	215,774	223,500	296,055	236,567	

Mr. Weichel shared a snapshot of the major changes in the operating budget.

EXHIBIT 7

FY2024-25 Major Changes (> $1,000) Operating Budget						
Department	**Account**	**Item**	**Prior Budget**	**New Budget**	**Net Change**	**Notes**
Governing Board						
	10.4100.020	Salaries	18,300	15,500	**(2,800)**	Stipend to one Councilmember not needed
	10.4100.060	Medical Insurance	53,689	45,608	**(8,081)**	Insurance to one Councilmember not needed
Administration						
	10.4200.020	Town Manager salary	110,377	140,000	**29,623**	
	10.4200.040	Attorney fees	40,000	120,000	**80,000**	Tripled amount of billable hours
	10.4200.060	Medical Insurance	45,774	48,608	**2,834**	
	10.4200.070	NC Retirement system mandated employer contribution	52,464	60,893	**8,429**	
	10.4200.110	Internet service provider	23,150	24,350	**1,200**	rate increase
	10.4200.130	Electricity - Duke energy	9,000	10,000	**1,000**	rate increase
	10.4200.490	Accounting/Payroll/PO/ AP/ Utility billing software	25,500	29,000	**3,500**	Increase of rates, takes advantage of off-site servers for cyber security
	10.4200.490	'Exchange online email server + Advance Threat Protection annual	8,000	9,000	**1,000**	Outlook email and security
	10.4200.570	Burke County Board of Elections	1,500	7,000	**5,500**	Increase of fees
Public Works Administration						
	10.4250.060	Medical Insurance	17,818	18,663	**845**	
	10.4250.070	NC Retirement system mandated employer contribution	12,138	13,480	**1,342**	
	10.4250.450	Imaint - Web based work order program	2,700	5,000	**2,300**	
	10.4250.330	Supplies and Materials	1,000	3,000	**2,000**	
	10.4250.450	Fuel Master system annual fee *NEW*	-	2,500	**2,500**	
Maintenance & Grounds						
	10.4350.021	Over time	5,222	6,266	**1,044**	Increase 10 hours per year per employee
	10.4350.060	Medical Insurance	34,652	37,110	**2,458**	
	10.4350.070	NC Retirement system mandated employer contribution	20,018	22,293	**2,275**	
					-	
Planning						
	10.4900.451	Property abatements	9,000	7,000	**(2,000)**	

At 12:30 pm, Council broke for lunch, and returned at 1:45 pm.

GENERAL FUND OPERATING & CAPITAL SUMMARY Mr. Weichel showed a summary and a detailed document of the 10-year Capital Improvement Plan (CIP). Mr. Weichel asked each Department Head to identify their FY24-25 CIP needs for FY 24-25.

Mr. Weichel reviewed the following CIP needs for FY24-25:

Administration / Town Hall

HVAC Units

$20,000

Reason for request:

There are a total of eight HVAC units for Town Hall. These units are around 14 years old and beginning to fail. One failed unit was an emergency replacement in 2023. The other seven units need a replacement plan so this CIP budget will address two of these units that are beginning to have trouble. Repair costs are 70% of the cost of a new unit. Future CIP budgets will address the others.

Photo of the existing capital item being replaced:



Photo or rendering of the new capital item being requested:



Planning

Desktop Computer

$2,000

Reason for request:

The Planning Department has requested a replacement due to age and poor performance. As a computer ages, the older processing hardware becomes slower and more unreliable. An older computer has inner components that wear out. This will cause the device to run more slowly over time and may also cause glitching.

Photo of the existing capital item being replaced:



Photo or rendering of the new capital item being requested:



Planning

Land Use Action Plan

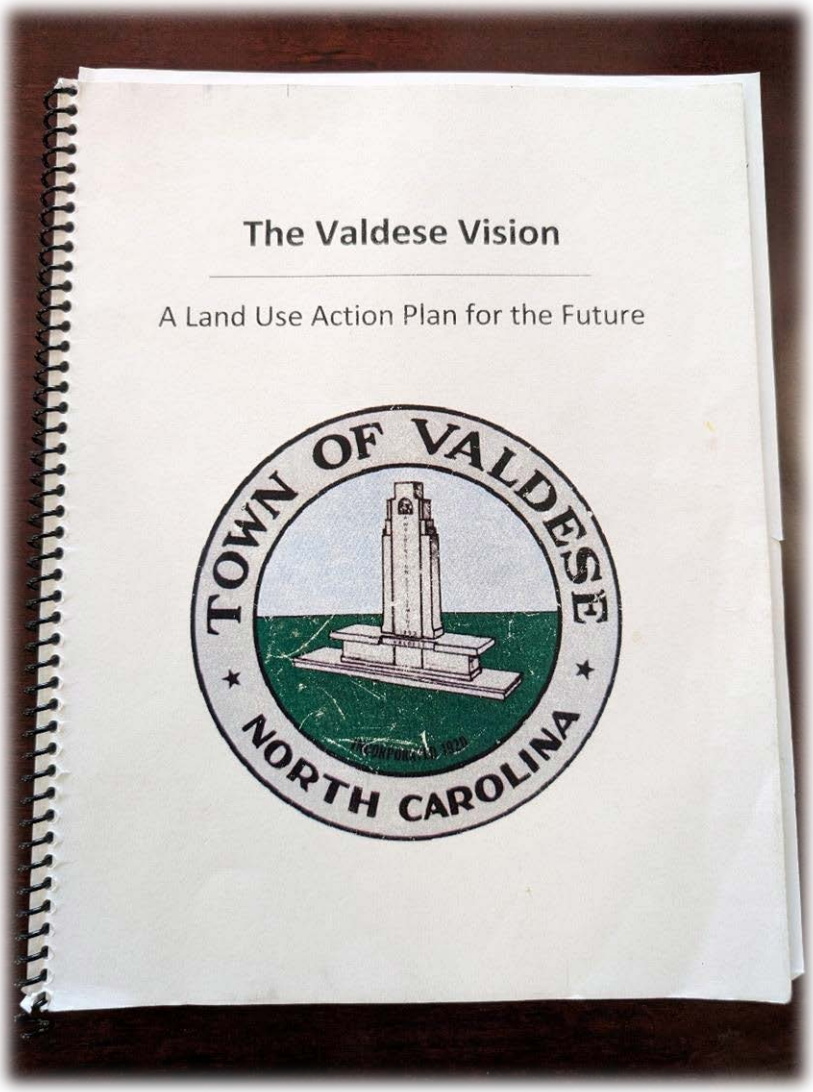
$100,000

Reason for request:

The Valdese Vision - Land Use Plan meticulously details Valdese's overarching vision and addresses critical issues through strategic action planning. Its implementation strategies are designed to ensure that future land use decisions and development activities remain steadfastly aligned with the plan's recommended policies and actions.

The current plan is from 2014 and should be updated every 10 years.

Photo of the existing capital item being replaced:



Public Works Director Allen Hudson reviewed the following CIP needs for FY24-25:

Public Works Administration

Air Compressor

$15,000 **Reason**

for request:

Originally installed in 2008, this unit is currently experiencing motor and tank issues. As we weigh the expenses of repairs against the investment in a new unit, the costs are beginning to align.

Photo of the existing capital item being replaced (if none, leave blank):



Photo or rendering of the new capital item being requested (if none, leave blank):



Public Works Administration

Item: Vehicle Lift

Cost: $30,000

Reason for request:

The original installation of this lift dates back to 1993, and over time, it has become outdated. Unfortunately, finding replacement parts has become increasingly difficult. Our safety inspection company has repeatedly advised us to consider a replacement due to safety concerns arising from the lack of available parts for essential repairs.

Photo of the existing capital item being replaced (if none, leave blank):



Photo or rendering of the new capital item being requested (if none, leave blank):



Streets

Tractor with mowing attachment

$60,000

Reason for request:

Replacing a 1987 model plagued by frequent engine malfunctions and recurring mower issues each year. This upgrade will equip our staff with state-of-the-art machinery for enhanced efficiency and performance.

Photo of the existing capital item being replaced (if none, leave blank):



Photo or rendering of the new capital item being requested (if none, leave blank):



Sanitation

Item: Roll-Off dumpster

Cost: $6,000

Reason for request:

This item would significantly enhance our ability to serve citizens through our junk and construction debris service.

Photo or rendering of the new capital item being requested (if none, leave blank):



Department: Grounds Maintenance **Item:**

Ford F-150

$46,000

Reason for request:

We're seeking an upgrade for our trusty 2012 F-150. After 14 years of faithful service, it's starting to grapple with transmission woes. Our goal is to uphold a replacement interval of a solid decade to ensure optimal resale value.

Photo of the existing capital item being replaced (if none, leave blank):



Photo or rendering of the new capital item being requested (if none, leave blank):



Grounds Maintenance

String Trimmers

$1,500

Reason for request:

We typically replace four of these every three years due to their heavy usage during the mowing season; that's roughly the lifespan we've observed.

Photo of the existing capital item being replaced (if none, leave blank):



Photo or rendering of the new capital item being requested (if none, leave blank):



Grounds Maintenance

Backpack Blowers

$1,500

Reason for request:

We regularly replace four units every three years to address wear and tear resulting from extensive use.

Photo of the existing capital item being replaced (if none, leave blank):



Photo or rendering of the new capital item being requested (if none, leave blank):



Police Chief Marc Sharpe reviewed the following CIP needs for FY24-25:

Item: Police Cruiser Unit 113

Cost: $56,000

Reason for request:

Our current police cruiser (Unit 113) is a 2016 Dodge Charger with 111,447 miles on it. Aside from the obvious exterior wear and tear of the vehicle, we are having to repair unit 113 more than the rest of the fleet due to its age and mileage. We are replacing our fleet with Ford Explorers due to Dodge discontinuing the model Chargers. We are asking for a new 2024 Ford Explorer to replace this unit with. The 2024 Ford Explorer has been priced at approximately $46,000. The additional $10,000 requested is the cost to "outfit" the patrol vehicle. This will include interior partition with cage, in-car camera setup, push guard mount as well as decal striping; to make the vehicle patrol ready.

Photo of the existing capital item being replaced:



Photo or rendering of the new capital item being requested:



Fire Chief Truman Walton reviewed the following CIP needs for FY24-25:

Fire

Medical Response Unit Truck

$75,000

Reason for request:

Our current medic truck is a 2004 Ford F-350 Dually with a 6.0L diesel engine. The truck is 20 years old and is owned by Burke County. The proposed new truck would be a Chevrolet 2500 with a 6.6L gas engine. It would get better fuel economy and the cost of maintenance would be less than that of the diesel engine. It would not be a dually and could more easily navigate tight spaces. **Photo of the existing capital item being replaced:**



Photo or rendering of the new capital item being requested:



Community Affairs Director Morrissa Angi reviewed the following CIP needs for FY24-25:

Community Affairs

Item: Clock Tower Stucco Repair

Cost: $15,000

Reason for request:

In the 2023-2024 budget, repairs have been made to the internal components of the clock tower. The exterior of the clock tower also needs to be addressed. The stucco is damaged from birds, - where they have bored holes and nested around the upper portion. These holes allow bird waste to reach the interior. The cost also includes painting. The stucco repairs will help protect the new internal components.

Photo of the existing capital item being replaced (if none, leave blank):



Community Affairs

Old Rock School Fencing

$20,000

Reason for request:

The fencing around the Old Rock School and Temple Field needs replacement. The cost quoted includes fencing along the west side parking lot and the rock wall from the west rear corner of the Old Rock School to Temple Field Stage. The fencing has excessive rust, and sharp areas, and is no longer stable. This investment would improve the visual aesthetics of the area and also address safety concerns.

Photo of the existing capital item being replaced (if none, leave blank):



Photo or rendering of the new capital item being requested (if none, leave blank):



Parks & Recreation Director David Andersen reviewed the following CIP needs for FY24-25:

Parks & Recreation

Fitness Center Equipment

$10,000

Reason for request:

A significant portion of the fitness center's equipment is outdated and requires replacement. Our aim is to introduce new equipment on an annual basis to enhance the user experience. This is an ongoing initiative that we are committed to fulfilling.

Photo of the existing capital item being replaced (if none, leave blank):



Photo or rendering of the new capital item being requested (if none, leave blank):



Parks & Recreation

Bowling Alley Party Room Floor Covering

$4,942

Reason for request:

Replacing the carpet with vinyl flooring not only simplifies maintenance but also enhances the aesthetic appeal of the party room. We'll ensure consistency by using the same high-quality product found throughout the rest of the Community Center.

Photo of the existing capital item being replaced (if none, leave blank):



Photo or rendering of the new capital item being requested (if none, leave blank):



Parks & Recreation

Bowling Lane Cutting

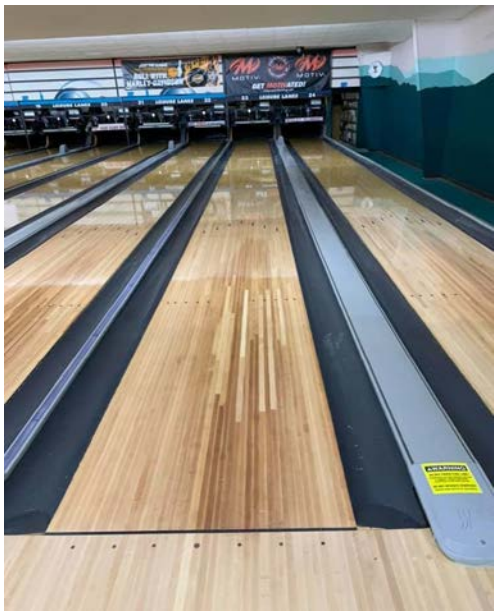
$15,680

Reason for request:

To enhance gameplay and reduce the risk of ball damage, wooden bowling lanes necessitate periodic cutting. As far as I am aware, our lanes have not undergone cutting procedures since 2011. It is recommended that we consider this action, especially if we are planning to install synthetic decks. Doing so will enable us to achieve a smooth transition from the wooden lanes to the pin decks.

Photo of the existing capital item being replaced (if none, leave blank):





Parks & Recreation

Synthetic Pin Decks for Bowling Lanes

$25,600

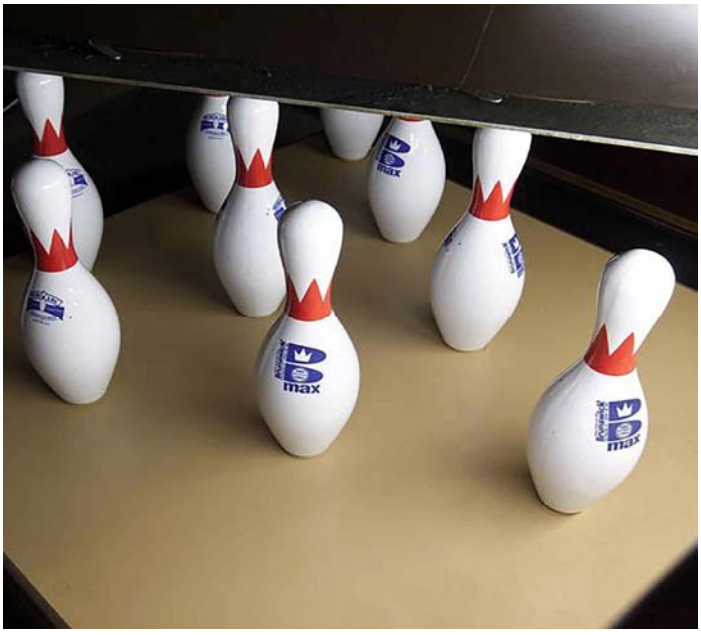
Reason for request:

After 63 years of wear and tear, the current pin decks are in a state of disrepair. Upgrading to synthetic decks promises to not only alleviate future maintenance concerns but also safeguard against potential ball damage, ultimately enhancing the overall bowling experience for our patrons.

Photo of the existing capital item being replaced (if none, leave blank):



Photo or rendering of the new capital item being requested (if none, leave blank):



Parks & Recreation

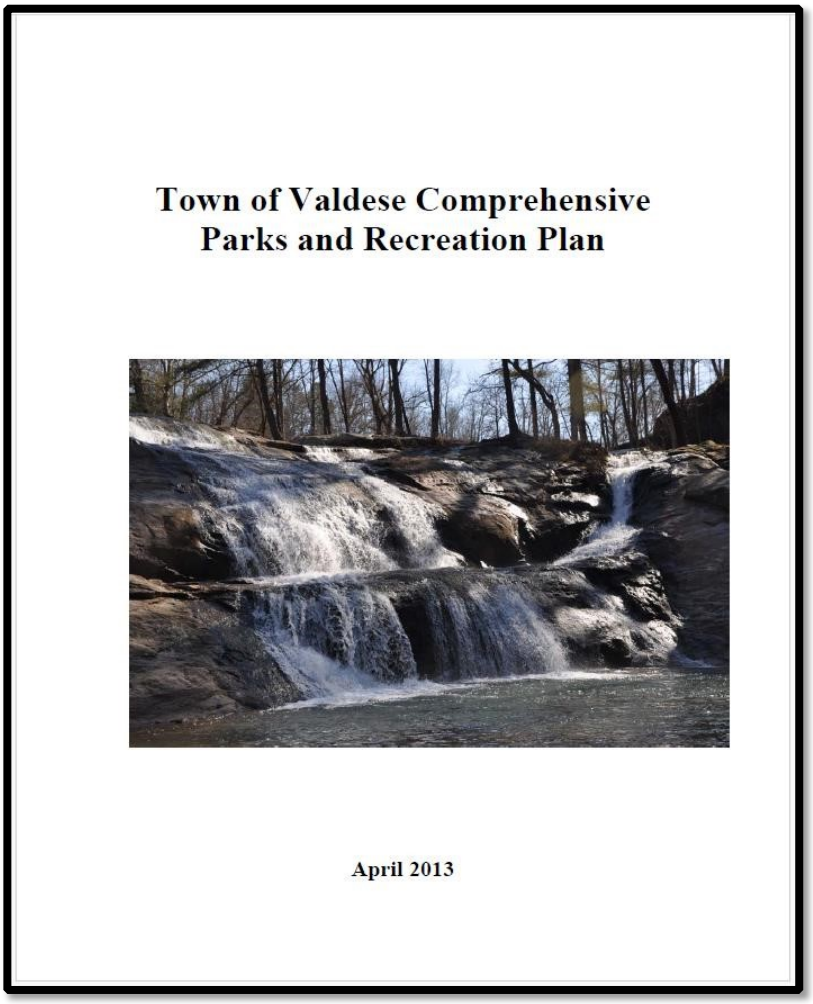
10-Year Comprehensive Plan

$23,000

Reason for request:

The 2013 plan has reached its expiration, prompting the necessity for a fresh approach that incorporates current citizen input and priorities. Additionally, this new plan will play a crucial role in securing grant funding for upcoming parks and recreation projects.

Photo of the existing capital item being replaced (if none, leave blank):



Mr. Weichel shared a summary page broken down to operating expenses and capital expenses.

EXHIBIT 10

FY2024-25 Capital Budget Increase (Decrease) Over Prior Year				
Department	Account	Prior Budget	New Budget	Net Change
Administration / Town Hall				
	10.4200.740	20,000	22,000	2,000
Public Works Administration				
	10.4250.740	41,000	45,000	4,000
Maintenance & Grounds				
	10.4350.740	-	49,000	49,000
Planning				
	10.4900.740	3,000	100,000	97,000
Streets				
	10.5600.740	-	60,000	60,000
Sanitation				
	10.5800.740	165,000	6,000	(159,000)
Police				
	10.5100.740	45,000	56,000	11,000
Fire				
	10.5300.740	-	75,000	75,000
Recreation				
	10.6200.740	104,800	79,280	(25,520)
Community Affairs				
	10.6250.740	95,000	35,000	(60,000)
General Fund Total		473,800	527,280	53,480

EXHIBIT 11

2024-2025 Budget

General Fund Summary

OPERATING BUDGET

Department	FY22-23 Budget	FY23-24 Budget	FY24-25 Recommended
GOVERNING BODY	82,835	76,989	65,394
ADMINISTRATION	1,139,938	1,199,605	1,367,095
PUBLIC WORKS ADMIN	193,523	195,689	208,200
MAINTENANCE & GROUNDS	261,432	283,573	297,463
PLANNING	66,944	127,144	126,935
POLICE	1,210,334	1,295,208	1,323,832
FIRE	972,961	1,211,715	1,243,553
STREET	408,041	643,820	669,473
POWELL BILL	146,300	146,300	166,300
SANITATION	335,472	368,199	382,886
RECREATION	938,939	981,680	1,025,001
COMMUNITY AFFAIRS	607,540	689,887	662,504
Operating	6,364,259	7,219,809	7,538,636

CAPITAL BUDGET

GOVERNING BODY	23,000	0	0
ADMINISTRATION	2,000	20,000	22,000
PUBLIC WORKS ADMIN	20,000	41,000	45,000
MAINTENANCE & GROUNDS	0	0	49,000
PLANNING	16,000	3,000	100,000
POLICE	45,000	45,000	56,000
FIRE	175,000	0	75,000
STREET	32,000	0	60,000
SANITATION	32,000	165,000	6,000
RECREATION	0	104,800	79,280
COMMUNITY AFFAIRS	60,000	95,000	35,000
Capital	405,000	473,800	527,280
TOTAL EXPENDITURES	**6,769,259**	**7,693,609**	**8,065,916**
TOTAL REVENUES			**7,501,747**
difference:			**(564,169)**

GENERAL FUND IDENTIFIED BUDGET SOLUTIONS Mr. Weichel shared that staff along with the manager identified items that we can remove that will not affect our operations. Mr. Weichel also shared options of new revenues that the Town can implement for Council's consideration.

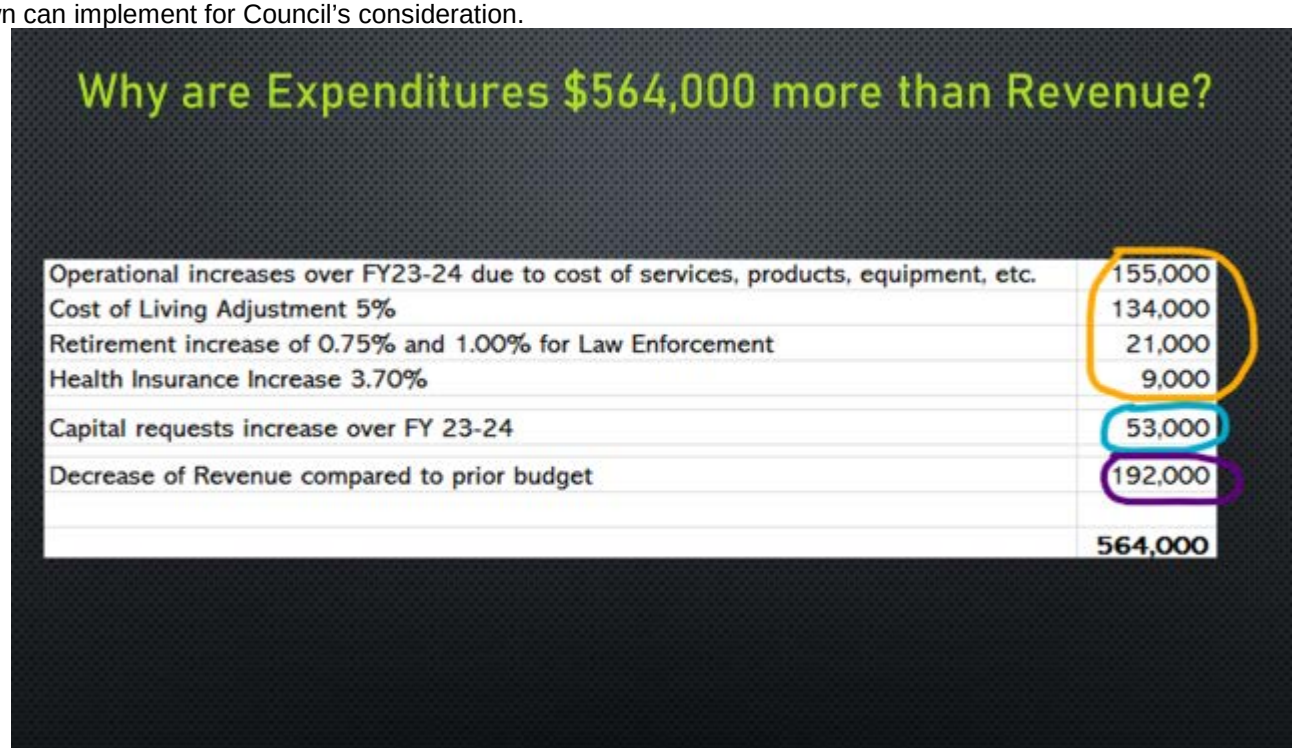


EXHIBIT 13

GENERAL FUND *Non Operating* Budget Cut Options			
Department	**Account**	**Amount**	**Notes**
Administration	10.4200.450	(10,000)	Burke Transit/Greenway
Governing Board	10.4100.060	(45,608)	Council Medical Insurance
Administration	10.4200.930	(40,000)	Burke County Library
Administration	10.4200.450	(1,500)	Troop 192 Flag Placement
Administration	10.4200.450	(3,500)	Burke County REACT Annual Support
Administration	10.4200.020	(6,000)	Town Manager travel allowance
Fire	10.5300.720	(324,000)	Transfer to Public Safety project (future debt payment + 83k ABC revenue = $407k)
Streets	10.5600.900	(225,000)	Transfer to Street Paving fund
Recreation	multiple	(90,000)	Winter Pool closure (open Late May to Early September)
Recreation	multiple	(73,000)	ADD Summer Pool Closure (Total Pool Closure)
Recreation	multiple	(6,000)	Tiger Gym decommission
Community Affairs	10.6250.331	(7,500)	Christmas Decorations
Community Affairs	10.6250.920	(5,000)	Main Street Façade Grant program
Community Affairs	10.6250.452	(10,000)	Family Friday Nights - Reduced Season in Future Years
Community Affairs	10.6250.452	(2,400)	Bouncy Houses at Spring Craft show, Family Friday Night kickoff and finale
Community Affairs	10.6250.450	(12,500)	Fireworks contract - Independence day
Community Affairs	10.6250.922	(6,500)	Fire works contract - Festival
Community Affairs	10.6250.452	(2,500)	Cancel small events Leprechaun Hunt, Easter Egg Hunt, Grateful Gobbler, Mingle with Kris Kringle
Community Affairs	10.6250.260	(8,000)	Local advertising (radio, print, etc - for local events parade, tree lighting etc.)
		(879,008)	

GENERAL FUND *Revenue* Increase Options		
	Amount	**Notes**
Trash / Recycle Fee	40,000	Increase of $2.00 per month ; current revenues $44,000 less than what we will pay Republic
Vehicle Fee through DMV	120,000	estimate 4,300 vehicles in Valdese. (80,219 in Burke County)
Christmas Parade entry fees	3,000	no current fee for entry
OCP rental fee @ ORS	6,000	Rental fee for OCP use of ORS auditorium for shows only at non-profit rental rate
RSAF lease for Galleries & Studio	4,600	Charge annually at current non-profit rate charged to Railroad Museum
Recreation outside membership fee	1,200	Increase of outside membership gap from 33% to 35%
ABC Store distributions	83,000	Currently being deposited into Public Safety Building project fund
	257,800	

At 2:36 p.m., Mayor Watts closed the meeting and continued it to Day 2. Councilwoman Lowman made a motion to continue the meeting, Councilman Mears seconded. The vote was unanimous.

DAY 2 CONTINUED – APRIL 16, 2024

CALL TO ORDER At 9:00 a.m., Mayor Watts continued the meeting.

Councilman Harvey shared a recap with the Council members:

EXHIBIT 0

RECAP OF DAY 1 – APRIL 2024 VALDESE BUDGET WORKSHOP

WHAT DID WE LEARN?

- **Bo Weichel put a tremendous amount of work into gathering and organizing a tremendous amount of information – clearly an order of magnitude beyond any other contributor.**
- **The format was superior to that used in prior March, 2-day workshops.**
- **Regrettably, the department head approach was virtually unchanged.**

WHAT ARE THE BIG "KNOWS" AND "NOT KNOWNs"?
Focusing on a few key examples…

1) Know: Staff recommends a FY 24-25 DEFICIT OF $564,000, as compared to the FY 23-24 deficit of $238,000 presented to the council last April.

Don't Know: One – not one – example of any town operation that has been rethought, innovated, or modified to comply with council guidelines – no examples of doing more for less, shifting the burden of Valdese taxpayers to nonresidents, or new sources of revenue.

2) Don't Know the big one – "YTD" – where the operational and capital improvement draws on the revenue and reserve fund stand at FY 23-24 month 9.

3) Don't Know – the 2nd big one – FY 24-25 Personel Plans.

4) Don't Know: FY 23-24 Repaving Plan – specifically, what is the amount allocated to date?

Comment: the "Paving Committee" has not met, nor received any information.

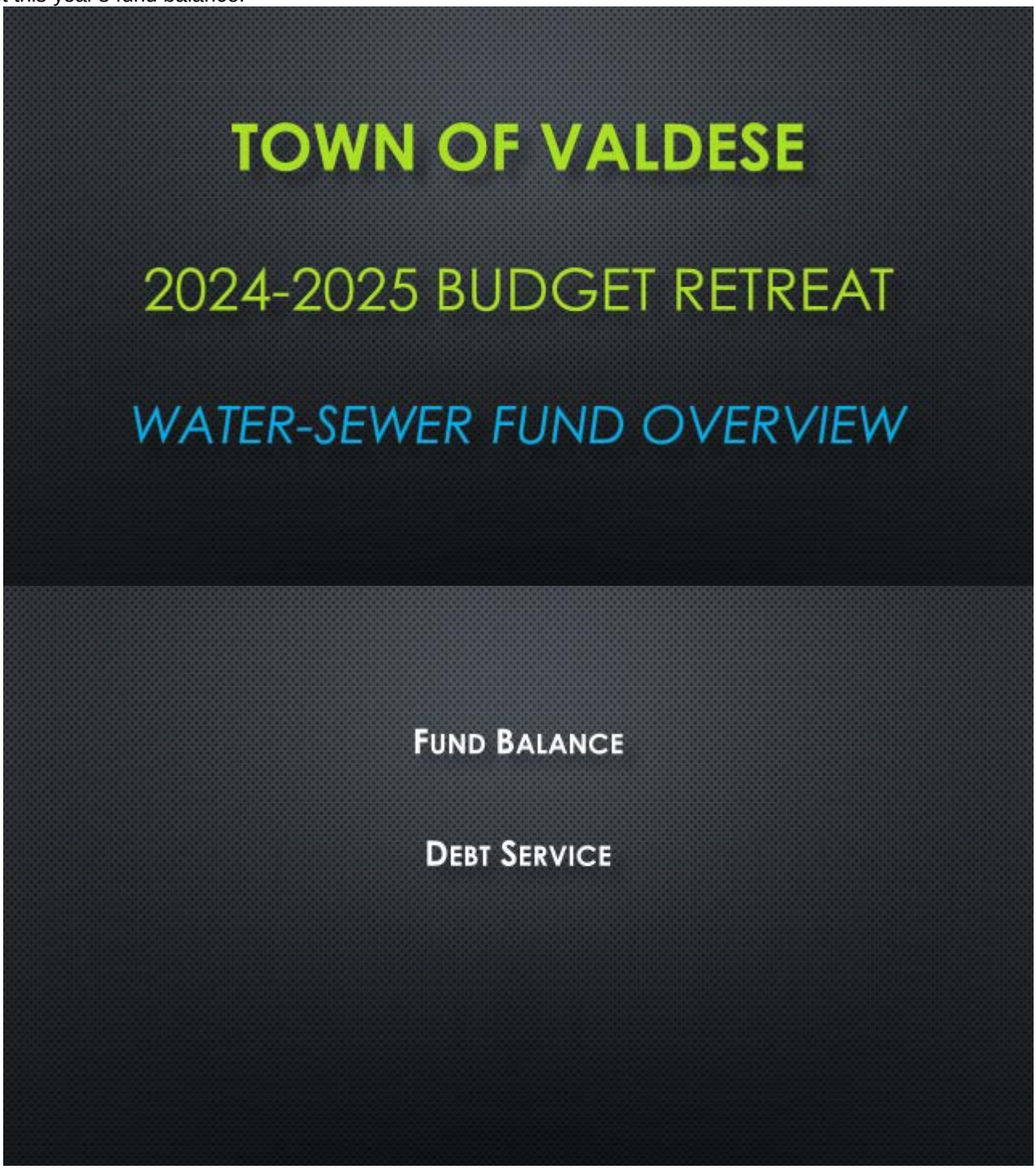
5) Know: our employees deserve and have one of the finest health insurance programs that is available; available to their children but not to spouses or to part-time employees.

Don't Know: when, how, or why the precedent was established that the mayor and council members, many of whom are retired and covered by Medicare and state retirement health plans deserve to have their health insurance coverage replaced by the employee group "platinum" health insurance plan.

6) Know: all community service requires personal sacrifice of time; council service requires so much time that Valdese and many towns grant an honorarium to council members.

Don't Know: What is a fair and reasonable amount? Is $2800/council member and $4300/mayor too little? What should the amount be?

UTILITY FUND OVERVIEW Assistant Town Manager/CFO Bo Weichel provided an overview of the Town's utility fund balance, debt services, and budget challenges. Mr. Weichel shared that the unassigned fund balance for last year was in the amount of $4,249,010, with a 69% fund balance percentage of expenditures. Mr. Weichel identified items that will affect this year's fund balance.



FUND BALANCE

WATER SEWER FUND

WHERE DID WE END ON JUNE 30TH?

- UNRESTRICTED FUND BALANCE WAS $ 4,249,010
- FUND BALANCE PERCENTAGE 69% OF EXPENDITURES

WATER SEWER FUND

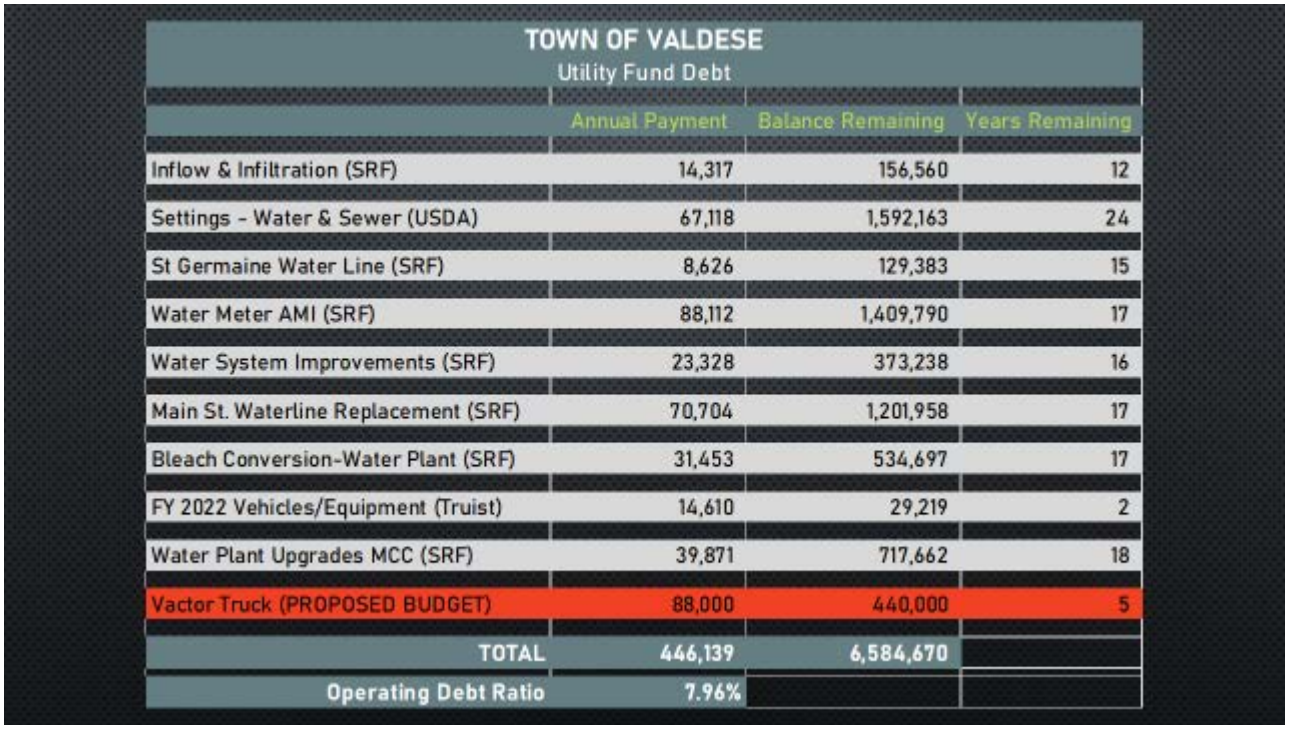
WHAT WILL IMPACT FUND BALANCE SO FAR THIS YEAR?

- FUND BALANCE APPROPRIATIONS $46,985

Pineburr Sewer Replacement	46,985

- NEW TAP AND CONNECTION FEES $62,000
- WATER REVENUE FOR RESIDENTIAL, COMMERCIAL, & INDUSTRIAL IS SLIGHTLY TRENDING UP IN USAGE.

DEBT



TOWN OF VALDESE
Utility Fund Debt

	Annual Payment	Balance Remaining	Years Remaining
Inflow & Infiltration (SRF)	14,317	156,560	12
Settings - Water & Sewer (USDA)	67,118	1,592,163	24
St Germaine Water Line (SRF)	8,626	129,383	15
Water Meter AMI (SRF)	88,112	1,409,790	17
Water System Improvements (SRF)	23,328	373,238	16
Main St. Waterline Replacement (SRF)	70,704	1,201,958	17
Bleach Conversion-Water Plant (SRF)	31,453	534,697	17
FY 2022 Vehicles/Equipment (Truist)	14,610	29,219	2
Water Plant Upgrades MCC (SRF)	39,871	717,662	18
Vactor Truck (PROPOSED BUDGET)	88,000	440,000	5
TOTAL	446,139	6,584,670	
Operating Debt Ratio	7.96%		

Debt Service Schedule (Utility Fund)

EXHIBIT B

UTILITY FUND												
	W&S Const I&I	Water System Improvements	W/S Settings GO Bond	Water Meter AMI	St Germaine Water Line	Main St. Water Line Replacement	Water Plant Bleach Conversion	FY21-22 Vehicles/Equip 8120	Water Plant Upgrades MCC			
FY	CS370396-08	H-SRF-F-19-1933	(USDA)	H-SRP-D-17-0096	H-LRX-F-18-1924	H-LRX-F-19-1955	H-SRP-D-18-0163	(TRUIST)	H-SRP-D-17-0151		*Total*	*Reduction*
25	14,316.61	23,327.35	67,117.50	88,111.85	8,625.50	70,703.40	31,452.75	14,609.52	39,870.10		358,134.58	
26	14,085.69	23,327.35	67,055.00	88,111.85	8,625.50	70,703.40	31,452.75	14,609.52	39,870.10		357,841.16	293.42
27	13,854.79	23,327.35	66,950.00	88,111.85	8,625.50	70,703.40	31,452.75		39,870.10		342,895.74	14,945.42
28	13,623.87	23,327.35	66,802.50	88,111.85	8,625.50	70,703.40	31,452.75		39,870.10		342,517.32	378.42
29	13,392.95	23,327.35	67,612.50	88,111.85	8,625.50	70,703.40	31,452.75		39,870.10		343,096.40	-579.08
30	13,162.05	23,327.35	67,337.50	88,111.85	8,625.50	70,703.40	31,452.75		39,870.10		342,590.50	505.90
31	12,931.13	23,327.35	67,020.00	88,111.85	8,625.50	70,703.40	31,452.75		39,870.10		342,042.08	548.42
32	12,700.21	23,327.35	67,660.00	88,111.85	8,625.50	70,703.40	31,452.75		39,870.10		342,451.16	-409.08
33	12,469.31	23,327.35	67,215.00	88,111.85	8,625.50	70,703.40	31,452.75		39,870.10		341,775.26	675.90
34	12,238.39	23,327.35	67,727.50	88,111.85	8,625.50	70,703.40	31,452.75		39,870.10		342,056.84	-281.58
35	12,007.47	23,327.35	67,155.00	88,111.85	8,625.50	70,703.40	31,452.75		39,870.10		341,253.42	803.42
36	11,776.57	23,327.35	67,540.00	88,111.85	8,625.50	70,703.40	31,452.75		39,870.10		341,407.52	-154.10
37		23,327.35	66,840.00	88,111.85	8,625.50	70,703.40	31,452.75		39,870.10		328,930.95	12,476.57
38		23,327.35	67,097.50	88,111.85	8,625.50	70,703.40	31,452.75		39,870.10		329,188.45	-257.50
39		23,327.35	67,270.00	88,111.85	8,625.50	70,703.40	31,452.75		39,870.10		329,360.95	-172.50
40		23,327.35	67,357.50	88,111.85		70,703.40	31,452.75		39,870.10		320,822.95	8,538.00
41			67,360.00			70,703.40	31,452.75		39,870.10		209,386.25	111,436.70
42			67,277.50						39,870.10		107,147.60	102,238.65
43			67,110.00								67,110.00	40,037.60
44			66,857.50								66,857.50	252.50
45			65,520.00								65,520.00	1,337.50
46			63,140.00								63,140.00	2,380.00
47			60,760.00								60,760.00	2,380.00
48			58,380.00								58,380.00	2,380.00
49												
50												
51												
52												
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58												
59												
Total	156,559.04	373,237.60	1,592,162.50	1,409,789.60	129,382.50	1,201,957.80	534,696.75	29,219.04	717,661.80		6,144,666.63	

REVENUES Mr. Weichel reviewed the Utility Fund revenues and said it mainly consists of water/sewer sales.

EXHIBIT C

2024-2025 Budget Allocation
UTILITY FUND REVENUES

Line Item Description	Account Code	2021-22 Actual	2022-23 Actual	2022-23 Budget	2023-24 Budget	2024-25 Recommended
INTEREST ON INVESTMENTS	30-3290-000	1,336	31,284	300	5,000	20,000
RENTS	30-3310-000	2,150	600	1,800	1,800	0
OTHERS	30-3350-030	474	316	0	0	0
UTILITY BILL PENALTIES	30-3350-040	61,013	88,292	51,000	51,000	60,000
WATER CHARGES - RES	30-3710-010	2,565,350	2,686,594	2,450,000	2,677,500	3,199,613
WATER CHARGES - COMM	30-3710-011	275,531	300,218	262,000	294,000	302,820
WATER CHARGES - IND	30-3710-012	471,762	437,782	450,000	479,520	493,906
WASTE WATER CHARGES	30-3710-020	1,159,053	1,117,156	1,199,950	1,199,950	1,499,276
LONG TERM MONITORING	30-3710-021	18,900	18,900	18,500	18,500	18,900
SPRINKLER SERVICE CHARGES	30-3710-030	0	0	0	0	0
TAP & CONNECTION FEES	30-3730-000	53,130	70,910	10,000	10,000	40,000
RECONNECTION FEES	30-3750-000	14,641	90,072	15,000	35,000	60,000
TOWN OF DREXEL	30-3810-020	177,328	227,257	175,000	216,000	222,480
BURKE CNTY-E BURKE SYST-WW	30-3810-030	110,486	172,260	108,000	116,640	120,139
BURKE COUNTY WATER	30-3810-032	92,670	116,677	94,000	108,000	111,240
RC WATER CORP	30-3810-040	222,420	237,839	188,490	232,200	239,166
RC WW	30-3810-042	17,504	18,744	13,890	16,500	17,000
ICARD WATER CORP	30-3810-070	144,773	145,326	128,400	128,400	132,000
CONNELLY SPRINGS MAINT	30-3810-080	11,500	11,500	23,000	23,000	23,000
TRANSFER FROM CAPITAL RESERVE	30-3970-700	260,000	593,548	375,000	0	0
PROCEEDS FROM FINANCING	30-3970-812	27,935	0	0	0	356,000
FUND BALANCE-APPROPRIATED	30-3990-000	-15,708	242,129	110,911	68,988	0
TOTAL		5,672,248	6,607,404	5,675,241	5,681,998	6,915,539

WATER TREATMENT PLANT Mr. Weichel said the biggest change was the Duke Energy line due to the increase in rates. Mr. Weichel noted that chemicals are a big expense also with an increase. Councilman Harvey asked how many employees are at the Water Plant. Mr. Weichel said we have nine employees, which includes the Water Resources Director and Superintendent. Councilman Harvey wondered if there was a replacement plan for the Water Resources Director and asked if that position should be filled. Councilman Harvey would like to put that on the May agenda for review.

EXHIBIT D

2024-2025 Budget Allocation
WATER PLANT

Line Item Description	Account Code	2021-22 Actual	2022-23 Actual	2022-23 Budget	2023-24 Budget	2024-25 Recommended
SALARIES & WAGES	30-8100-020	379,274	405,013	401,392	423,871	**441,661**
OVER TIME PAY	30-8100-021	3,640	606	3,000	3,000	**3,000**
PART TIME PAY	30-8100-022	0	0	0	0	**0**
PROFESSIONAL SERVICES	30-8100-040	3,364	9,861	11,500	11,500	**11,500**
FICA TAX	30-8100-050	28,368	30,275	30,817	32,536	**33,897**
GROUP INSURANCE	30-8100-060	74,197	87,635	88,210	79,442	**84,638**
RETIREMENT	30-8100-070	43,453	49,070	48,984	54,908	**60,528**
TELEPHONE & INTERNET	30-8100-110	1,078	1,209	1,400	1,300	**1,300**
ELECTRIC	30-8100-130	210,071	253,864	220,008	275,892	**300,892**
FUEL OIL	30-8100-132	4,451	787	5,000	5,000	**5,000**
TRAINING	30-8100-140	2,203	1,608	2,000	2,500	**3,500**
MAINT & REPAIR BLDGS	30-8100-150	32,981	18,219	29,270	29,270	**29,270**
MAINT. & REPAIR EQUIPMENT	30-8100-160	91,150	240,977	29,000	29,000	**29,000**
MAINT. & REPAIR AUTO & TRUCKS	30-8100-170	588	671	680	680	**680**
ADVERTISING	30-8100-260	0	0	600	600	**600**
AUTO SUPPLIES GAS	30-8100-311	4,271	2,500	2,500	4,500	**4,000**
AUTO SUPPLIES DIESEL	30-8100-312	94	529	1,000	400	**400**
AUTO SUPPLIES TIRES	30-8100-313	0	618	625	625	**625**
AUTO SUPPLIES OIL	30-8100-314	150	100	162	162	**162**
DEPT SUPPLIES & MATERIALS	30-8100-330	2,075	3,073	3,400	3,400	**3,400**
CHEMICALS	30-8100-332	76,202	185,755	78,500	198,900	**236,400**
LAB SUPPLIES	30-8100-333	16,114	16,663	18,500	18,500	**23,000**
WATER TESTING-PROFESSIONAL	30-8100-334	9,704	9,994	11,900	11,900	**15,900**
UNIFORMS	30-8100-360	6,981	3,312	3,328	5,200	**5,200**
CONTRACTED SERVICES	30-8100-450	3,214	5,121	5,040	6,540	**6,540**
IT	30-8100-490	0	4,795	4,800	500	**500**
DUES AND SUBSCRIPTIONS	30-8100-530	9,989	10,280	10,424	10,064	**10,164**
INSURANCE AND BONDS	30-8100-540	24,137	24,342	24,342	24,342	**27,000**
MISCELLANEOUS EXPENSE	30-8100-570	0	0	0	0	**0**
SAFETY	30-8100-572	3,132	3,394	3,400	3,000	**3,000**
CAPITAL OUTLAY	30-8100-740	65,457	12,835	400,000	76,000	**231,600**
DEBT SERVICE	30-8100-910	31,453	71,322	73,414	71,324	**71,324**
PRO RATA	30-8100-920	550,000	549,999	550,000	550,000	**550,000**
VEDIC	30-8100-930	12,500	12,500	12,500	12,500	**12,500**
ECONOMIC DEVELOPMENT BPED	30-8100-931	9,904	10,894	10,894	10,894	**12,012**
ECONOMIC GRANTS	30-8100-935	0	0	0	0	**0**
CONTINGENCY	30-8100-990	221,000	221,000	221,000	221,000	**221,000**
TOTAL		1,921,195	2,248,821	2,307,590	2,179,250	**2,440,193**

WASTEWATER TREATMENT PLANT Mr. Weichel shared that we have new equipment in the budget for a new PPA system to disinfectant.

2024-2025 Budget Allocation
WASTE WATER PLANT

Line Item Description	Account Code	2021-22 Actual	2022-23 Actual	2022-23 Budget	2023-24 Budget	2024-25 Recommended
SALARIES & WAGES	30-8110-020	365,324	372,655	395,009	396,842	404,191
OVER TIME PAY	30-8110-021	0	0	0	0	0
PART TIME PAY	30-8110-022	0	0	0	0	0
PROFESSIONAL SERVICES	30-8110-040	0	0	2,500	2,500	2,500
FICA TAX	30-8110-050	26,927	27,601	30,099	30,239	30,801
GROUP INSURANCE	30-8110-060	78,633	86,418	87,814	85,332	90,917
RETIREMENT	30-8110-070	41,510	45,120	47,843	51,031	54,999
TELEPHONE & INTERNET	30-8110-110	2,992	3,536	3,264	3,264	3,600
ELECTRIC	30-8110-130	141,621	166,398	225,000	225,000	225,000
FUEL OIL	30-8110-132	6,432	4,233	7,500	7,500	7,500
TRAINING	30-8110-140	2,294	3,664	4,925	4,925	4,925
MAINT. & REPAIR BLDGS	30-8110-150	94,030	109,150	110,000	110,000	110,000
MAINT. & REPAIR EQUIPMENT	30-8110-160	11,895	11,079	12,000	12,000	12,000
MAINT. & REPAIR AUTO	30-8110-170	597	1,653	2,090	2,090	2,100
ADVERTISING	30-8110-260	0	0	100	100	100
AUTO SUPPLIES GAS	30-8110-311	4,222	3,587	5,670	5,670	5,000
AUTO SUPPLIES DIESEL	30-8110-312	0	0	0	0	0
AUTO SUPPLIES TIRES	30-8110-313	469	0	2,900	2,900	1,900
AUTO SUPLIES OIL	30-8110-314	0	222	750	750	750
DEPT. SUPPLIES & MATERIALS	30-8110-330	11,837	11,871	12,000	12,000	12,000
CHEMICALS	30-8110-332	57,577	55,804	77,318	77,318	107,718
LAB SUPPLIES	30-8110-333	8,989	12,000	12,000	12,000	12,000
WOOD CHIPS	30-8110-336	61,000	40,500	51,000	51,000	51,000
UNIFORMS	30-8110-360	3,530	3,695	3,750	3,750	3,750
CONTRACTED SERVICES	30-8110-450	12,244	11,513	13,860	14,160	28,840
IT	30-8110-490	0	0	500	500	500
LONG TERM MONITORING	30-8110-500	17,737	18,448	18,500	21,000	21,000
DUES AND SUBSCRIPTIONS	30-8110-530	7,960	8,390	8,670	10,381	14,521
INSURANCE AND BONDS	30-8110-540	24,040	28,000	28,000	28,000	32,000
MISCELLNEOUS EXPENSE	30-8110-570	0	0	0	0	0
SAFETY	30-8110-572	1,261	2,233	2,500	2,500	2,500
CAPITAL OUTLAY	30-8110-740	209,903	199,882	364,600	175,000	404,500
DEBT SERVICE	30-8110-910	0	0	0	0	0
PRO RATA	30-8110-920	550,000	549,999	550,000	550,000	550,000
VEDIC	30-8110-930	12,500	12,500	12,500	12,500	12,500
ECONOMIC DEV BPED	30-8110-931	10,272	11,630	11,630	11,630	12,747
TOTAL		1,765,796	1,801,781	2,104,292	1,921,882	2,221,859

COLLECTIONS & DISTRIBUTION SYSTEM Mr. Weichel noted that the biggest change is a proposed capital item requested which will be reviewed later today. Mr. Weichel noted that the requested capital outlay item, part of the amount is the cash for the item to purchase and the other half of that is located in the debt service. Mr. Weichel said we would get the money from the bank but then we will have a debt payment, which is part of the debt schedule we reviewed earlier.

2024-2025 Budget Allocation
WATER SEWER CONSTRUCTION

Line Item Description	Account Code	2021-22 Actual	2022-23 Actual	2022-23 Budget	2023-24 Budget	2024-25 Recommended
SALARIES & WAGES	30-8120-020	322,592	367,212	382,276	399,296	**427,719**
OVER TIME PAY	30-8120-021	10,973	8,596	18,030	19,400	**24,400**
PART TIME PAY	30-8120-022	0	780	0	0	**23,400**
PROFESSIONAL SERVICES	30-8120-040	39,922	66,061	76,996	77,727	**77,877**
HEALTH REIMBURSEMENT (HRA)	30-8120-041	0	0	0	27,700	**29,000**
FICA TAX	30-8120-050	24,889	28,111	30,265	31,672	**36,019**
GROUP INSURANCE	30-8120-060	78,681	87,430	95,164	79,118	**84,074**
RETIREMENT	30-8120-070	36,691	44,016	46,387	51,623	**58,935**
TELEPHONE & INTERNET	30-8120-110	2,485	2,661	2,700	2,700	**2,700**
POSTAGE	30-8120-111	0	373	510	650	**650**
PRINTING	30-8120-120	105	1,472	1,481	1,500	**1,500**
ELECTRIC	30-8120-130	18,305	17,552	20,088	20,088	**22,080**
NATURAL GAS	30-8120-131	0	0	0	0	**0**
TRAINING	30-8120-140	2,958	1,957	2,970	6,370	**6,570**
MAINT. & REPAIR BLDGS	30-8120-150	22,441	40,416	43,250	44,500	**46,750**
MAINT. & REPAIR EQUIPMENT	30-8120-160	9,742	10,632	10,650	10,650	**10,650**
MAINT & REPAIR AUTO	30-8120-170	3,623	3,667	3,693	3,693	**3,693**
ADVERTISING	30-8120-260	0	52	100	100	**100**
AUTO SUPPLIES GAS	30-8120-311	8,223	8,762	8,763	13,500	**13,500**
AUTO SUPPLIES DIESEL	30-8120-312	3,620	6,551	3,668	3,668	**5,000**
AUTO SUPLIES TIRES	30-8120-313	5,200	3,844	5,200	5,200	**4,200**
AUTO SUPPLIES OIL	30-8120-314	718	2,037	2,180	2,180	**2,180**
DEPT. SUPPLIES & MATERIALS	30-8120-330	69,818	65,847	68,902	80,514	**86,664**
METERS	30-8120-331	951	8,000	8,000	10,000	**30,000**
CHEMICALS	30-8120-332	1,250	595	1,700	1,700	**2,100**
UNIFORMS	30-8120-360	2,079	3,328	3,328	3,328	**3,328**
CONTRACTED SERVICES	30-8120-450	79,055	79,232	102,063	106,103	**155,073**
IT	30-8120-490	0	0	1,000	1,000	**1,000**
DUES AND SUBSCRIPTIONS	30-8120-530	2,275	2,200	5,449	5,449	**5,849**
INSURANCE AND BONDS	30-8120-540	24,628	28,533	28,612	28,612	**31,000**
MISCELLANEOUS EXPENSE	30-8120-570	0	0	0	0	**0**
SAFETY	30-8120-572	254	1,743	2,660	3,060	**5,060**
CAPITAL OUTLAY	30-8120-740	154,213	58,283	0	252,700	**677,600**
DEBT SERVICE	30-8120-910	290,597	287,271	287,274	287,066	**374,815**
TOTAL		1,216,288	1,237,214	1,263,359	1,580,867	**2,253,486**

EXHIBIT E

FY2024-25 Major Changes (> $1,000) Operating Budget						
Department	Account	Item	Prior Budget	New Budget	Net Change	Notes
Water Sewer Construction						
	30.8120.021	Over time	19,400	24,400	5,000	to cover more frequent after hours water breaks due to age of infrastructure
	30.8120.060	Medical Insurance	79,118	84,074	4,956	
	30.8120.070	NC Retirement system mandated employer contribution	51,623	58,935	7,312	
	30.8120.130	Pump stations and tanks - Duke energy	20,088	22,080	1,992	energy rate increase
	30.8120.150	Septic tank pumping	7,500	8,750	1,250	increase cost of pumping septic tanks for citizens
	30.8120.150	Clearing right-of-ways	1,000	2,000	1,000	
	30.8120.312	Diesel fuel	3,668	5,000	1,332	increase fuel costs / under budgeted
	30.8120.313	Auto Tires	5,200	4,200	(1,000)	
	30.8120.330	Pipe and service tubing	7,000	10,000	3,000	
	30.8120.330	Gravel	12,000	15,000	3,000	Per tonnage cost increase
	30.8120.450	Print and mail utility bills	37,000	42,000	5,000	two postage increases
	30.8120.450	IVR phone payment system *NEW*	-	1,800	1,800	allows customers to pay utility payment by phone while keep card data safe
	30.8120.450	Mueller past services billing *one-time* expense	-	41,000	41,000	Meter system online services annual fee for FY22 & FY23 delayed billing
	30.8120.572	Safety gear	-	2,000	2,000	replace with new gear
Water Plant						
	30.8100.060	Medical Insurance	79,442	84,638	5,196	
	30.8100.070	NC Retirement system mandated employer contribution	54,908	60,528	5,620	
	30.8100.130	Electric - Duke Energy	275,892	300,892	25,000	energy rate increase
	30.8100.140	Conference *NEW*	2,500	3,500	1,000	Operator State Conference annually
	30.8100.332	Chemicals	198,900	236,400	37,500	price increases on Caustic, Alum, & Phosphate
	30.8100.333	Lab supplies	18,500	23,000	4,500	new laboratory spectrophotometer
	30.8100.334	UCMR5 testing	1,000	5,000	4,000	additional testing requirement
Waste Water Plant						
	30.8110.060	Medical Insurance	85,332	90,917	5,585	
	30.8110.070	NC Retirement system mandated employer contribution	51,031	54,999	3,968	
	30.8110.313	Tires for F350 removed	1,000	-	(1,000)	replaced tires during FY24
	30.8110.332	Chemicals	77,318	107,718	30,400	rates of PAA for disinfection increase
	30.8110.450	Cintas towel service *NEW*	-	2,280	2,280	moved from line 150
	30.8110.450	PAA equipment lease *NEW*	-	14,400	14,400	disinfection equipment to replace old chlorine disinfection process
	30.8110.530	DEQ Stormwater certification	860	4,200	3,340	Fee increases based on DEQ scheudle of fees
	30.8110.530	DEQ Annual NPDES Permit fee	3,440	4,625	1,185	Fee increases based on DEQ scheudle of fees

CAPITAL BUDGET CHANGES Mr. Weichel reviewed an overview of the capital budget changes.

EXHIBIT F

FY2024-25 Capital Budget Increase (Decrease) Over Prior Year				
Department	Account	Prior Budget	New Budget	Net Change
Waste Water Plant				
	30.8110.740	175,000	404,500	229,500
Water Plant				
	30.8100.740	76,000	231,600	155,600
Water Sewer Construction				
	30.8120.740	252,700	677,600	424,900
Utility Fund Total		503,700	1,313,700	810,000

CAPITAL NEEDS Mr. Weichel asked each Department Head to identify their FY24-25 CIP needs for FY 24-25.

Water Treatment Plant Superintendent Eric Wilson reviewed the following CIP needs for FY24-25:

Water Treatment Plant

Valves and Electronic Valve Operators

$100,000

Reason for request:

This request is to upgrade outdated air actuated valve operators dating back to the 1950s, which are no longer supported due to obsolete parts. These aging units frequently experience malfunctions, causing operational disruptions on a weekly basis. Additionally, the bearings in most of these valves are either deteriorating or have already failed, resulting in challenges with fully closing the valves.

To address these issues and improve efficiency, we propose replacing these outdated units with modern electronic valve operators. This upgrade promises to significantly reduce downtime and eliminate the need for costly repairs. Our plan is to gradually replace all 24 units over a three-year period, starting with the replacement of 8 units as outlined in this request.

Photo of the existing capital item being replaced (if none, leave blank):

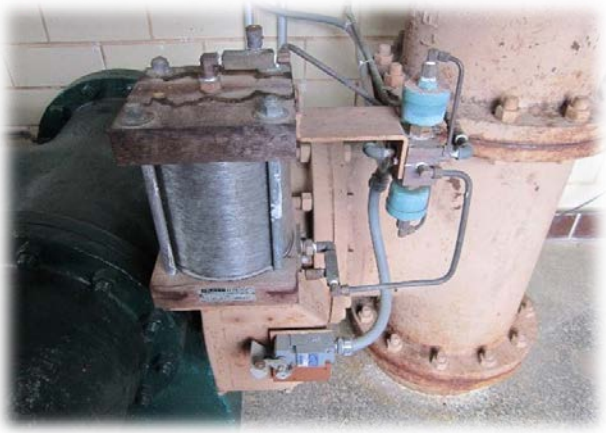


Photo or rendering of the new capital item being requested (if none, leave blank):



Water Treatment Plant

Onsite and Remote Tank Inspection

Cost: $8,000

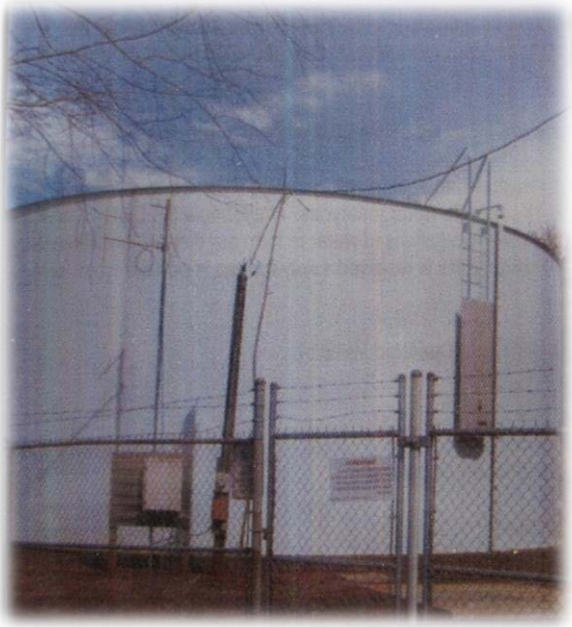
Reason for request:

In accordance with North Carolina state regulations, it is mandated that we conduct inspections on all tanks containing finished water once every three years. The Water Plant in the Town of Valdese maintains four such tanks, in addition to four others situated within the system. Subsequent to the inspection, any necessary cleaning of the tanks will be scheduled based on the findings from the preceding year.

Photo of the existing capital item being replaced (if none, leave blank):



Photo or rendering of the new capital item being requested (if none, leave blank):



Water Treatment Plant

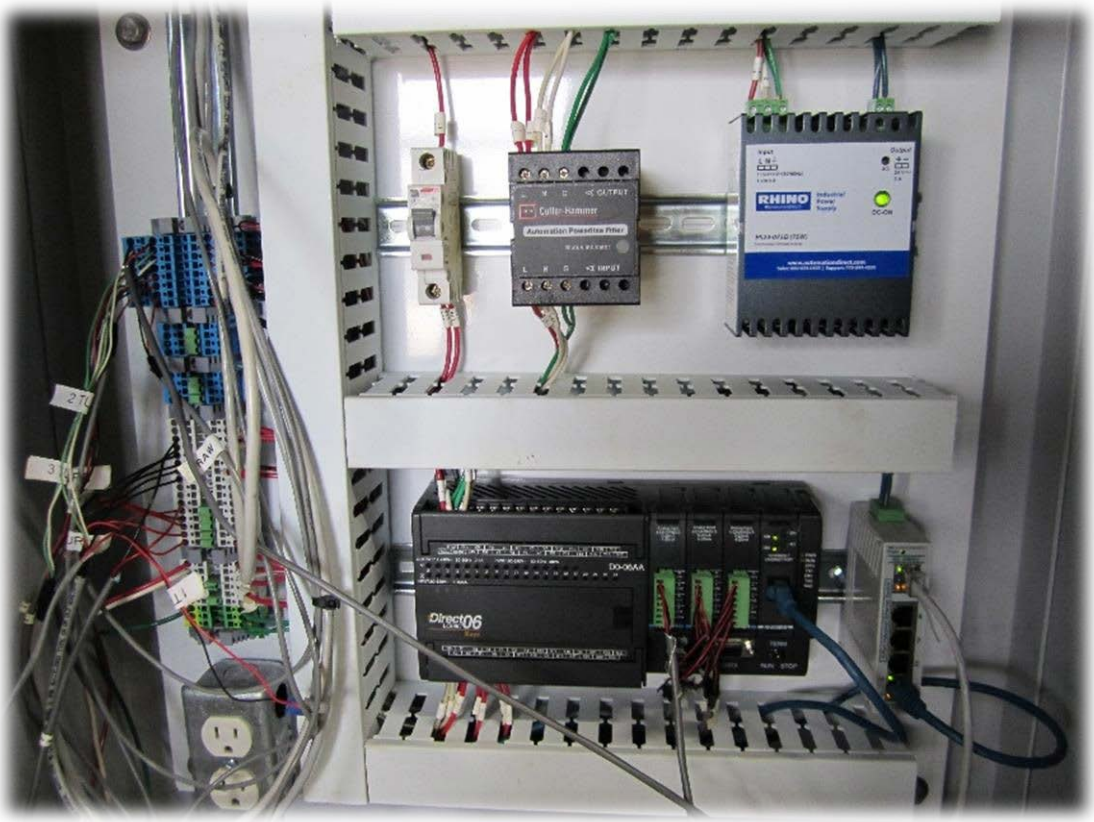
Upgrades to booster pump station and storage tank telemetry

$65,000

Reason for request:

Programmable Logic Controllers (PLCs) are compact computing devices capable of receiving input data and issuing operational commands through their outputs. However, these PLCs have become outdated, with spare parts no longer available. Yet, they play a crucial role in our infrastructure, governing the initiation, cessation, and communication processes of our booster stations and storage tanks. The replacement of these obsolete units would significantly reduce potential downtime, ultimately saving the Town of Valdese money in the long term and ensuring greater customer satisfaction. This upgrade initiative is relevant to seven locations across the Valdese water system.

Photo of the existing capital item being replaced (if none, leave blank):



Water Treatment Plant

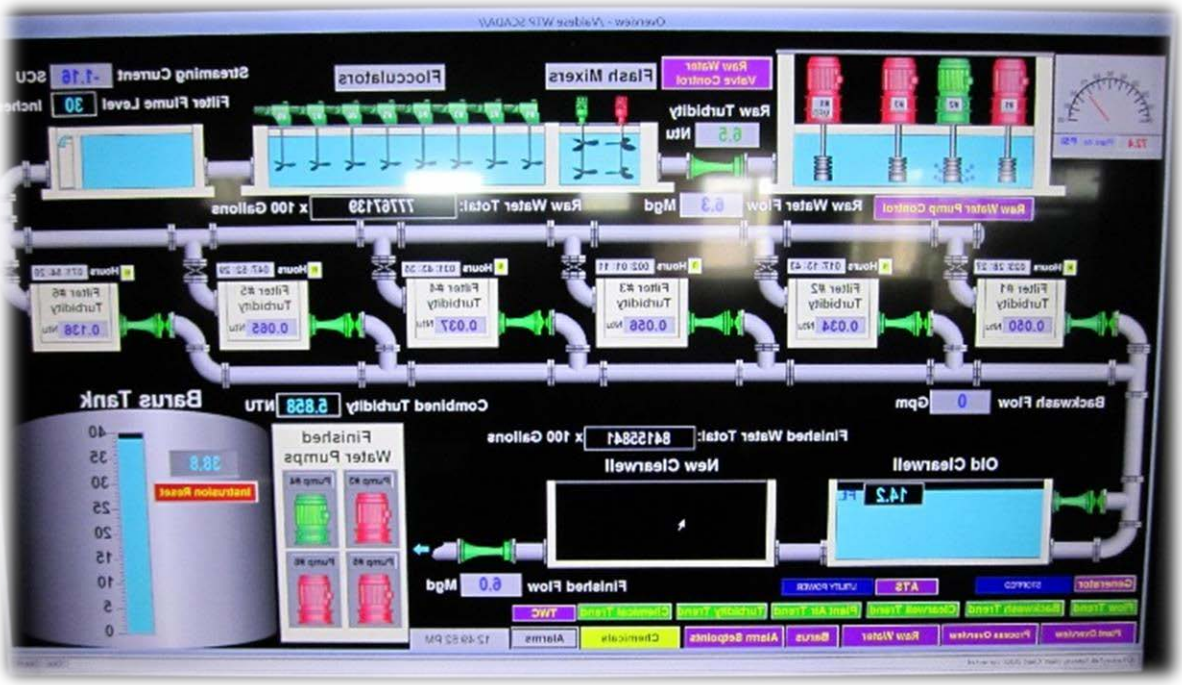
Supervisory Control and Data Acquisition (SCADA) Software Update

Cost: $42,000

Reason for request:

This software empowers employees to initiate, halt, manage, and oversee diverse processes within the water plant. However, it's crucial to note that the current software is significantly outdated. Transitioning to updated SCADA software offers a multitude of advantages, including enhanced security measures, streamlined compliance management, seamless integration of cutting-edge technologies, and simplified programming capabilities.

Photo of the existing capital item being replaced (if none, leave blank):



Wastewater Plant Superintendent Lonnie Laird reviewed the following CIP needs for FY24-25:

Wastewater

Repair drains in dewater bldg.

$25,000

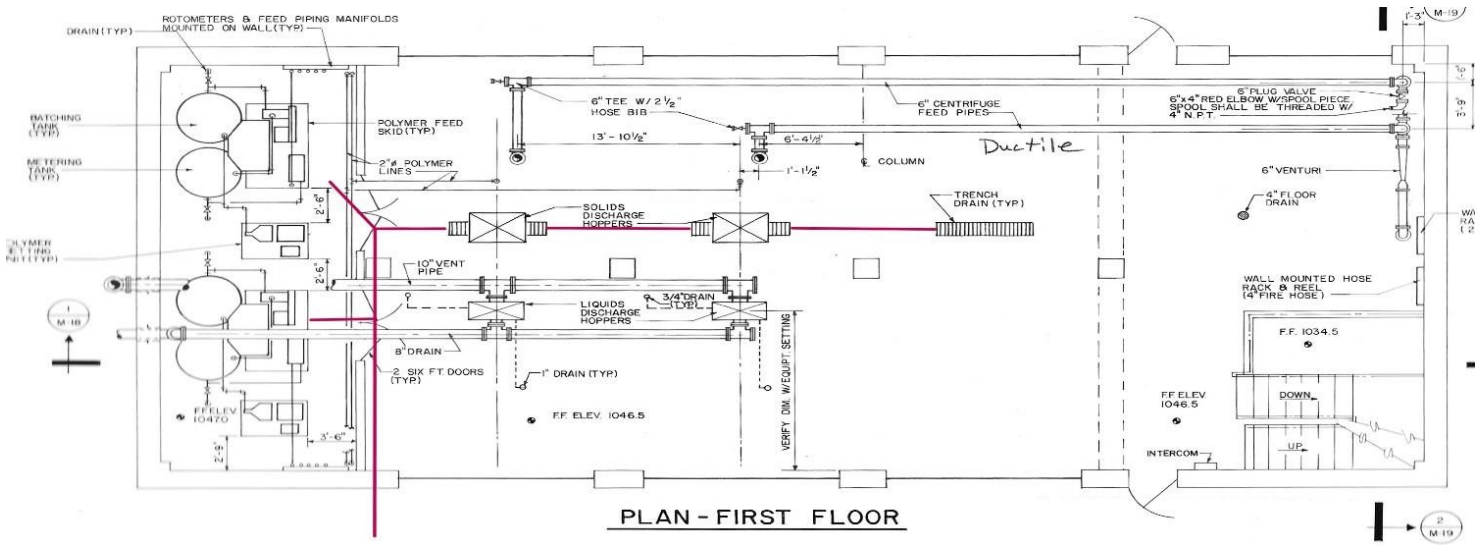
Reason for request:

The drains in the dewater building have been problematic for over a decade. Last year Roto-Rooter found existing drains in this building were corroded to the point of collapse. These drains are important for equipment flushing and cleanup. This water hasn't been treated and cannot combine with runoff outside the building. We propose cutting the floor and installing new pipe to a proper manhole (about 40 feet). There is the possibility of using some of the existing pipe and installing new pipe outside the building. Waiting on contractor to troubleshoot more and propose the optimum solution.

Photo of the existing capital item being replaced:



Photo or rendering of the new capital item being requested:



Wastewater

Secondary Clarifier Rehab and painting

$25,000

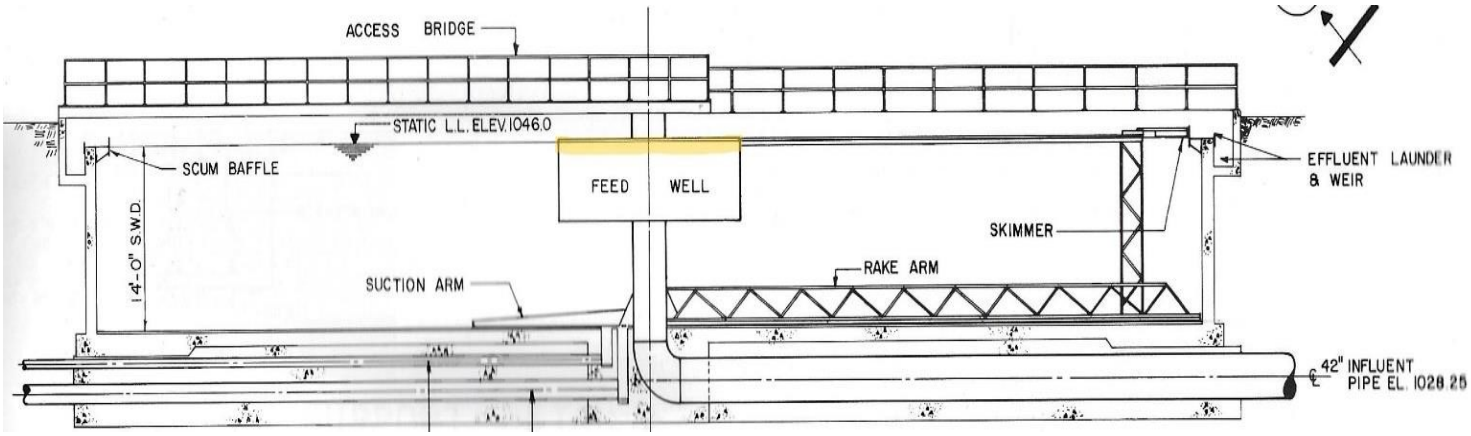
Reason for request:

This request is to have a contractor replace rusted sections of metal from the metal inner ring on both secondary clarifiers. As shown in the photographs, the ring has a rusted trough in several places at the waterline, allowing wastewater to short-circuit the design of the clarifier, reducing treatment efficiency. We estimate this cost repairs both clarifiers.

Photo of the existing capital item being replaced: Rust holes in yellow



Photo or rendering of the new capital item being requested:



April 14 & 15, 2024, MB#32

Wastewater

Aeration Basin Upgrade (1978)

$300,000

Reason for request:

The microbes that do the work in the wastewater process need an optimum amount of oxygen in order to thrive. Adding oxygen to the water is a very energy intensive process. Optimizing the oxygen level is one way to maximize efficiency. We have had electrical and mechanical failures in recent years. We have had to rebuild the failed units at considerable cost. Our current units are obsolete and should be replaced before we have another failure.

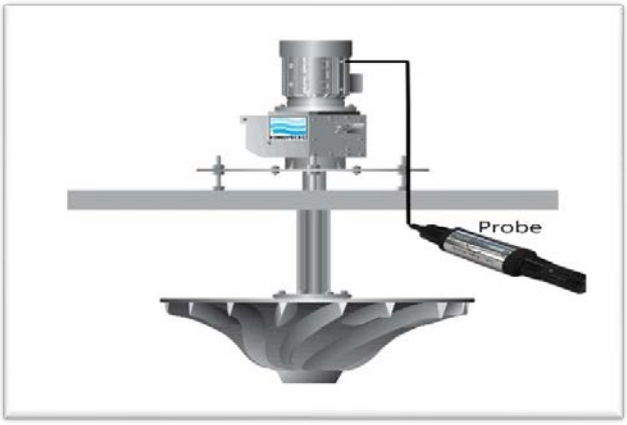
Below left is our basin #1 which is not in service. You can see the blades below the platform that violently agitate the water, introducing oxygen. New aerators use a VFD to speed or slow one aerator according to the oxygen level as detected by an oxygen probe to save energy by not aerating more than needed. Below right is the in-service basin (#2) with the aerator running.

Photo of the existing capital item being replaced:





Photo or rendering of the new capital item being requested (*New unit with probe)*



Wastewater

Conversion of SO2 bldg. to PAA

$10,000

Reason for request:

We use rented chemical metering pumps that are located outside on a skid. Our purpose with this request is to design, purchase, and install our own chemical metering equipment inside this existing building. This will allow for easier maintenance and troubleshooting, make it safer for operators to change out the 3000-pound totes of chemical, and save us $14K per year on pump rental.

Photo of the existing capital item being replaced:





Photo or rendering of the new capital item being requested:



Wastewater

Roll up door replacement dewater bldg.

$25,000

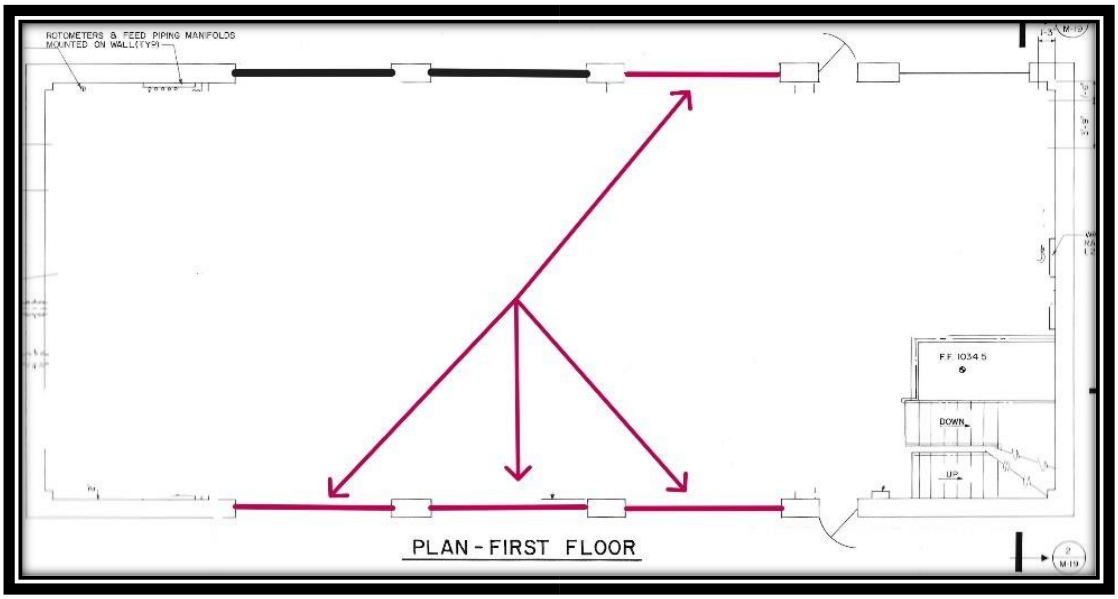
Reason for request:

Treatment of wastewater involves removing solids from the water treated. These solids are separated from the water in a process is known as dewatering. The dewatering building has six metal roll up doors that get used frequently. In cold weather months we must maintain the temperature of the building above freezing and this effort is complicated by the rusted doors. There are 4 doors to be replaced.

Photo of the existing capital item being replaced: **Red arrows show corrosion.**



Photo or rendering of the new capital item being requested: **Red arrows show old doors.**



Public Works Director reviewed the following CIP needs for FY24-25: Mr. Hudson noted that the Water/Sewer Department takes care of 64.4 miles of sewer collection system and 154 miles of waterline, that includes the Triple District system.

Department: Water Sewer Construction & Maintenance

Item: Vactor Truck

Cost: $600,000

Reason for request:

Enhance maintenance of our sewer system by implementing more thorough cleaning, thereby extending its lifespan and reducing the occurrence of blockages. Additionally, prioritize regular storm drain cleaning and promptly address minor water leaks to minimize damage and mess.

Photo or rendering of the new capital item being requested:



Department: Water Sewer Construction & Maintenance

Item: Jetter

Cost: $75,000

Reason for request:

This 2009 model has been well used and is showing signs of wear. There have been multiple pump and hose real issues. A new unit would be more efficient since it can be installed on the back of an existing truck. This allows for better access ability on our sewer rights-of-way than having a trailer type unit.

Photo of the existing capital item being replaced:



Photo or rendering of the new capital item being requested:



Mr. Weichel reviewed the balanced Utility Fund summary:

EXHIBIT H

2024-2025 Budget

Utility Fund Summary

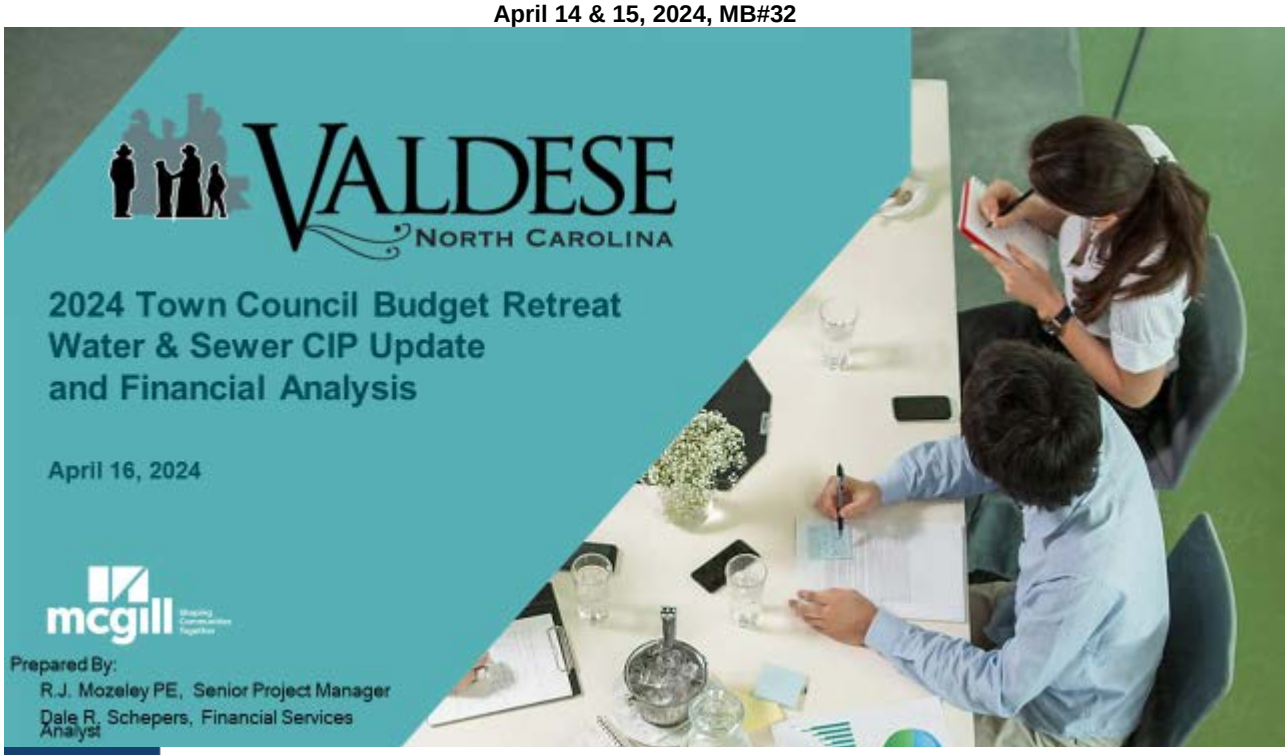
OPERATING BUDGET

Department	FY22-23 Budget	FY23-24 Budget	FY24-25 Recommended
WATER PLANT	1,907,590	2,103,250	2,208,593
WASTE WATER PLANT	1,739,692	1,746,881	1,817,359
WATER & SEWER CONSTRUCTION	1,263,359	1,328,166	1,575,886
Operating	4,910,641	5,178,297	5,601,839

CAPITAL BUDGET

WATER PLANT	400,000	76,000	231,600
WASTE WATER PLANT	364,600	175,000	404,500
WATER & SEWER CONSTRUCTION	0	252,700	677,600
Capital	764,600	503,700	1,313,700
TOTAL EXPENDITURES	**5,675,241**	**5,681,997**	**6,915,539**
TOTAL REVENUES			**6,915,539**
		difference:	**0**

CAPITAL IMPROVEMENTS PLAN WATER & SEWER RATE STUDY R.J. Mozeley with McGill Associates provided updates on projects in progress, upcoming projects, and went over why developing a Capital Improvement Plan(CIP) is important. Mr. Mozeley explained to Council that the CIP list items are either for a regulatory requirement, viability of equipment, efficiency, and growth causing the need to expand.



Water and Sewer Utility Fund

- Water Treatment
- Wastewater Treatment
- Water Distribution / Wastewater Collection
- Separate from General Fund and Self Supporting
- Over 5,200 retail customers and several wholesale/contract customers
- Utility Fund value of $5.7M annually

Capital Improvement Planning

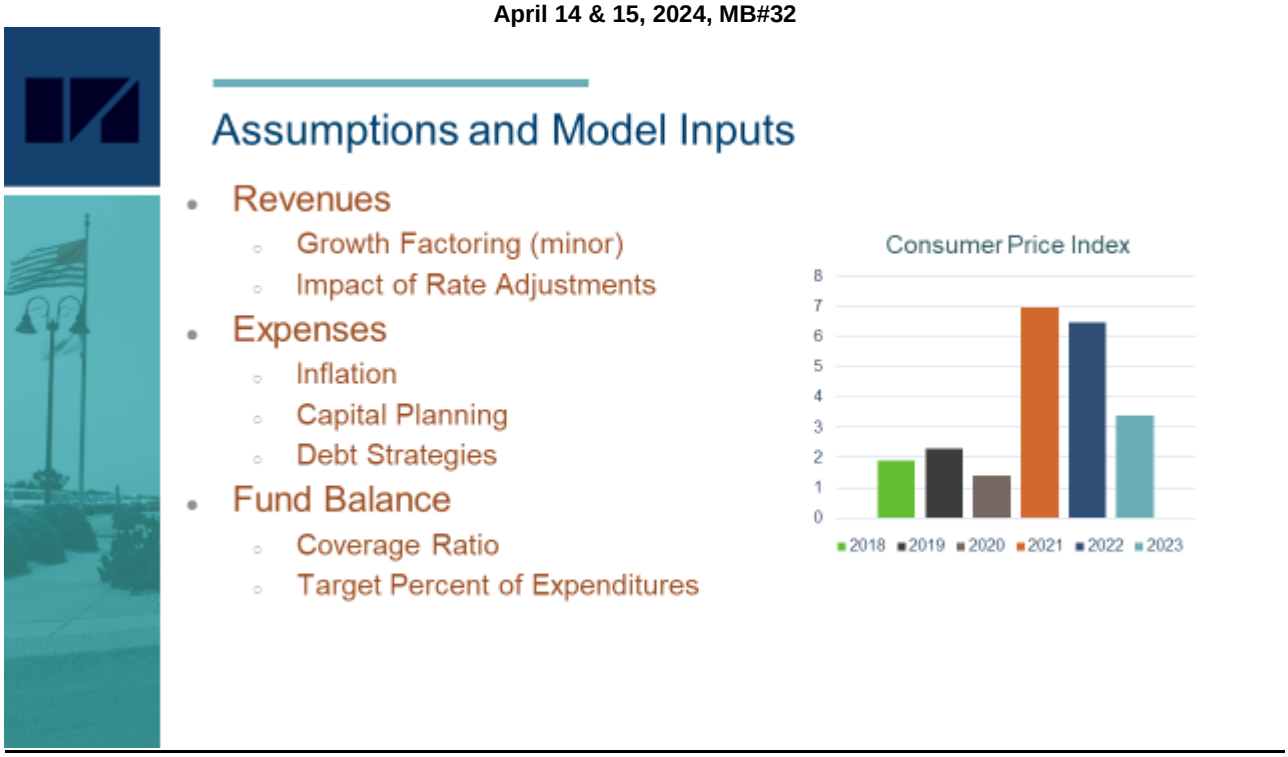
- Viability Needs
  - Aging Equipment
  - Out of Date Technology
  - Operational Issues
- Efficiency Needs
- Growth Needs
  - Capacity Assurance
  - Capacity Expansion
- Regulatory Needs
  - Permitting Changes
  - Monitoring Changes



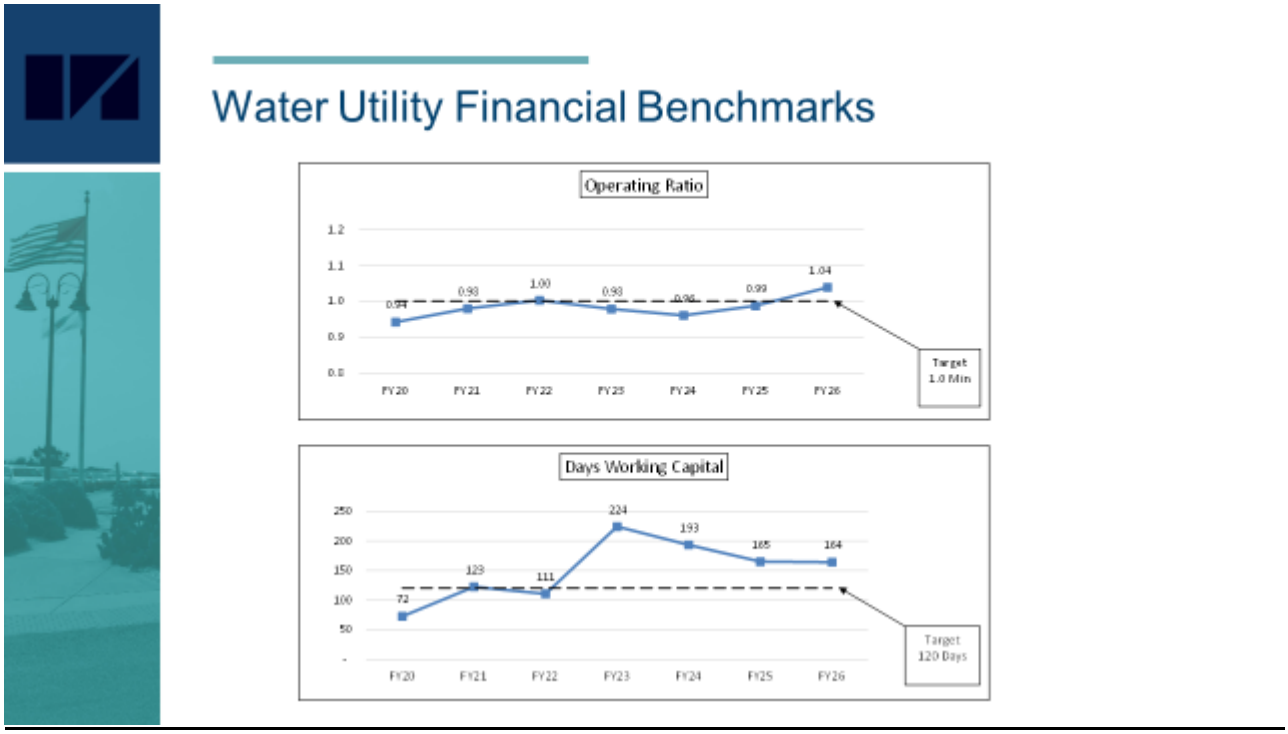
Financial Analysis

- Revenues
  - Historical Revenue
  - Growth
  - Rate Adjustments
- Expenses
  - Salaries and Benefits
  - Operating Expenditures
  - Capital Improvements
  - Debt Service
- Fund Balance

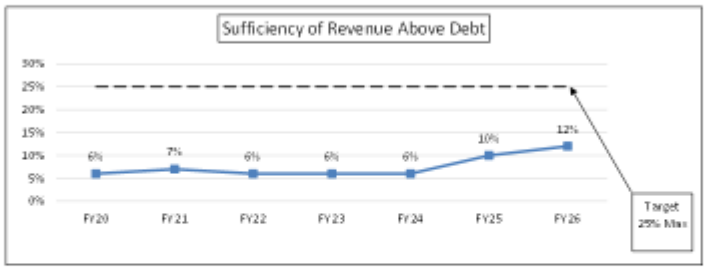


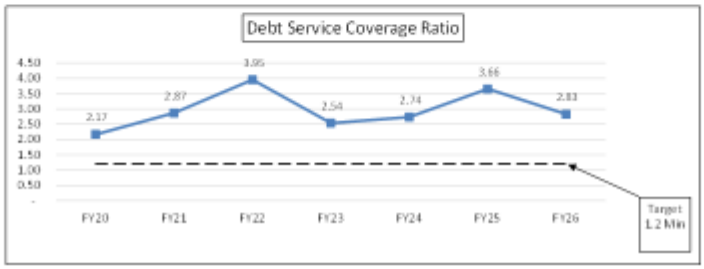


Dale Schepers with McGill Associates shared financial benchmarks and compared water/sewer rates from our neighboring towns.



Water Utility Financial Benchmarks

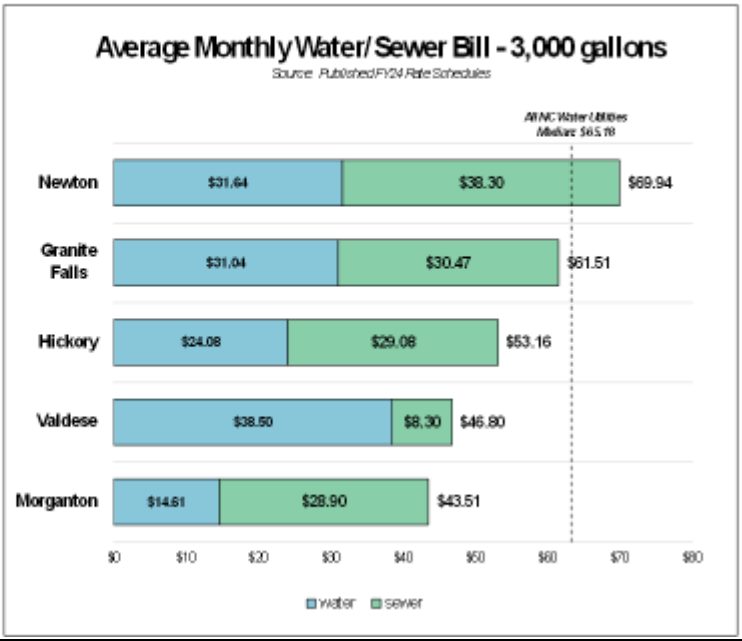




Comparison to Neighbors

Inside Residential Customer Class

FY24 Rates



Councilman Harvey asked how long McGill has been preparing the 10-year CIP. Mr. Mozeley said nine years. Councilman Harvey thinks that it is great we have this plan.

Town of Valdese Water and Sewer Utility Fund
10-YEAR Capital Improvements Plan FY 2024

Water Distribution / Wastewater Collection

Project Number	Project Description	10-Yr CIP Cost Cost	Test Year 2024	FY 1 2025	FY 2 2026	FY 3 2027	FY 4 2028	FY 5 2029	FY 6 2030	FY 7 2031	FY 8 2032	FY 9 2033	FY 10 2034	Years 11 - 15 2035
Vehicles and Equipment														
1	2022 Cat Mini Trackhoe	202,700	90,000									202,700		
2	2009 Pipe Hunter Jet M 35418	74,900		74,900										
3	2024 Vactor Truck	600,000		600,000										
4	Trailer	16,700				16,700								
5	2017 Ford F250 4x4	60,700				60,700								
6	2018 Ford F150 Meter Truck	50,500					50,500							
7	2011 Ford 4x4 F350	87,900							87,900					
8	2021 Chevy 4x4	60,100								60,100				
9	2022 Chevy 3500 Diesel 4x4	127,500									127,500			
10	2006 Chevy Dump Truck F450	135,200										135,200		
11	2016 Ford F150 4x4	63,800									63,800			
Subtotal - Vehicles and Equipment		**1,480,000**	**90,000**	**674,900**	**-**	**77,400**	**50,500**	**-**	**87,900**	**60,100**	**191,300**	**337,900**	**-**	**-**
Infrastructure Improvements														
12	Large Meter Replacement	84,400				84,400								
13	Renew Arc-Flash Study	7,800		3,500					4,300					
14	Rodoret St. Water and Sewer	1,155,200			1,155,200									
15	Jefferson Ave Water & Sewer Replacement	140,000			140,000									
16	Ridgewood-18S Loop	981,200				981,200								
17	Mt. Home - Hawkins Loop	1,696,300				1,696,300								
18	Berrytown Water Main Replacement - CDBG	3,000,000					3,000,000							
19	Jacumin Rd. Loop	-												3,991,200
20	Harris Avenue PS Gravity Sewer Extension	-												2,175,100
21	Advent St. Tank and Booster Station	-												4,004,500
22	Holly Hills Sewer System Extension	-												4,579,800
23	Sewer Main Rehabilitation	6,177,700							1,900,000		2,055,000		2,222,700	
24	Water Main Replacement	4,830,600						1,600,000		1,730,600		1,500,000		
Subtotal - Infrastructure Improvements		**18,073,200**	**-**	**3,500**	**1,295,200**	**2,781,900**	**3,000,000**	**1,600,000**	**1,904,300**	**1,730,600**	**2,055,000**	**1,500,000**	**2,222,700**	**14,750,600**
Total 10-Yr CIP: Water Distribution/Wastewater Collection FY25-34		**19,553,200**	**90,000**	**678,400**	**1,295,200**	**2,838,300**	**3,050,500**	**1,600,000**	**1,992,200**	**1,790,700**	**2,246,300**	**1,837,900**	**2,222,700**	**14,750,600**

Capital Project funded or partially funded using external source(s). ARPA, Direct Allocation, etc.
Capital Project funded or partially funded using debt issue(s)

Town of Valdese Water and Sewer Utility Fund
10-YEAR Capital Improvements Plan FY 2024

Water Treatment Division

Project Number	Project Description	10-Yr CIP Cost Cost	Test Year 2024	FY 1 2025	FY 2 2026	FY 3 2027	FY 4 2028	FY 5 2029	FY 6 2030	FY 7 2031	FY 8 2032	FY 9 2033	FY 10 2034	Years 11 - 15 2035
Vehicles and Equipment														
1	2018 Explorer	51,800					51,800							
2	2017 Ford F-250 (replace w/f150)	99,500			48,300	51,200								
3	2004 Ford F-150	72,200								72,200				
Subtotal Vehicles and Equipment		**223,500**	**-**	**-**	**48,300**	**51,200**	**51,800**	**-**	**-**	**72,200**	**-**	**-**	**-**	**-**
Plant Upgrades and Improvements														
4	Roof Replacement - Finished Water PS	-	21,000											
5	Booster Pump Stations and Tank Telemetry	65,000		65,000										
6	SCADA Update; Add #2 and #3 FWP, all chemical feed	62,500		42,000								20,500		
7	Renew Arc Flash Study	37,600		16,600						21,000				
8	Replace Air Actuated Filter Valves and Operators (30 ea)	312,200		100,000	104,000	108,200								
9	Tank Maintenance	366,000		8,000	86,500			10,900	107,600			14,200	128,800	
10	Replace Electrical Substation	1,406,100			1,406,100									
11	Replace Bulk Chemical Tanks & Refurbish Area	750,000			750,000									
12	Roof Replacement - Main Bldg	59,500			59,500									
13	Water Treatment Plant Upgrade	6,790,000				6,790,000								
14	Chemical Injection Points	28,100				28,100								
15	Booster Pump Stations Equipment Rehab and Replace	51,000			25,000	26,000								
16	Roof Replacement - Maintenance Bldg	72,500					72,500							
17	Safety Railing for Flocculators and Sedimentation Basins	351,000						351,000						
18	Permimeter Chain Link Fencing	197,300									197,300			
19	FWP Motor Control Center Update (replacement)	342,100									342,100			
20	Pave Raw Waters PS Access Rd.	-												255,500
Subtotal - Plant Upgrades and Improvements		**10,880,800**	**21,000**	**231,600**	**2,431,100**	**6,952,300**	**72,500**	**361,900**	**107,600**	**21,000**	**539,400**	**34,700**	**128,800**	**255,500**
Total 10-Yr CIP: Water Treatement FY25-34		**11,104,400**	**21,000**	**231,600**	**2,479,400**	**7,003,500**	**124,300**	**361,900**	**107,600**	**93,200**	**539,400**	**34,700**	**128,800**	**255,500**

Capital Project funded or partially funded using external source(s). ARPA, Direct Allocation, etc.
Capital Project funded or partially funded using debt issue(s)

Town of Valdese Water and Sewer Utility Fund
10-YEAR Capital Improvements Plan FY 2024

Wastewater Treatment Division

Project Number	Project Description	10-Yr CIP Cost Cost	Test Year 2024	FY 1 2025	FY 2 2026	FY 3 2027	FY 4 2028	FY 5 2029	FY 6 2030	FY 7 2031	FY 8 2032	FY 9 2033	FY 10 2034	Years 11 - 15 2035
Vehicles and Equipment														
1	Dump Truck to take Compost to Customers	-	35,000											
2	New or Used Sludge Trailer	67,000	50,000										67,000	
3	Replace 1998 Biosolids Truck	41,700				41,700								
4	Replace 2017 Lab Truck	40,000				40,000								
5	Replace 2018 Ford Explorer	45,600					45,600							68,500
6	Replace Riding Mower (2021)	17,000							17,000					
7	Replace Maintenance Vehicle 2022	59,000									59,000			
8	Compost Loader (2023)	165,600										165,600		
Subtotal Vehicles and Equipment		**436,900**	**85,000**	**-**	**-**	**81,700**	**45,600**	**-**	**17,000**	**-**	**59,000**	**165,600**	**67,000**	**68,500**
Plant Upgrades and Improvements														
9	Centrifuge Overhauls - Two Units	142,800	53,200							70,000	72,800			
10	Repair Drains in Dewater Bldg. (Trench Manhole)	25,000		25,000										
11	Roll Up Door Replacement Dewater Bldg. (4 Doors)	25,000		25,000										
12	Secondary Clarifier Rehab and Painting	51,000		25,000	26,000									
13	Conversion of SO2 Bldg. to PAA	10,000		10,000										
14	Renew Arc-Flash Study	44,200		19,500						24,700				
15	Aeration Basin - 3 AeratorsFY25, Full Basin Upgrades FY35+	300,000		300,000										9,927,300
16	Cline Street PS Modifications	1,490,000		1,490,000										
17	Primary Clarifier Rust Removal and Paint	95,900			43,300					52,600				
18	SCADA PLC Upgrade	67,800			52,000					15,800				
19	Seal/Bearing Replacement - Centrifuge Sludge Pumps	11,900			11,900									
20	Spare Pumps: Morgan Trace and High Meadows	15,200			15,200									
21	Sludge Grinder Replacements - Two Units	31,800			7,000	7,300				8,600	8,900			
22	Concrete Work at Compost Pad	35,200			10,800		11,700		12,700					
23	Update and Repair Admin Bldg. & Roof	360,000				360,000								
24	Compost Pad Electrical Repair	5,600				5,600								
25	Spare Sump Pump - Universal Application	9,000				9,000								
26	Roof SO2 Building (2001) (Original)	14,600				14,600								
27	Seal / Bearing Replacement for Secondary Waste Pumps	11,700					11,700							
28	Compost Area Multi-Purpose Shed	58,500					58,500							
29	Pump Station Control Upgrade - High Meadows and Morgan Trace	11,700					11,700							
30	Seal Replacement for Influent Pumps 3&4	19,900					19,900							32,300
31	Seal Replacement for Secondary Waste Pumps	11,700					11,700							
32	Influent Pumps 3 and 4 Valves & Check Valves	105,000						105,000						
33	Influent Pump Station Electrical Panel Upgrade	425,800						425,800						
34	Seal Replacement for Influent Pumps 1&2	12,200						12,200						
35	Sludge Recycle PS Building Roof (2008)	36,500						36,500						
36	Spare Pump Seitz Road Pump Station	15,200							15,200					
37	Dewatering Building Roof (2010)	75,900							75,900					
38	Thickener Blower #1 rebuild or replace	19,000							19,000					
39	Recycle Bldg Electrical Panel Upgrade	394,800								394,800				
40	Thickener Blower #2 rebuild or replace	19,700								19,700				
41	Primary Wasting Electrical Panel Upgrade	34,200									34,200			
42	Influent PS Building Roof (2012)	64,000										64,000		
43	Primary Clarifier #2 Drive & Bridge Replacement	148,000											148,000	
44	Spare Pump John Berry	29,600											29,600	
45	Spare Pump Cline Street	-												77,000
46	Biosolids Drying Equipment	-												20,501,600
47	WWTP Equipment Rehab & Replacement	-												201,200
Subtotal - Plant Upgrades and Improvements		**4,228,400**	**53,200**	**1,884,500**	**186,200**	**396,600**	**126,200**	**579,500**	**122,800**	**586,200**	**115,900**	**64,000**	**177,600**	**30,738,400**
Total 10-Yr CIP: Wastewater Treatment FY25-34		**4,884,300**	**138,200**	**1,884,500**	**186,200**	**478,200**	**170,800**	**579,500**	**139,800**	**586,200**	**174,900**	**229,600**	**244,600**	**30,807,900**

Capital Project funded or partially funded using external source(s). ARPA, Direct Allocation, etc.
Capital Project funded or partially funded using debt issue(s)

Total System Capital Improvements Plan

Total 10-Yr CIP: Water and Wastewater FY25-34	**35,321,900**	**249,200**	**2,804,500**	**3,940,800**	**10,321,000**	**3,345,600**	**2,541,400**	**2,239,600**	**2,470,100**	**2,960,600**	**2,102,200**	**2,596,100**	**45,814,000**

April 14 & 15, 2024, MB#32

Town of Valdese Water and Sewer Utility Fund
Financial Model Output Summary
FISCAL YEAR 2024

Revenue

Description	FY24	FY25	FY26	FY27	FY28	FY29	FY30	FY31	FY32	FY33	FY34
Operating Revenue Existing Rates	5,682,000	5,698,000	5,748,000	5,796,000	5,845,000	5,894,000	5,943,000	5,993,000	6,044,000	6,095,000	6,147,000
New Revenue (Cumulative amount)		862,000	1,565,000	1,749,000	1,918,000	2,089,000	2,233,000	2,378,000	2,523,000	2,670,000	2,819,000
Projected Operating Revenue	5,682,000	6,560,000	7,313,000	7,545,000	7,763,000	7,983,000	8,176,000	8,371,000	8,567,000	8,765,000	8,966,000

Expenses

Operating Expenses	5,661,000	5,241,000	5,381,000	5,527,000	5,679,000	5,837,000	6,002,000	6,174,000	6,353,000	6,540,000	6,735,000
Capital Outlay	249,000	958,000	1,341,000	1,031,000	346,000	1,091,000	1,040,000	870,000	761,000	602,000	496,000
Existing Debt Service	361,000	360,000	480,000	498,000	481,000	479,000	477,000	475,000	472,000	471,000	483,000
Projected Debt Service	-	-	203,000	400,000	400,000	517,000	614,000	744,000	922,000	1,043,000	1,213,000

Percent Increase Applied

Overall Revenue Adjustment		15.1%	12.2%	3.2%	2.9%	2.9%	2.4%	2.4%	2.4%	2.4%	2.4%

Financial Outcomes

Description	FY24	FY25	FY26	FY27	FY28	FY29	FY30	FY31	FY32	FY33	FY34
Expenses to Cover	6,271,000	6,559,000	7,405,000	7,456,000	6,906,000	7,924,000	8,133,000	8,263,000	8,508,000	8,656,000	8,927,000
Difference / (Shortage)		1,000	(92,000)	89,000	857,000	59,000	43,000	108,000	59,000	109,000	39,000

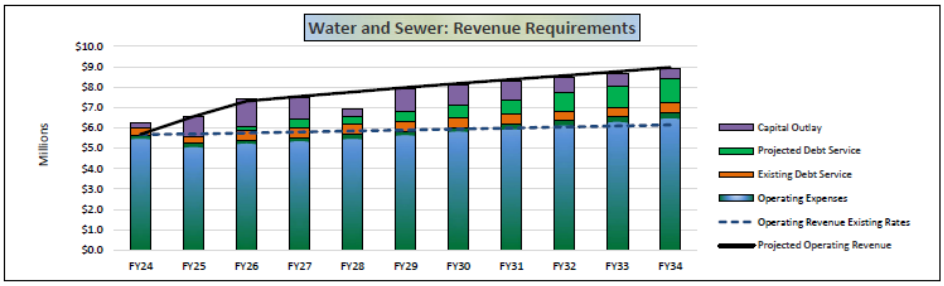
Effect on Average Customer Bill

Combined Residential Bill 3,000 gal	$46.80	$50.85	$55.75	$57.50	$59.25	$61.05	$62.60	$64.20	$65.85	$67.55	$69.30
Monthly Combined Residential Bill Change		$4.05	$4.90	$1.75	$1.75	$1.80	$1.55	$1.60	$1.65	$1.70	$1.75

Financial Indicators

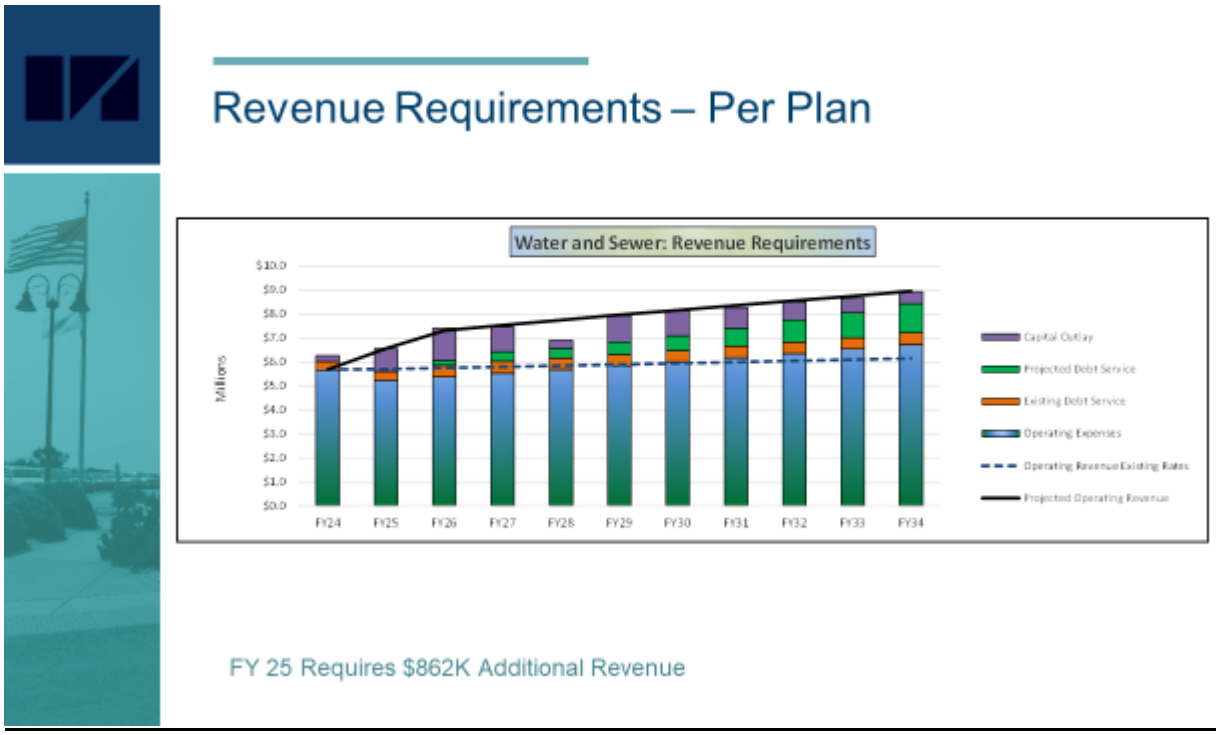
Fund Balance Tracker	4,000,000	4,001,000	3,909,000	3,998,000	4,855,000	4,914,000	4,957,000	5,065,000	5,124,000	5,233,000	5,272,000
Fund Balance % of Expenses to Cover	64%	61%	53%	54%	70%	62%	61%	61%	60%	60%	59%

Summary Chart



Water/Sewer 10-Year Capital Investment

Description	Total CIP	FY25	FY26	FY27	FY28	FY29	FY30	FY31	FY32	FY33	FY34
Water Treatment	11,105,000	232,000	2,479,000	7,004,000	124,000	362,000	108,000	93,000	539,000	35,000	129,000
Wastewater Treatment	4,666,000	1,895,000	166,000	478,000	171,000	580,000	140,000	586,000	175,000	230,000	245,000
Distribution / Collection	19,553,000	678,000	1,295,000	2,839,000	3,051,000	1,600,000	1,992,000	1,791,000	2,246,000	1,838,000	2,223,000
Total Water/Sewer CIP	35,324,000	2,805,000	3,940,000	10,321,000	3,346,000	2,542,000	2,240,000	2,470,000	2,960,000	2,103,000	2,597,000



Council members discussed possible rate changes for inside, outside, and Triple District customers.

Revenue Adjustments:

- Water Rate True-Up (Based on Council Action)
  - Transition Triple District Customers to Outside Rates
  - Adjust Current Outside Customer Multiplier to 1.5
  - 2-year Transition Period for Both
- Sewer Rate True-UP
  - Better Alignment of Revenue with Expenses
  - 2-year Transition Period
- Inflation Adjustment
  - 4% Revenue Increase for Inflation
  - Applies to All Customer Classes

Rate True-Ups: 2-Year Transition Period

Triple District Water Rate True-up: 3,000 gallons

Customer Class	FY24	FY25	FY26
Inside Residential Water	$38.50	$40.05	$41.70
Triple Water	$38.50	$50.05	$62.55
Outside Residential Water	$54.80	$57.00	$62.55

Sewer Rates True-up: 3,000 gallons

Customer Class	FY24	FY25	FY26
Inside Residential Sewer	$8.30	$10.80	$14.05
Outside Residential Sewer	$15.45	$20.25	$26.35
Inside Commercial Sewer	$8.80	$11.45	$14.90
Outside Commercial Sewer	$17.35	$22.60	$29.40
Inside Industrial Sewer	$17.50	$22.80	$29.80
Outside Industrial Sewer	$34.55	$44.95	$58.55



Customer Bill Comparisons: 3,000-gallon Use

Monthly Water/Sewer Bill: 3,000 gallon Usage

Customer Class	FY24	FY25	$ Change
Inside Residential	$46.80	$50.85	$4.05
Outside Residential	$70.25	$77.10	$6.85
Inside Commercial	$48.80	$53.05	$4.25
Outside Commercial	$97.20	$105.65	$8.45

Councilman Harvey asked why we were paying VEDIC $25,000 every year. Mr. Weichel shared that is a long-standing relationship that past Councils have wanted to keep. Council discussed the next steps for the budget process.

ADJOURNMENT At 12:34 p.m., Councilwoman Lowman made a motion to adjourn, seconded by Councilman Ogle. The vote was unanimous.

The next meeting is a regularly scheduled meeting on Monday, May 6, 2024, 6:00 p.m., Valdese Town Hall.

_____ _____

Town Clerk Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL BUDGET REVIEW MEETING
APRIL 22, 2024

The Town of Valdese Town Council met on Monday, April 22, 2024, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The Council meeting was live-streamed on YouTube @townofvaldese. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilman Glenn Harvey, and Councilman Paul Mears. Also present were: Interim Town Manager Bryan Steen, Town Attorney Tim Swanson, Town Clerk Jessica Lail, and various Department Heads.

Absent:

A quorum was present.

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

Councilman Harvey recapped last week's meetings and provided a copy to the Town Clerk:

RECAP OF TWO-DAY WORKSHOP & CLARIFICATION OF MISINFORMATION
APR 15 OPENED WITH CITIZEN AND COUNCIL PRIORITIES THAT COG HAD MERGED; COUNCIL PRIORITIES ARE…
#1 Hiring the best Town Manager – 50 applicants.
#2 Tackle the Public Safety Building
#3 Recruit & Retain Town Employees
#4 Provide Permanent Pool Structure
#5 Continue the 2023 Paving Plan
MISINFORMATION AND BAD INFORMATION
1) Tax rate and budget guidelines were UNANIMOUS – ALL 5 - NOT MAJORITY
Further: there is no election this year – no one is campaigning – one newspaper refers to last year's election in articles about council meetings. The election is behind us – this council is working together for the benefit of citizens.
2) Staff Brought Council a deficit of $564,000!
We learned those numbers at the same time you citizens did!
We learned Staff recommended cuts at the same time you citizens did!
3) Over one-half of that deficit – nearly $300,000 – was Staff "self-raise" of 5%!
How many of you gave yourself a 5% raise this year? When was your last raise?
Many employees need and deserve higher pay!
What did department heads and managers propose to do more with less?
4) This Town Council is not heartless – many citizens need Greenway Transportation.
5) This Town Council is not duplicitous – we did not set lower tax rates to replace property taxes with vehicle taxes.
6) This Town Council is not stupid – we accepted the challenge of a pool bubble that had been ignored for 10 years by two town managers, two rec managers, and councils and agreed – we will fix it!
The staff's recommendation to close the pool was irresponsible and insulting to citizens and council members alike.
7) The utility budget is under a well-designed ten-year plan; a model of what our town could aspire towards as we hire a manager.

Mayor Watts shared that in the past 40 years, staff have put items in the budget that they feel are important for their department. If the items they ask for exceed the income from our tax revenue, then they have to be cut. Mayor Watts said it was the staff's job to make the recommendations, but it was the Council's job to determine the cuts.

ITEMS FOR DISCUSSION:

GENERAL FUND REVENUES, OPERATING & CAPITAL Interim Town Manager Bryan Steen recapped the Council's guidelines for the budget process and noted that staff brought items to the Council that they weren't sure were essential, and we could only do so much with a 41.5 cent tax rate. Mr. Steen asked the Council to give staff guidance. Per request from Councilman Harvey, Mr. Steen went through the staff's process of creating the budget.

Councilman Mears recommended:

- Removing the Planning Department, $100,000 Land Use Plan.

Councilman Harvey would like to refer the following to the Efficiency Task Force:

- All equipment not being used and recommended auctioning them off to raise as much as $200,000.
- $30,000 vehicle lift – Councilwoman Lowman asked if the lift imposes a safety issue since it was purchased in 1993.
- $46,000 Ford F150 in Streets Department
- $60,000 Tractor and Mower in the Streets Department – Councilwoman Lowman noted that that was a 1987 model and asked if we had parts for it. Councilman Harvey said we have more tractors with mowers in the Town of Valdese than in the City of Morganton.

Councilman Harvey asked for clarification for:

- $75,000 Medic Tuck in the Fire Department—Councilman Harvey asked what the urgency was and if grants or ARPA funds were available. Mayor Watts will ask the Fire Chief to look into that.
- Under the Fire Department revenue, there is $324,000 that has been allocated in the past to the Public Safety Building and wanted clarification. Assistant Town Manager Bo Weichel said the $324,000 is in the Fire Department budget that is transferred out to the Public Safety Project, which is an expenditure.
- The current paving budget includes $125,000 in Powell Bill money and $225,000 in Street Department funds, which will be transferred to a paving project. Additionally, ABC money could also be allocated for paving. Councilman Harvey suggested exploring collaboration with the DOT for paving, a proposal that the paving committee will consider.
- What was suggested to be reduced Family Friday Nights & Fireworks? Community Affairs Director Morrissa Angi said the reduction will come from the bands we book from May on. Ms. Angi noted there are different ways to reduce that, either by reducing the number of bands or not using some more expensive bands. Ms. Angi said we could eliminate the fireworks during the festival but keep July 4.

Councilman Harvey recommended activities:

- Looking at Council insurance vs. honorarium – Councilman Harvey feels that the Council taking the employee insurance may be a conflict of interest. The insurance company said if we removed the Council, the premiums would not change.
- Decreasing the Board of Elections by $5,000 since the County has an election this year.
- Remove the $41,000 for a full-time Planning Director.
- Increase non-resident fees by 50% in the Recreation and Community Affairs Departments—Councilman Harvey suggested giving residents a resident card to get a discount. Councilwoman Lowman is concerned that we may price our non-residents out of Valdese. Parks and Recreation Director David Andersen shared that last year, we reduced the fee for residents, which caused a separation between residents and non-residents. Mr. Weichel said there would be a 2% increase for non-residents at the Recreation Department.
- Councilman Harvey suggested decreasing the employee increase from 5% to 4%, saving $63,000. Councilman Harvey said the CPI went up 3.9%. Another suggestion is to give the non-exempt employees a 5% and not give the exempt employees an increase this year. Councilman Mears said real inflation is much higher than 3.9% and would advocate for at least 5%. Councilwoman Lowman advocated a 5% increase and said our Strategic Plan says one of our focuses is employee recruitment and retention. Mayor Watts says it is a tough labor market, and the employees should get an across-the-board 5% increase. Councilwoman Ward feels we should think about the citizens who have to take out a loan to pay taxes and how we need to cut something out of the budget so

that families do not have to take out a loan. Mayor Watts said that if that is what the Council feels, the Council needs to give up our insurance. Councilwoman Ward would be happy if she got a reimbursement for her insurance under her husband vs. being on the Towns insurance. Councilwoman Lowman and Councilman Mears will give up their insurance to give employees an increase. Councilman Mears is concerned about what is going to happen next year and does not see anything magical about the 41.5-cent tax rate and thinks maybe we should look at 42 or 43 tax rate.

Councilwoman Lowman suggested:

- Cut at least $40,000 off of the Attorney fees
- Could Orthodontics be added to the dental insurance – Mr. Weichel said if we added it, it would be less than $1.00 per person on the rate so it would not affect the budget much.
- Councilwoman Lowman likes Councilman Harvey's suggestion that if we do sell Town property, it goes to Public Safety. Councilman Harvey shared that there is a parcel west of Town Hall that is for sale. Councilman Harvey shared that the Facilities Review committee is going to look into that property for a possible location for the Public Safety building.

Councilman Ogle recommendations:

- Would like to add more training money for the Police and Fire Department. Councilman Ogle would like the Chiefs to come up with a training plan.

Mayor Watts recommendations:

- Recommended looking at the Capital budget, pick out the big-ticket items we can delay, to simplify things.

Mr. Weichel asked the Council what they wanted to do with the recycling fees. Mr. Weichel said that we are $2.00 behind on what we charge residents. Councilwoman Ward does not see a problem with a $2.00 increase, and if we get the tax rate down, no one should blink an eye. Councilman Harvey asked if we really needed recycling every two weeks or would once a month work. Council members feel we need it every two weeks.

Councilman Mears likes what we have come up with so far, and unless the Efficiency Task Force has other ideas, we should go with this plan. Councilman Harvey wants to hear what the Efficiency Task Force finds and believes there is at least $200,000 sitting out at Public Works Department that we do not need.

Mr. Weichel recapped the General Fund adjustments.

GENERAL FUND		
	Expenditures greater than Revenues	564,000
Adjustments:	Remove Land Use Plan	100,000
	Reduce Attorney budget	40,000
	Public Safety project transfer	174,000
	(remaining $150k of 324k, to paving)	
	ABC revenue	83,000
	(reallocated from Public Safety project to general fund	
	$2 recycle fee increase	40,000
	Reduce FFN series	10,000
	Remove Festival fireworks	6,500
	Remove Planning full time, leave part time	48,500
	Reduce County election fees (non election year)	5,000
	Increase Police training budget	(3,000)
	Total of above	504,000
	General Fund balance appropriated	60,000
	Total	564,000

UTILITY FUND REVENUES, OPERATING & CAPITAL Mr. Weichel noted that the Utility Fund is currently balanced. At the Budget Retreat, the Council requested to see the water rates at 2.0, and McGill Associates provided that information to Mr. Weichel. Mr. Weichel noted that the utility budget was currently balanced based on a 1.5 multiplier for outside water rates, which includes Triple Community.

Town Council Supplemental Data Request

Provide additional data table showing Triple District Water Rate True-Up over the 2-year transition period based on reaching an Inside to Outside Water Rate Multiplier of 2.0, rather than 1.5.

McGill Presentation Slide 12: Rate True-Ups: 2-Year Transition Period
(rate multiplier label added for clarification)

Triple Water Rate True-up: 3,000 gallons
Inside to Outside Water Rate Multiplier: 1.5

Customer Class	FY24	FY25	FY26
Inside Residential Water	$38.50	$40.05	$41.70
Triple Water	$38.50	$50.05	$62.55
Outside Residential Water	$54.80	$57.00	$62.55

Supplemental data table as requested.

Triple Water Rate True-up: 3,000 gallons
Inside to Outside Water Rate Multiplier: 2.0

Customer Class	FY24	FY25	FY26
Inside Residential Water	$38.50	$40.05	$41.70
Triple Water	$38.50	$60.95	$83.40
Outside Residential Water	$54.80	$69.10	$83.40

Slide 13 revision based on revised Inside to Outside Water Rate Multiplier increase to 2.00.

Monthly Water/Sewer Bill: 3,000 gallon Usage
Inside to Outside Water Rate Multiplier: 1.5

Customer Class	FY24	FY25	$ Change
Inside Residential	$46.80	$50.85	$4.05
Outside Residential	$70.25	$77.10	$6.85
Inside Commercial	$48.80	$53.05	$4.25
Outside Commercial	$97.20	$105.65	$8.45

Supplemental data table as requested.

Monthly Water/Sewer Bill: 3,000 gallon Usage
Inside to Outside Water Rate Multiplier: 2.0

Customer Class	FY24	FY25	$ Change
Inside Residential	$46.80	$50.85	$4.05
Outside Residential	$70.25	$89.20	$18.95
Inside Commercial	$48.80	$53.05	$4.25
Outside Commercial	$97.20	$105.65	$8.45

Council members discussed the different options and the need to increase water rates due to aging infrastructure. Mayor Watts noted that we need to be fair and equitable and not gouge our neighbors. Council would like to look at the 2.0 multiplier for outside water rates over two years and no increase to the inside water rates. Mr. Weichel said that our sewer rates were significantly low. Council members discussed an increase for the bulk customers and would like to see what 6% looks like. Water Resources Director Greg Padgett reminded Council that all we do for bulk customers is sell them water or take wastewater. Mr. Padgett said that we do not maintain their pipes and that is why the prices are the way they are.

Councilman Harvey would like to refer the following to the Efficiency Task Force:

- $85,000 Dumped Truck and Sludge Trailer
- $600,000 Vactor Truck—Mr. Weichel suggested removing this from the Capital and bumping the contracting services up to $30,000 in the budget so we can flush more lines every year.
- $100,000 to replace an agitator – Councilman Harvey wants to see McGill look into this deeper. Councilman Harvey would like to know if there are other ways to aerate water. Mr. Padgett said there are different ways, but they are more expensive. Mr. Padgett said that we need three instead of one. Mr. Padgett noted that it might take two years to get them once ordered. Mr. Padgett said we needed three aerators, each costing $300,000. Mayor Watts believes it would be best to get all three at one time. Councilwoman Ward agreed.

Mr. Weichel recap the Utility Fund adjustments:

UTILITY FUND		
Recap:	WATER: Outside rate 1.5x to 2.0x multiplier, over two years	
	WATER: Inside residential, no increase	
	WATER: Commercial and Industrial, leave as proposed	
	WASTE WATER: Residential, Commercial, & Industrial leave as proposed	
	WATER & WASTEWATER: for BULK (Drexel, RC, Burke Co.) customers, 6%	
	Remove Vactor Truck and associated debt payment	
	Change $300,000 for one aerator to $855,000 for three aerators at WWTP	

ADJOURNMENT: At 8:22 p.m., there being no further business to come before Council, Councilwoman Lowman made a motion to adjourn, seconded by Councilman Mears. The vote was unanimous.

The next meeting is a regularly scheduled meeting on Monday, May 6, 2024, 6:00 p.m., Valdese Town Hall.

Town Clerk

Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL SPECIAL CALLED MEEETING
APRIL 22, 2024

The Town of Valdese Town Council met on Monday, April 22, 2024, at 4:30 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The Council meeting was live-streamed on YouTube @townofvaldese. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilman Glenn Harvey, and Councilman Paul Mears. Also present were: Interim Town Manager Bryan Steen, Town Attorney Tim Swanson, Town Clerk Jessica Lail, and various Department Heads.

Absent:

A quorum was present.

Mayor Watts called the meeting to order at 4:30 p.m.

CLOSED SESSION: Mayor Watts called for a motion to recess into Closed Session for:

- **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.

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

- **Consideration of Resolution Authorizing Action to Correct Legal Description Error**

Councilman Harvey made a motion to recess into Closed Session, seconded by Councilman Ogle. The vote was unanimous.

At 5:46 p.m., Councilman Harvey made a motion to return to Open Session, seconded by Councilman Mears. The vote was unanimous.

- **Consideration of Resolution Authorizing Action to Correct Legal Description Error**

Councilwoman Ward made a motion to move the Consideration of Resolution Authorizing Action to Correct Legal Description Error to the April 29, 2024 meeting, seconded by Councilwoman Lowman. The vote was unanimous.

ADJOURNMENT: At 5:51 p.m., there being no further business to come before Council, Councilwoman Ward made a motion to adjourn, seconded by Councilman Mears. The vote was unanimous.

The next meeting is a regularly scheduled meeting on Monday, May 6, 2024, 6:00 p.m., Valdese Town Hall.

_____ _____

Town Clerk Mayor

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TOWN OF VALDESE
TOWN COUNCIL PRE- AGENDA MEETING
APRIL 29, 2024

The Town of Valdese Town Council met on Monday, April 29, 2024, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The Council meeting was live-streamed on YouTube @townofvaldese. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilman Glenn Harvey, and Councilman Paul Mears. Also present were: Interim Town Manager Bryan Steen, Town Attorney Tim Swanson, Town Clerk Jessica Lail, and various Department Heads.

Absent: Councilwoman Heather Ward

A quorum was present.

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

NEW BUSINESS

CONSIDERATION OF RESOLUTION AUTHORIZING ACTION TO CORRECT LEGAL DESCRIPTION ERROR Parks & Recreation Director David Andersen shared that in the process of going through site control information for the grant application, legal Counsel found a discrepancy noted in the description for the boundary, and this resolution would correct that.

A RESOLUTION AUTHORIZING ACTION TO CORRECT LEGAL DESCRIPTION ERROR

WHEREAS, the Town of Valdese is applying for an Accessible Parks Grant (the "Grant");

WHEREAS, the Town has ordered a survey of Town owned property located at 312 Massel Ave SE, Valdese, North Carolina, PIN: 2743045213, to correct a legal description error that was discovered during a title search performed in connection with the Grant; and

WHEREAS, Town Council for the Town of Valdese desires to authorize the Mayor of the Town of Valdese to execute all documents on behalf of the Town necessary to correct the legal description error including, but not limited to, a deed.

NOW, THEREFORE, BE IT RESOLVED that the Mayor is fully authorized to execute all documents on behalf of the Town necessary to correct the legal description error including, but not limited to, a deed.

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

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

Councilwoman Lowman made a motion to approve the Resolution authorizing action to correct legal description error, seconded by Councilman Mears. The vote was unanimous.

REVIEW AND DISCUSSION OF MAY 6, 2024 PRELIMINARY AGENDA:

BURKE DEVELOPMENT, INC. UPDATE Mayor Watts shared that Alan Wood would be at the May 6, 2024, meeting to give Council an update.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON MAY, 2024, AT 6:00 P.M.

VALDESE LAKESIDE PARK PAVILION PRESENTATION Beth Heile, President of Friends of the Valdese Rec., gave Council an update on the Valdese Lakeside Park pavilion project. Ms. Heile presented the following presentation:

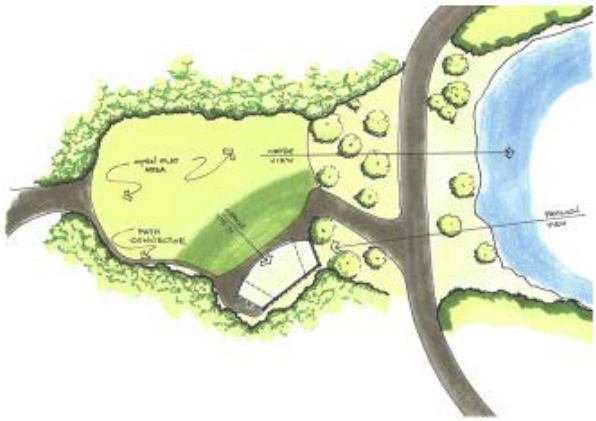
Pavilion

Valdese Lakeside Park

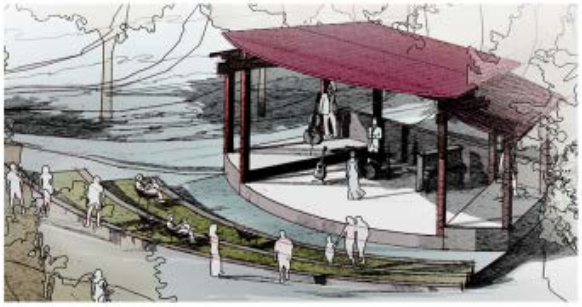
Beth Heile
President, Friends of the Valdese Rec

Location

Existing Open Green
0.2-mile down greenway



Pavilion Structure & Seating



A gathering space for the community

Classes, meals, awards, exercise, meet ups, entertainment (movie, music, drama) and shelter (rain/sun)

Flexible design - tables up or down

Heart of the park will unify visitors seeking comfort in the natural forested environment with a lake view

An established space will encourage more programming at the park

Outdoor seating - bringing chairs optional

Cost
$300,000



David Harmon Architecture
Table Rock Custom Builders

Design, engineering, grading, construction, rock work, power, inground seating, 12 picnic tables

---

Maintenance

- Cut grass - Already happening
- 3-4 Years - Clear coat on timber - $600
- Roof - Leaf blow spring and fall



Donors

Glass Foundation - $80,000
Jim and Linda Rostan - $50,000
Cannon Foundation - $40,000
Dianne Searcy - $10,000
Community Foundation of Burke - $10,000
Mull Foundation - $4000
Family of Glenn & Patricia Zimmerman - $3000
Christa and Tommy Miller - $3000
Huffman-Cornwell Foundation - $2,672
Marc and Marie Mitchell - $2000
Chip and Tammy Black - $2000
Spence and Jayne Borden - $1080

$1000 Level
Mears Insurance Group
Julie Zimmerman & Derrick Killian
Roy & Phyllis Sweezy
College Pines
Debbie Montanez & Sam Fitzwater
Mark and Lisa Singleton
Lloyd and Helen Wallace
Mo & Cheryl McCarthy
In honor of all Valdese Lakeside Park Volunt
(by Johnny & Jane Poteat)
Gina and Kevin Farris
James Sweezy
Mark Buff
Dr. Shawn Hamm
Amy Brooks, DDS, MD, PHD
In Honor of Thompson Family and Heather Smit
by Denise and Fred Smith
In Honor of Debbie Thompson and David Cobb T
by Denise and Fred Smith
In Memory of Sally Gaillard by "Sisters" Den
Corning Foundation
Pilot Club of Valdese
Beth, Eric and Zakk Heile
Alan and Lu Griffin
Farris Insurance

Donors

Karen & Carlton Caruso - $500
Marti Sundell - $500
In Honor of Mark Rostan - by Paul Wardzinski
In Honor of Karen Clark-Caruso's retirement
In Memory of Allen Lowman
Meredith Bleynat - $350
Sue Skolochenko - $300
Wes Presnell - $300
Zimmerman Realty - $250
Barry & Melinda Zimmerman - $250
Ruth Gage - $250
In Memory of Billie & T.J. Curtis - $250
David Andersen - $250
Sheri and Michael Watts - $250
Deborah Lancaster - $250
Leland Rhame - $200
Elaine B. Farge - $200
Frances Hildebran - $200
Debbie Thompson - $150
Debbie Jones - $150
Hugh and Ann Blackwell - $150

In honor of the Johnny Poteat Family
In honor of James Sweezy
Elsie Whisenant - $100
Joy Harding & Debbie Tozzo - $100
Annette Skidmore - $100
Jane & Buck Jones - $100
Mr. & Mrs. Steve Berry - $100
Carl & Judy Abernathy - $100
Xcell Swimming - $100
Rexanna Lowman - $100
Jonas and Laura Johnson - $100
Richard and Phyllis Byers - $100
Debbie Bradley - $100
Randy Digh - $100
Amy Voss - $100

Karen and Brady Linkous -
John Waters - $75
Lisa Miller - $54
Brian Barrier - $50
Debbie Shuman - $50
Helena Jolanta - $50
In Memory of John Saul - $
Kathleen Mowery - $30
Nancy Wood - $25
Seth Eckard - $25
Sherry Young - $25
Gail Zorn - $25
Steve & Debbie Biele - $20

Status

Civil Engineering Documents - complete
Construction Documents - complete
H Frame installed - Transformer Ordered
Timber Package - Ordered
Structural Engineering - In progress
Contractor is lining up Grading
Major work starts at the park May 20
Completed August-September



RESULT: ITEM WAS REMOVED FROM THE MAY 6, 2024, AT 6:00 P.M.

CONSIDERATION OF APPROVAL OF CAPITAL PROJECT ORDINANCE AMENDMENT FOR LAKESIDE PARK PAVILION Assistant Town Manager/CFO Bo Weichel shared that this Capital Project Ordinance Amendment will transfer private donations from the McGalliard Bridge project to the Lakeside Park project to use the for park pavilion.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON MAY 6, 2024, AT 6:00 P.M.

EFFICIENCY TASK FORCE RECOMMENDATIONS Councilman Ogle said this would go on the May 6, 2024, agenda.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON MAY 6, 2024, AT 6:00 P.M.

APPOINTMENT TO THE DRUG & HOMELESS TASK FORCE Councilman Harvey understands that this is a Resolution to add more members to the Drug & Homeless Task Force.

i. **VALDESE POLICE CHIEF MARC SHARPE**

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON MAY 6, 2024, AT 6:00 P.M.

ii. **DRUG & HOMELESS TASK FORCE REPORT** Chief Sharpe will report at the May 6, 2024, meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON MAY 6, 2024, AT 6:00 P.M.

FACILITIES REVIEW COMMITTEE REPORT Councilman Harvey shared that the next Facilities Review Committee meeting is tomorrow and they will finalize a presentation for the May 6, 2024, meeting. Councilman Harvey said the presentation would also address the next three business items below.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON MAY 6, 2024, AT 6:00 P.M.

CONSIDERATION OF APPROVAL OF CONTRACT FOR ARCHITECTURAL FIRM FOR PUBLIC SAFETY BUILDING

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON MAY 6, 2024, AT 6:00 P.M.

CONSIDERATION OF MAKING OFFER TO ACQUIRE 200 MASSEL AVE

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON MAY 6, 2024, AT 6:00 P.M.

CONSIDERATION OF LISTING AGREEMENT FOR 800 PINEBURR AVE SE

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON MAY 6, 2024, AT 6:00 P.M.

AWARD OF BID FOR CLINE PUMP STATION UPGRADES Water Resources Director Greg Padgett shared that we received three responsible bids and recommended Carolina Grading and Utilities for the improvements at Cline Pump Station. Mr. Padgett hopes that these improvements will address all the needs. Mr. Padgett noted that this project went before DEQ in 2020 and finally got through the process. Mr. Padgett said the bid amount was for $1,157,710.00 and we are asking the Town to set aside $57,886 for contingency. Mr. Padgett said that the funds come from DEQ, which is a State revolving fund.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON MAY 6, 2024, AT 6:00 P.M.

CONSIDERATION OF APPROVAL OF CONTRACT FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR PERMANENT POOL STRUCTURE Parks & Recreation Director David Andersen met with several Architectural engineering firms and is in the process of negotiating with one of the firms and should have a contract by May 6, 2024.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON MAY 6, 2024, AT 6:00 P.M.

CONSIDERATION OF OLD ROCK SCHOOL RENOVATIONS PHASE 2 Community Affairs Director Morrissa Angi shared that we have been awarded more money through the Rural Downtown Economic Development grant program, so various resolutions and contracts will be up for approval at the next Council meeting.

i. **APPROVAL OF RESOLUTION RURAL DOWNTOWN ECONOMIC DEVELOPMENT (RDED) GRANT PROGRAM** – Outline of the intent of the grant application and funds that we will receive.
ii. **RESOLUTION EXEMPTING SURVEY SERVICES FOR 400 MAIN ST. W –** Needed since the architectural fees are less than $50,000.00.
iii. **PROPOSAL FOR PROFESSIONAL SERVICES FOR RDED GRANT** – Phase 2 proposal from current architect Greenberg Farrow.
iv. **CONSTRUCTION CONTRACT FOR THE SCOPE OUTLINED IN THE RDED GRANT** – Phase 2 proposal from current contractor Houck Construction.
v. **CAPITAL PROJECT ORDINANCE AMENDMENT** – Outlines the use of grant funds.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON MAY 6, 2024, AT 6:00 P.M.

Councilwoman Lowman asked for an update on the fundraising efforts. Ms. Angi said that as of today, we are at $75,185.00, which has been brought in from the community for the auditorium seating.

Town Attorney Tim Swanson said that we needed to add to the agenda the AIA Town Architect contract approval.

PUBLIC HEARING: REZONING MAP AMENDMENT 1-2-24 - B-1 CENTRAL BUSINESS DISTRICT TO B-2 GENERAL BUSINESS DISTRICT Planning Director Larry Johnson shared that we would have a public hearing at the May 6, 2024, to look at re-zoning 24 parcels that are currently located in the central business district to a general business zoning designation. Mr. Johnson will give more details during the public hearing.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON MAY 6, 2024, AT 6:00 P.M.

PUBLIC HEARING: ZONING ORDINANCE TEXT AMENDMENT 1-2-24 - ARTICLE E – B-2 GENERAL BUSINESS DISTRICT AND M-1 MANUFACTURING DISTRICT Planning Director Larry Johnson shared that this public hearing will involve amending zoning language specifically in the B-2 general district. Mr. Johnson said it would also involve some of the permitted uses in downtown. Mr. Johnson will give more details during the public hearing.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON MAY 6, 2024, AT 6:00 P.M.

CONSIDERATION OF APPROVING RESOLUTION EXEMPTING ENGINEERING SERVICES FOR 102 TORRE PELLICE ST. SE CULVERT Assistant Town Manager/CFO Bo Weichel identified the location of the culvert needs of investigation near Children's Park. Mr. Weichel shared that this culvert is an access point for the private property at 102 Torre Pellice. Mr. Weichel noted that the Town has to maintain the culvert and the structural engineer report is needed to see how much weight the culvert can handle. Mr. Weichel said that instead of going out for an RFQ process, because this would be under $50,000.00, this resolution exemption will allow us to get the engineering work done directly. Mr. Weichel believes it will cost around $6,000.00.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON MAY 6, 2024, AT 6:00 P.M.

CONSIDERATION OF APPROVING RESOLUTION OF SALE OF TOWN-OWNED PROPERTY – 118 FAT AVE. Planning Director Larry Johnson shared that we have gone through the upset bid process, and as a result of that, the highest bid came in at $14,000.00 from Tim Norman. Mr. Johnson said that staff requests that Council accept the bid.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON MAY 6, 2024, AT 6:00 P.M.

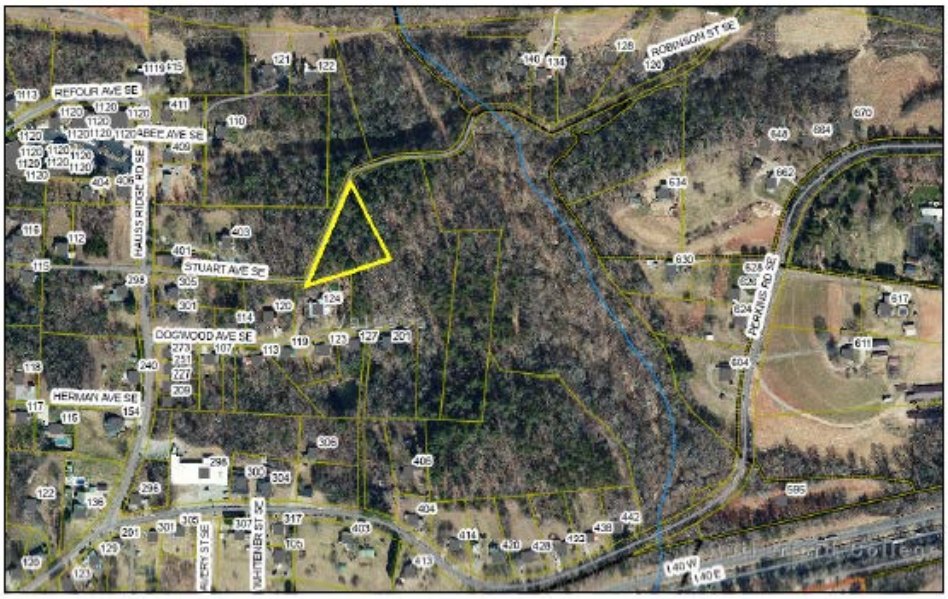
Council members discussed designating the funds from property sales to the Public Safety Building. Mr. Weichel said we could put the funds directly into the project fund. Councilman Harvey would like to see all the property sales go into the Public Safety building fund.

CONSIDERATION OF APPROVING RESOLUTION OF SALE OF TOWN-OWNED PROPERTY – 104 ROLLER ST. SW Assistant Town Manager/CFO Bo Weichel shared that this property went through the upset bid process and there was no upset bids, so it would sell at the original bid of $35,000.00.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON MAY 6, 2024, AT 6:00 P.M.

CONSIDERATION OF APPROVING RESOLUTION AUTHORIZING UPSET BID PROCESS FOR THE SALE OF TOWN-OWNED PROPERTY – 308 STUART AVE SE Assistant Town Manager/CFO Bo Weichel said that this was another offer the Town received for a 1 acre parcel at 308 Stuart Ave SE in the amount of $10,000.00.

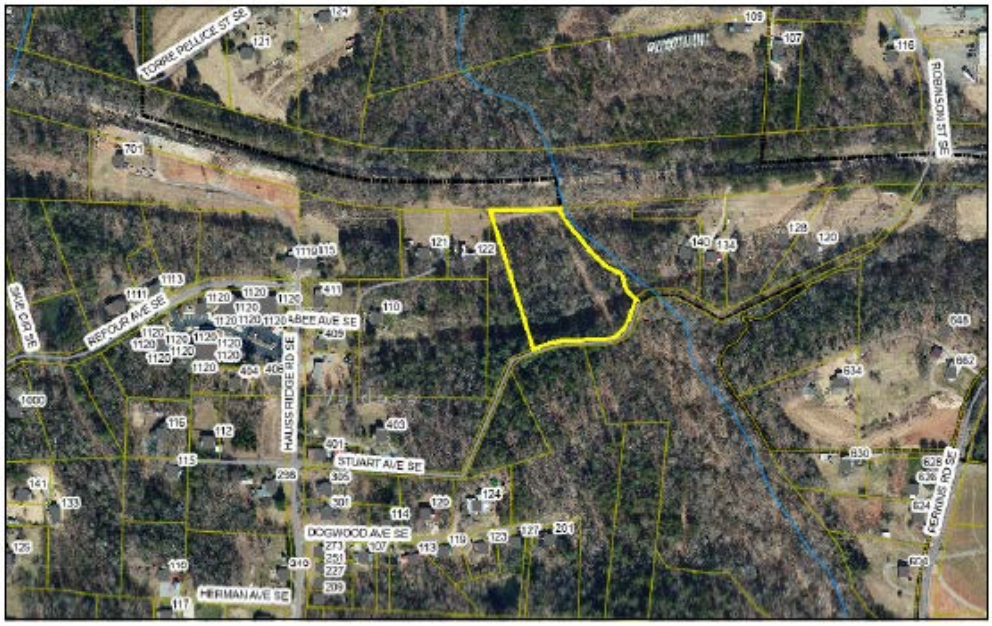
308 Stuart Ave SE



RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON MAY 6, 2024, AT 6:00 P.M.

CONSIDERATION OF APPROVING RESOLUTION AUTHORIZING UPSET BID PROCESS FOR THE SALE OF TOWN-OWNED PROPERTY – 317 STUART AVE SE Assistant Town Manager/CFO Bo Weichel said that this was another offer the Town received for a 3.28-acre parcel at 317 Stuart Ave SE in the amount of $20,000.00.

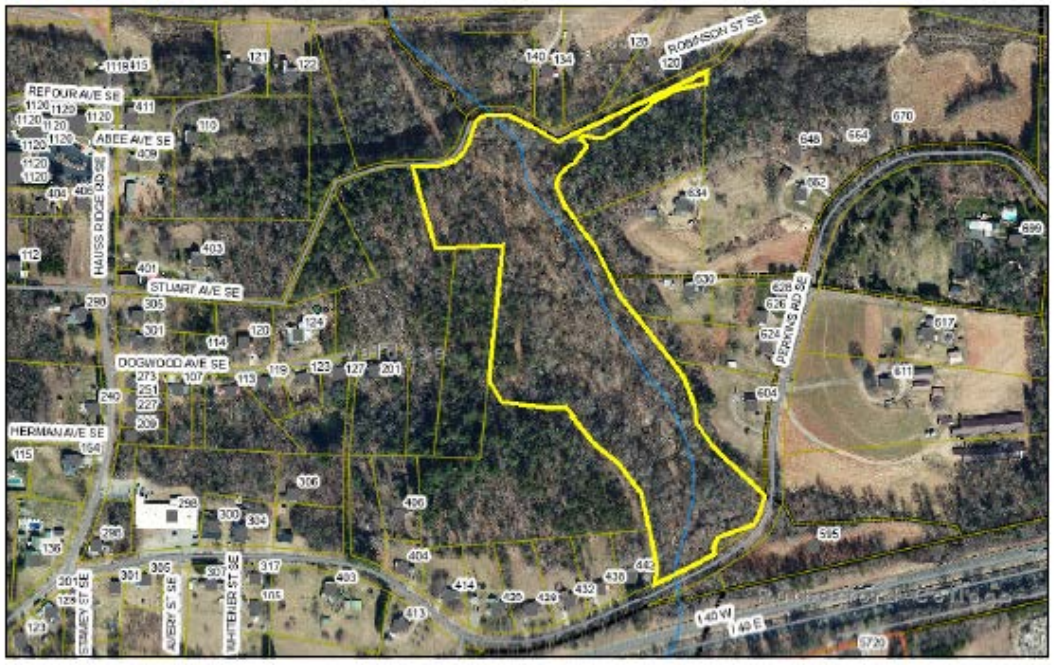
317 Stuart Ave SE



RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON MAY 6, 2024, AT 6:00 P.M.

CONSIDERATION OF APPROVING RESOLUTION AUTHORIZING UPSET BID PROCESS FOR THE SALE OF TOWN-OWNED PROPERTY – 460 PERKINS RD SE Assistant Town Manager/CFO Bo Weichel said that this was another offer the Town received for a 13.44 acre parcel at 460 Perkins Rd SE in the amount of $40,000.00.

460 Perkins Rd SE



RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON MAY 6, 2024, AT 6:00 P.M.

CONSIDERATION OF APPROVING RESOLUTION TO PARTICIPATE IN NC COOPERATIVE LIQUID ASSETS SECURITIES SYSTEM Assistant Town Manager/CFO Bo Weichel shared that in North Carolina, there is only a certain amount of investments that local governments can make based on the statutes. Mr.

Weichel said that this is one that is authorized in the NCGS 159-30, and Mr. Weichel feels that we could get a higher rate on our investment using this investment tool. Mr. Weichel noted that it does not cost us anything; by approving the resolution, it allows us to join their cooperative.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON MAY 6, 2024, AT 6:00 P.M.

CONSIDERATION OF RENEWING LEASE AGREEMENT WITH FOOTHILLS BROADBAND Zach Chiz, COO of Foothills Broadband, said that he was looking for approval on the lease agreement on the property that Foothills currently leases from the Town where all their fiber generates. Mr. Chiz would like a long-term agreement, and he hopes that shows his longevity plans for being in Valdese for a long time. Mr. Chiz said that this would help with the Councils strategic goals in economic development. Mr. Chiz noted that Foothills Broadband gives you another provider in the area to choose from and the speed is tailored for every group of people living in the Town. Mr. Chiz went over the following options:



Councilman Harvey commented that the present lease is a one-year lease, $500.00 a month, and continues month to month at the same rate; the ten-year lease would start at $500.00 a month and then has a 3% increase each year. Councilman Harvey noted that the Facilities Review Committee is dealing with properties in that area in planning for the future of the Public Safety Building. Mr. Chiz said the long-term lease agreement allows us the feeling of not having a risk of having to move it. Mr. Chiz is implementing an Affordable Care Program from the government to help low-income residents. Councilwoman Lowman stated that she is for moving this forward and believes this is a huge investment in Town. Councilman Mears agrees 100%. Councilman Harvey does not want to move this item to the Consent Agenda. Mayor Watts feels this aligns with the Strategic Plan, and we must move forward. Jodi Chiz, CEO of Foothills Broadband, identified other things on the parcel and noted that the internet originates in the building, and if it has to be moved, the services would have to be cut off. Ms. Chiz said that if we do not have a guarantee that we can continue to provide the service, then we are not making good on our promises to the Town people. Councilman Mears asked Mr. Chiz to address the repairs of the streets. Mr. Chiz said that he is working with Allen Hudson, and they have a plan to locate every point that the crews have touched with a GPS locator and make sure that Mr. Hudson and DOT are good with the re-paving. Mr. Chiz said that everything would be completed in 30 – 60 days.

Councilman Mears made a motion to move this item to the Consent Agenda, seconded by Councilwoman Lowman. Councilman Mears – Yes, Councilman Ogle – Yes, Councilwoman Lowman – Yes, Councilman Harvey – No. Motion carried.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON MAY 6, 2024, AT 6:00 P.M.

CONSIDERATION OF CAPITAL PROJECT ORDINANCE – HOYLE CREEK RESTORATION Assistant Town Manager/CFO Bo Weichel reminded the Council that we had a presentation on this project a month ago, and we received 2.2 million in grant monies to restore the stream and side path. Mr. Weichel said that this ordinance establishes the project fund.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON MAY 6, 2024, AT 6:00 P.M.

CONSIDERATION OF BUDGET AMENDMENT Assistant Town Manager/CFO Bo Weichel shared a Budget Amendment to transfer $30,000.00 from the General Fund Balance to cover the salary for Town Attorney fees.

Attorney fees included in the budget are based on historical need of services billed on an hourly basis. The last few months have had triple the amount of use and associated fees. This results in shortage of funds to pay the Attorney for the final three months of this fiscal year.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON MAY 6, 2024, AT 6:00 P.M.

INTERIM MANAGER'S REPORT:

Granville Morrow Fun Fish Day is scheduled for Saturday, May 11, 2024, 9:00 a.m. – 1:00 p.m. at McGalliard Falls. Register online at valdese.recdesk.com. Rain Date: May 18, 2024

Family Friday Nights Kickoff Celebration is scheduled for Friday, May 17, 2024, 7:00 p.m. – 10:00 p.m., with Too Much Sylvia, at the Temple Field. Concerts will continue every Friday until August 30, 2024.

Town Offices Closed on Monday, May 27, 2024, in Observance of Memorial Day

Next Agenda Review Council meeting is scheduled for Wednesday, May 29, 2024, 6:00 p.m., Council Chambers, Valdese Town Hall.

Mr. Steen recommended to either reschedule the next Council meeting to May 28, 2024 to add revisions to the FY 24-25 proposed budget discussion or add a special meeting on May 21, 2024, at 3:00 pm to discuss the budget revisions.

Councilwoman Lowman asked if we could move the June 24, 2024, meeting to June 17, 2024.

Mr. Weichel was asked to make a separate report to assess our progress in FY 23-24 year-to-date.

Next Regular Council meeting scheduled for Monday, June 3, 2024, 6:00 p.m.

Councilwoman Lowman made a motion to change the Pre-agenda Council meeting date to May 28, 2024, and the second June meeting to June 17, 2024, seconded by Councilman Mears. The vote was unanimous.

ADJOURNMENT: At 7:18 p.m., there being no further business to come before Council, Councilwoman Lowman made a motion to adjourn, seconded by Councilman Ogle. The vote was unanimous.

_____ _____

Town Clerk Mayor

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TOWN OF VALDESE
TOWN COUNCIL REGULAR MEETING
MAY 6, 2024

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

Absent: None

A quorum was present.

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

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

RESOLUTION OF APPRECIATION - WT SORRELL Mayor Watts presented the following Resolution of Appreciation to W.T. Sorrell:

OF APPRECIATION FOR
WILLIE THOMAS (W.T.) SORRELL, III

WHEREAS, W.T. Sorrell, for the past eight years has served the Town of Valdese with distinction as a committed and dedicated Board Member with the Valdese ABC Board; and

WHEREAS, W.T.'s eight years of service have been marked by exemplary dedication, integrity, and professionalism to serve the best interests of the community, our citizens, and the Valdese ABC Board; and

WHEREAS, W.T. has earned the admiration and high regard of those with whom he has worked and the members of the public with whom he has served these past eight years; and

WHEREAS, W.T. began serving the Valdese ABC Board as a Board Member at a time when the organization was still seeking profitability; and through his leadership realized the promise of quarterly distributions from the Valdese ABC Board to the Town of Valdese and its' citizens; and

WHEREAS, W.T. has been instrumental in the operational oversight of the Valdese ABC Board, establishing a strong foundation of wisdom, integrity, and experience.

WHEREAS, W.T. has been instrumental in securing a promising future for the Valdese ABC Board by recruiting and hiring staff members who are qualified, committed, and progressive in improving the quality of experience for customers and community; and

WHEREAS, W.T. has demonstrated a career of accomplishment and distinction in industry, local government administration, and strong leadership to those who he has served.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Valdese as we take this occasion to express honor, respect, and admiration to W.T. Sorrell for his outstanding contributions to the Valdese ABC Board and the Town of Valdese.

BE IT FURTHER RESOLVED, that the Town Council of the Town of Valdese, North Carolina, hereby expresses its sincere appreciation and gratitude to W.T. Sorrell for his service and leadership to the Valdese ABC Board and the Town of Valdese during the past eight years and extends congratulations and best wishes upon expiration of his term.

Adopted this the 1st day of April, 2024.

_____
Charles Watts, Mayor

VALDESE PILOT CLUB AED PRESENTATION Julie Huffman, President of the Valdese Pilot Club said, "One of the members of our club is an active participant in the aquatics program at the Valdese Rec Center. It was brought to her attention by a lifeguard, Mr. Elisa Phipps, that there was not an AED at the Splash Pad Building. With many children continually using the Splash Pad and numerous exercise classes in the Splash Pad building, it was apparent an accident might be waiting to happen. So, with the assistance of Mayor Watts and the Valdese Fire Department plus a matching grant from Pilot International, the Pilot Club of Valdese was able to purchase two AED's with matching first aid attachments. It is my privilege as President of the Pilot Club of Valdese to present these AED's to the Town of Valdese. One to be housed in the Splash Pad Building and other at the Old Rock School. This will make our eighth and ninth AED we have contributed to the community." Mayor Watts thanked the Pilot Club of Valdese for what they do and said that this program has saved lives.

FOOTHILLS BROADBAND – RONNIE HARMON, 904 CHURCH ST NW, VALDESE: Mr. Harmon has lived in Valdese for many years, and this is the first time he has addressed Council. Mr. Harmon moved his business from Morganton to Valdese a year ago. Mr. Harmon said his business provides IT support to many businesses in North Carolina and the local community. Mr. Harmon shared how important Foothills Broadband is to his company and that he never thought he would get internet in his building. Mr. Harmon called several internet service providers, but the speeds would not be what they needed. Mr. Harmon had to send employees home to work. Mr. Harmon said Foothills Broadband entered Town and got them a fiber internet connection, allowing them to service more people. Mr. Harmon said we have to have them and that the owners are good people. Mr. Harmon encouraged the Council to work with them.

FOOTHILLS BROADBAND – RICK MCCLURD, 408 GARROU AVE SE, VALDESE: Mr. McClurd has worked with Ronnie Harmon and also worked at Corning. Mr. McClurd shared that everything he has done has had technology tied to it. Mr. McClurd has fiber optic experience and says technology is here to stay. Mr. McClurd knows what Foothills Broadband can do for us. Mr. McClurd noted that the Town Council only gave Mr. Chiz a one-year lease contract which was a problem from the beginning. Mr. McClurd encouraged the Council to work with him and get this problem solved.

FOOTHILLS BROADBAND – JIM JACUMIN, 3690 MILLER BRIDGE RD, CONNELLY SPRINGS: Mr. Jacumin thanked the Council for all the additional paperwork that shows someone has been working hard. Mr. Jacumin says that the new Police Chief is working on the vagrant problem, and town-owned property is being sold, which is commendable. Mr. Jacumin noted that we did not do our thinking when we started Broadband and shared the six P's: previous, prior, planning, prevents, poorer, and performance. Mr. Jacumin asked the Council to think about every individual who pays taxes when you do negotiating. Mr. Jacumin said if it takes another month, do that, take your time, and negotiate this out where it is fair to Valdese and this gentleman.

FOOTHILLS BROADBAND – ZACH CHIZ, 103 MAIN ST W, VALDESE: Mr. Chiz read two letters to the Council, one from a business owner in Valdese, Dallas Stoudemire and one from a resident on Flap Gap mountain, Willie Bradshaw. Both individuals were in support of Foothills Broadband.

FUN THINGS – TIM BARUS, 998 LAUREL ST NE, VALDESE: Mr. Barus provided a copy of his public comment to the Town Clerk:

First, I would like to say thank you to the town employees. Most of you struggle to live with today's inflation and the best way to really say thank you is to pay you for your service, dedication, loyalty, credentials, knowledge, and experience that you give to Valdese each day. 5% Does not cover the cost of living.
This council agreed during the Strategic Planning that one of the top Priorities Identified was the Recruitment and Retention of employees.
How will we remain competitive in today's job market? What are the plans for the future?
Let's take a moment and look at the factors the pertain to the budget.
MOST citizens remember more than just the campaign promise of a 41.5 tax rate.
-The promise of Transparency was exhibited all over town
-Citizens were also promised a tax refund
- a 10% raise was promised to the staff
Previously on March 4th, I spoke to you about the fees being charged for emails and records requests. Let me be clear again, the reason for the request was and is the citizens' concern for LACK OF TRANSPARENCY that was promised to the citizens. I have also requested the Town's Attorney Invoices for the months of December 23, Jan, Feb, and March 2024.

After receiving the requested emails, it was rather disheartening to read the public records filled with disgusting, immoral, dishonorable, passive aggressive and bullying content.
Out of respect for the council members mentioned, their innocent family members, and employees, These emails will not be read this evening.
These documents are public record and are clear evidence that there will be little to no TRANSPARENCY and professionalism.
Let us now take a look at the Attorney Invoice Breakdown:
The data was collected from the Invoices from the 4 months mentioned earlier.

2-Council Emails	1- Phone Calls	3-MEETINGS
(42 Emails)	(11)	(11 Meetings)
Billable Hours 39.7	Billable Hours 2.6	Billable Hours 47.4
Total= $9,357.00	Total = $611.00	Total = $12,220.00

*Most of these charges are from a single council member.
Parks and Rec Project = $2,652.50
News Media request = Approximately $4,100.00
Citizens requests = $752.00 *Invoice was not itemized, Not accurate Should be between 2,000 to 2,500
From Dec 2022 to Nov 2023 $35,537.51 *One YEAR FROM DEC 2023 TO MARCH 2024 = $41,939.19
Instead of a $80,000.00 Attorney Fee Increase to the budget, how about being mindful of how you spend the town's money. We must take care of our precious resource and those that actually carry out our services. We have a lot of our employees struggling to live on their salaries as the cost of living continues to rise.
THEY HAVE SERVED YOU, NOW IT IS TIME TO SERVE THEM.
It costs $26,000.00 per each percent for employee raises, so Take the attorney fees and give them a 7% raise, something that will make a little difference.
The Behavior towards Town Employees, Businessmen, Citizens, and other Professionals that is being displayed at Public meetings is abhorrent, repugnant and inconsistent with the values of the citizens of Valdese
I think we the citizens of Valdese, would like to know, what are the plans for the future? 41.5 tax rate this year, is it the plan to maintain this rate or is this a only for one year?
Please answer the question.

CONSENT AGENDA: (enacted by one motion)

APPROVED AGENDA REVIEW MEETING MINUTES OF MARCH 25, 2024

APPROVED REGULAR MEETING MINUTES OF APRIL 1, 2024

APPROVED BUDGET RETREAT MINUTES OF APRIL 15 &16, 2024

APPROVED SPECIAL CALLED MEETING MINUTES OF APRIL 22, 2024

APPROVED CLOSED SESSION MINUTES OF APRIL 22, 2024

APPROVED BUDGET REVIEW MINUTES OF APRIL 22, 2024

APPROVED AMENDED RESOLUTION TO THE DRUG & HOMELESS TASK FORCE

A RESOLUTION AMENDING MEMBERSHIP OF THE AD HOC DRUG AND HOMELESS ADVISORY TASK FORCE COMMITTEE

WHEREAS, Town Council for the Town of Valdese is committed to making the Town of Valdese a desirable and inviting community for all citizens; and

WHEREAS, by Resolution dated January 8, 2024, Town Council established an Ad Hoc Drug and Homeless Advisory Task Force Committee (the "Committee") tasked with exploring ways to address substance abuse and homelessness in the Town of Valdese; and

WHEREAS, the Committee is currently limited to five (5) members; and

WHEREAS, the Town Council desires increase the Committee's membership so that it will hereinafter consist of a *minimum* of five (5) members who shall be appointed by Town Council.

NOW, THEREFORE, BE IT RESOLVED that membership of the Committee shall include a minimum of five (5) members who shall be citizens of the Town of Valdese having special interest, experience and/or expertise in addressing homelessness and/or the issues surrounding drug use and related criminal activity and who shall be appointed by Town Council.

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

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

APPROVED APPOINTMENT OF POLICE CHIEF MARC SHARPE TO THE DRUG & HOMELESS TASK FORCE Councilwoman Heather Ward has put forward the nomination of Valdese Police Chief Marc Sharpe to serve on the Drug & Alcohol Task Force. If appointed, Chief Sharpe will serve as co-chair alongside Valdese Police Sergeant William Beck.

APPROVED PRELIMINARY PLAT FOR VALDESE BLUFFS Due to the removal of a marina, multi-family units, and commercial development, Valdese Bluffs is now considered a major subdivision instead of a planned unit development residential.

APPROVED CAPITAL PROJECT ORDINANCE AMENDMENT FOR LAKESIDE PARK PAVILION

Valdese Town Council Meeting — Monday, May 6, 2024

Capital Project Ordinance Amendment # 4-34

Subject: Lakeside Park Pavilion

Description: This amendment transfers private donations from the McGalliard Bridge project to Lakeside Park project.

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
33.3970.001	Donations	18,722.35	
34.3970.003	Donations		18,722.35
	Total	$18,722.35	$18,722.35

Amounts appropriated for capital projects are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
33.6200.760	Construction		155.53
33.6200.040	Professional Services		18,566.82
34.6200.760	Construction	18,722.35	
	Total	$18,722.35	$18,722.35

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.

APPROVED RESOLUTION EXEMPTING ENGINEERING SERVICES FOR 102 TORRE PELLICE ST. SE CULVERT

RESOLUTION EXEMPTING ENGINEERING SERVICES FOR 102 TORRE PELLICE ST SE, VALDESE, NC (REID: 38617) FROM G.S. 143-64.31

WHEREAS, G.S. 143-64.31 requires the initial solicitation and evaluation of firms to perform architectural, engineering, surveying, construction management-at-risk services, and design-build services (collectively "design services") to be based on qualifications and without regard to fee; and

WHEREAS, the Town of Valdese proposes to enter into a contract for engineering services for work on 102 Torre Pellice St SE, Valdese, NC; and

WHEREAS, G.S. 143-64.32 authorizes units of local government to exempt contracts for design services from the qualifications-based selection requirements of G.S. 143-64.31 if the estimated fee is less than $50,000; and

WHEREAS, the estimated fee for design services for the above-described project is less than $50,000.

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

Section 1. The above-described project is hereby made exempt from the provisions of G.S. 143-64.31.

Section 2. This resolution shall be effective upon adoption.

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

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

APPROVED RESOLUTION OF SALE OF TOWN-OWNED PROPERTY – 118 FAT AVE.

RESOLUTION AUTHORIZING SALE OF REAL PROPERTY

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

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

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

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

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

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

WHEREAS, at its February 16, 2024 regular meeting, Town Council adopted a Resolution Authorizing Upset Bid Process authorizing the sale of the Property through the upset bid procedure of North Carolina General Statute § 160A-269;

WHEREAS, as required by N.C.G.S. § 160A-269, the Town Council directed Town representatives to publish notice of the Town's intent to accept the offer and notice that persons could raise the bid, and that notice was published;

WHEREAS, the offer of T.L. Norman Land Company for $14,000.00 is the last and highest bid for the Property; and

WHEREAS, the Town does not need the Property, and the Town therefore desires to accept the offer made by T.L. Norman Land Company and sell the Property to T.L. Norman Land Company upon the terms hereafter set forth; and

WHEREAS, T.L. Norman Land Company will be responsible for all legal fees associated with preparing the closing documents and all closing costs necessary to transfer ownership from the Town to T.L. Norman Land Company.

IT IS THEREFORE RESOLVED that, pursuant to N.C.G.S. § 160A-269, the sale of the Property to T.L. Norman Land Company for the purchase price of $14,000.00 is approved and the Town Manager is hereby authorized and directed to deliver to T.L. Norman Land Company 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 T.L. Norman Land Company pay all legal fees associated with preparation of the closing documents and all closing costs necessary to transfer ownership from the Town to T.L. Norman Land Company.

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

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

APPROVED RESOLUTION OF SALE OF TOWN-OWNED PROPERTY – 104 ROLLER ST. SW

RESOLUTION AUTHORIZING SALE OF REAL PROPERTY

Sale of 2.09 Acre Tract at 104 Roller Street SW, Valdese, NC (REID: 30985)

WHEREAS, the Town of Valdese (the "Town") is the owner of that certain tract or parcel of real property (the "Property") situated in Lovelady Township, Valdese, North Carolina commonly known as 104 Roller Street SW, Valdese, North Carolina, PIN: 2733654336, REID: 30985, which Property is more particularly described in Deed Book 2078, Pages 494, Burke County Registry as follows:

BEING ALL of Tract 3, containing 2.730 acres, more or less, as shown on that certain plat entitled "Property to be conveyed to Solely DG, LLC", prepared by Douglas A. Garber, PLS, dated October 27, 2011, as recorded in Plat Book 41, Page 234, Burke County Registry.

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

WHEREAS, on or about March 13, 2024, the Town received an offer to purchase the Property from Barktopia Stay & Play Pet Resort & Daycamp, LLC for $35,000.00; and

WHEREAS, at its April 1 2024 regular meeting, Town Council adopted a Resolution Authorizing Upset Bid Process authorizing the sale of the Property through the upset bid procedure of North Carolina General Statute § 160A-269;

WHEREAS, as required by N.C.G.S. § 160A-269, the Town Council directed Town representatives to publish notice of the Town's intent to accept the offer and notice that persons could raise the bid, and that notice was published;

WHEREAS, no upset bids were received within the ten (10) day upset bid period and the offer of Barktopia Stay & Play Pet Resort & Daycamp, LLC for $35,000.00 is the last and highest bid for the Property; and

WHEREAS, the Town does not need the Property, and the Town therefore desires to accept the offer made by Barktopia Stay & Play Pet Resort & Daycamp, LLC and sell the Property to Barktopia Stay & Play Pet Resort & Daycamp, LLC upon the terms hereafter set forth; and

WHEREAS, Barktopia Stay & Play Pet Resort & Daycamp, LLC will be responsible for all legal fees associated with preparing the closing documents and all closing costs necessary to transfer ownership from the Town to Barktopia Stay & Play Pet Resort & Daycamp, LLC.

IT IS THEREFORE RESOLVED that, pursuant to N.C.G.S. § 160A-269, the sale of the Property to Barktopia Stay & Play Pet Resort & Daycamp, LLC for the purchase price of $35,000.00 is approved and the Town Manager is hereby authorized and directed to deliver to Barktopia Stay & Play Pet Resort & Daycamp, LLC 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 Barktopia Stay & Play Pet Resort & Daycamp, LLC pay all legal fees associated with preparation of the closing documents and all closing costs necessary to transfer ownership from the Town to Barktopia Stay & Play Pet Resort & Daycamp, LLC.

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

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

APPROVED RESOLUTION AUTHORIZING UPSET BID PROCESS FOR THE SALE OF TOWN-OWNED PROPERTY – 308 STUART AVE SE

RESOLUTION AUTHORIZING UPSET BID PROCESS

Sale of 1.00 +/- Acre Tract at 308 Stuart Ave SE, Valdese, NC (REID: 10507)

WHEREAS, the Town of Valdese (the "Town") is the owner of that certain tract or parcel of real property (the "Property") situated in Lovelady Township, Valdese, North Carolina commonly known as 308 Stuart Ave SE, Valdese, North Carolina, PIN: 2743526258, REID: 10507, which Property is more particularly described in Deed Book 1044, Pages 150-152, Burke County Registry as follows:

BEGINNING on iron stake at the intersection of the new road and runs then North 76° East with north margin of said new road, 18½ poles to stake, a corner of Lot No 3, then with Lot No. 3, 24 poles more or less to a stake in the road, then with the road, 26 poles to the point of BEGINNING, containing 1 acre, more or less, being Lot No 4 of Report of Commissioners Deed.

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

WHEREAS, on or about March 25, 2024, the Town received an offer to purchase the Property from Michael R. Abee for $10,000.00; and

WHEREAS, Michael R. Abee has deposited five percent (5%) of its bid with the town clerk.

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

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

2. The Town Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the Property and the amount of the offer and shall state the terms under which the offer may be upset.

3. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the Town Clerk within ten (10) days after the notice of sale is

published. At the conclusion of the 10-day period, the Town Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

4. If a qualifying higher bid is received, the Town Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Town Council.

5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first $1,000.00 of that offer and five percent (5%) of the remainder of that offer.

6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid. The deposit may be made by cashier's check or by certified check. The Town will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The Town will return the deposit of the final high bidder at closing.

7. The terms of the final sale are that:

   (a) the Town Council must approve the final high offer before the sale is closed, which it will do within thirty (30) days after the final upset bid period has passed;
   (b) the buyer must pay the purchase price in certified funds at the time of closing;
   (c) the Property shall be sold "as is" and subject to all existing easements;
   (d) the Town will reserve easements for all town utility lines located on or under the Property; and
   (e) the Property shall be conveyed by special warranty deed.

8. The Town reserves the right to withdraw the Property from sale at any time before the final high bid is accepted and the right to reject all bids at any time.

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

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

APPROVED RESOLUTION AUTHORIZING UPSET BID PROCESS FOR THE SALE OF TOWN-OWNED PROPERTY – 317 STUART AVE SE

RESOLUTION AUTHORIZING UPSET BID PROCESS

Sale of 3.28 +/- Acre Tract at 317 Stuart Ave SE, Valdese, NC (REID: 38623)

WHEREAS, the Town of Valdese (the "Town") is the owner of that certain tract or parcel of real property (the "Property") situated in Lovelady Township, Valdese, North Carolina commonly known as 317 Stuart Ave SE, Valdese, North Carolina, PIN: 2743528801, REID: 38623, which Property is more particularly described in Deed Book 112, Page 522, Burke County Registry as follows:

Beginning at a point in center of road in line of the Town of Valdese, Impounding Basin and runs with the said line the following courses and distances, North 32 deg. 0' West 71.1 feet; North 41 deg. and 52' East 65 feet to the center of creek; thence down the meanders of said creek and the line of Valdese Property line, approximately North 25 deg. West 435 feet to a point in creek, their corner; thence down the meanders of the present creek as now runs North 32 deg. and 30' West 180 feet to the mouth of Culvert over the Railroad; the same course North 32 deg. and 30' West 50 feet to a point in center of Creek over the Culvert of the Southern Railroad track; thence with the center of Southern Railroad tract North 86 deg. West 240

feet to a point in said tract; thence leaving the railroad and running South 6 deg. East 51 feet to a white oak a new marked corner 3 hacks; thence with a new line South 18 deg. and 0' East 560 feet to a point in center of road leading across the Impounding Water Basin of the Tom of Valdese; thence with the said road approximately 330 feet to the point of Beginning, and containing 4 acres more or less, as surveyed by James A. Harbison, County Surveyor, December 22, 1951.

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

WHEREAS, on or about March 25, 2024, the Town received an offer to purchase the Property from Michael R. Abee for $20,000.00; and

WHEREAS, Michael R. Abee has deposited five percent (5%) of its bid with the town clerk.

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

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

10. The Town Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the Property and the amount of the offer and shall state the terms under which the offer may be upset.

11. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the Town Clerk within ten (10) days after the notice of sale is published. At the conclusion of the 10-day period, the Town Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

12. If a qualifying higher bid is received, the Town Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Town Council.

13. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first $1,000.00 of that offer and five percent (5%) of the remainder of that offer.

14. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid. The deposit may be made by cashier's check or by certified check. The Town will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The Town will return the deposit of the final high bidder at closing.

15. The terms of the final sale are that:

    (f) the Town Council must approve the final high offer before the sale is closed, which it will do within thirty (30) days after the final upset bid period has passed;
    (g) the buyer must pay the purchase price in certified funds at the time of closing;
    (h) the Property shall be sold "as is" and subject to all existing easements;
    (i) the Town will reserve easements for all town utility lines located on or under the Property; and
    (j) the Property shall be conveyed by special warranty deed.

16. The Town reserves the right to withdraw the Property from sale at any time before the final high bid is accepted and the right to reject all bids at any time.

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

Signature Appears on Following Page.

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

APPROVED RESOLUTION AUTHORIZING UPSET BID PROCESS FOR THE SALE OF TOWN-OWNED PROPERTY – 460 PERKINS RD SE

RESOLUTION AUTHORIZING UPSET BID PROCESS

Sale of 13.44 +/- Acre Tract at 460 Perkins Rd SE, Valdese, NC (REID: 38624)

WHEREAS, the Town of Valdese (the "Town") is the owner of that certain tract or parcel of real property (the "Property") situated in Lovelady Township, Valdese, North Carolina commonly known as 460 Perkins Rd SE, Valdese, North Carolina, PIN: 2743624062, REID: 38624; and

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

WHEREAS, on or about March 25, 2024, the Town received an offer to purchase the Property from Michael R. Abee for $40,000.00; and

WHEREAS, Michael R. Abee has deposited five percent (5%) of its bid with the town clerk.

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

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

18. The Town Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the Property and the amount of the offer and shall state the terms under which the offer may be upset.

19. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the Town Clerk within ten (10) days after the notice of sale is published. At the conclusion of the 10-day period, the Town Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

20. If a qualifying higher bid is received, the Town Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Town Council.

21. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first $1,000.00 of that offer and five percent (5%) of the remainder of that offer.

22. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid. The deposit may be made by cashier's check or by certified check. The Town will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The Town will return the deposit of the final high bidder at closing.

23. The terms of the final sale are that:

(k) the Town Council must approve the final high offer before the sale is closed, which it will do within thirty (30) days after the final upset bid period has passed;
(l) the buyer must pay the purchase price in certified funds at the time of closing;
(m) the Property shall be sold “as is” and subject to all existing easements;
(n) the Town will reserve easements for all town utility lines located on or under the Property; and
(o) the Property shall be conveyed by special warranty deed.

24. The Town reserves the right to withdraw the Property from sale at any time before the final high bid is accepted and the right to reject all bids at any time.

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

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

APPROVED RESOLUTION TO PARTICIPATE IN NC COOPERATIVE LIQUID ASSETS SECURITIES SYSTEM

Resolution to participate in North Carolina
Cooperative liquid assets securities systems

A resolution authorizing the Town of Valdese, North Carolina (the "Town") to join with other political subdivisions of the State of North Carolina as a Participant ("Participant") in the North Carolina Cooperative Liquid Assets Securities System (North Carolina CLASS) (the "Trust") to pool funds for investment.
WHEREAS, the provisions of Section 159-30 of the General Statutes of North Carolina, as amended ("N.C. Gen. Stat."), provide the guidelines for any local government or public authority of the State of North Carolina (a "Local Government" or "Local Government Unit") to invest idle funds;
WHEREAS, under N.C. Gen. Stat. § 159-30(c)(10), moneys may be invested in a commingled investment pool established by interlocal agreement pursuant to N.C. Gen. Stat. § 160A-460 through 160A-464 (a "Local Government Investment Pool"), if the investments of the Local Government Investment Pool are limited to those qualifying for investment under N.C. Gen. Stat. § 159-30(c) or other laws of the State of North Carolina governing the investment of monies of a Local Government Unit ("Permitted Investments");
WHEREAS, certain Local Government Units have executed an Interlocal Agreement dated March 1, 2023 (the "Original Interlocal Agreement" and as supplemented and amended the "Interlocal Agreement") for the purpose of creating the Trust or executed a joinder agreement for purposes of joining the Original Interlocal Agreement;
WHEREAS, the Trust is governed by the terms of an Indenture of Trust dated as of March 1, 2023 (the "Indenture"), which provides for the deposit of the pooled idle funds in the Trust and the investment of such funds in only Permitted Investments;
WHEREAS, the Town desires to become a party to the Interlocal Agreement and a Participant in the Trust.
NOW, THEREFORE, it is hereby RESOLVED by the Town Council (the "Governing Body") of the Town as follows:

1. The Governing Body hereby approves the Town becoming a party to the Interlocal Agreement and its participation in the Trust, which is governed by the Indenture.
2. The Governing Body authorizes the execution and delivery of a joinder agreement to Interlocal Agreement (the "Joinder Agreement") substantially in the form presented at this meeting, together with such changes, modifications and deletions as may be approved by the Town's Chief Financial Officer (the "Finance Officer"). The approval of the Joinder Agreement will be evidenced conclusively by the execution and delivery of the Joinder Agreement by the Finance Officer.
3. The Finance Officer is hereby authorized to take or cause to be taken any and all such other actions as they may determine in their discretion to be to be necessary or advisable or in the best interest of the Town in order to effectuate, complete and carry out the intent and purposes of the foregoing resolutions and the management, supervision, and investment of the Town's idle funds, including, but not limited to, the execution of all depository forms or other documents required by the administrator, the custodian or the investment advisor of the Trust and execution of amendments to the Interlocal

Agreement entered into for the purpose of (i) adding an additional Participant to the Trust or (ii) which do not have financial implications for the Town.

4. The Governing Body hereby approves the Finance Officer to serve as the Town's Authorized Representative under the Interlocal Agreement and the Indenture and in such capacity shall remain responsible for the management, supervision and investment of the Town's idle funds.

The undersigned hereby certifies that the Town Council has enacted this Resolution, or another form of Resolution, a copy of which is enclosed, and that such Resolution is a true and correct copy of the original which is in my possession.

/s/ Charles Watts, Mayor

APPROVED CAPITAL PROJECT ORDINANCE – HOYLE CREEK RESTORATION

TOWN OF VALDESE
HOYLE CREEK RESTORATION
CAPITAL PROJECT ORDINANCE

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

Section 1. The project authorized is the Hoyle Creek Restoration. The Town of Valdese currently owns property along Hoyle Creek from Lovelady Road to Lake Rhodhiss. The Town has received state funds in the amount of $2.2 Million for creek restoration. Included in this project is building a natural surface ADA sidepath along the east side of the creek with potential overlooks and pedestrian bridges, terminating in at a future Wilderness Gateway State Trail trailhead with amenities located at Lovelady Road.

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
State Grant	$ 2,200,000	32.3970.000
	$ 2,200,000	

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

Source	Amount	Assigned Account Number
Restoration	$ 2,000,000	32.6200.150
Contingency	200,000	32.6200.900
	$ 2,200,000	

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 6th day of May 2024.

Charles Watts, Mayor

Jessica Lail, Town Clerk

APPROVED ATTORNEY FEE BUDGET AMENDMENT

Valdese Town Council Meeting — Monday, May 6, 2024

Budget Amendment # 13-10

Subject: Attorney Fees

Description: Attorney fees included in the budget are based on historical need of services billed on an hourly basis. The last few months have had triple the amount of use and associated fees. This results in shortage of funds to pay the Attorney for the final three months of this fiscal year.

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

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

Account	Description	Decrease/ Debit	Increase/ Credit
10.3990.000	General Fund Balance Appr.		30,000
	Total	$0	$30,000

Amounts appropriated for expenditure are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
10.4200.040	Professional Services	30,000	
	Total	$30,000	$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 aforementioned items on the Consent Agenda, seconded by Councilman Ogle. The vote was unanimous.

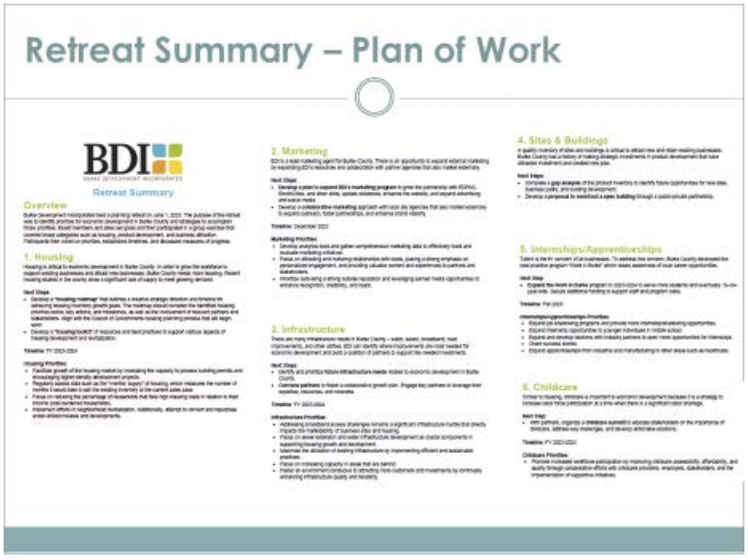
End Consent Agenda

ITEMS REMOVED FROM CONSENT AGENDA: None

BURKE DEVELOPMENT, INC. UPDATE Alan Wood, Burke Development, Inc., President & CEO, gave the Council a BDI update.







Business Retention and Expansion

Existing Industry – 131 Manufacturing Establishments



Recent Expansions and Locations

Company	Jobs		Company	Jobs
ZroDelta	151		Molded Fiberglass	30
Jackson Corrugated	62		Gerresheimer	100
Marves Industries	25		Unix (warehouse)	100
Unix Packaging	226		Maynard Electric	25
East Coast Bedding	19		Chaddock	25
JE Ekornes USA	102			
Homes Urban	-		**Total Jobs Announced**	**1110**
Synergy Labs	60			
EJ Victor	30			
Toner Machining	30			
Meritor	25			
Vanguard Furniture	100			

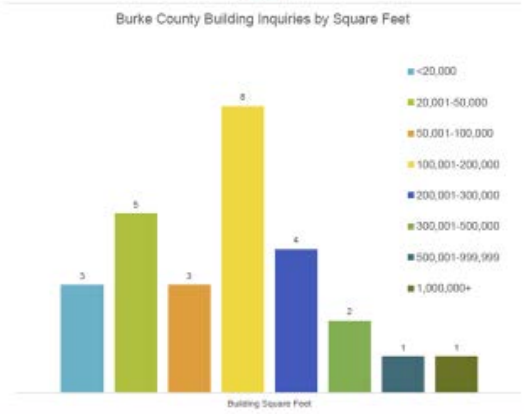
Average Private Sector Wages

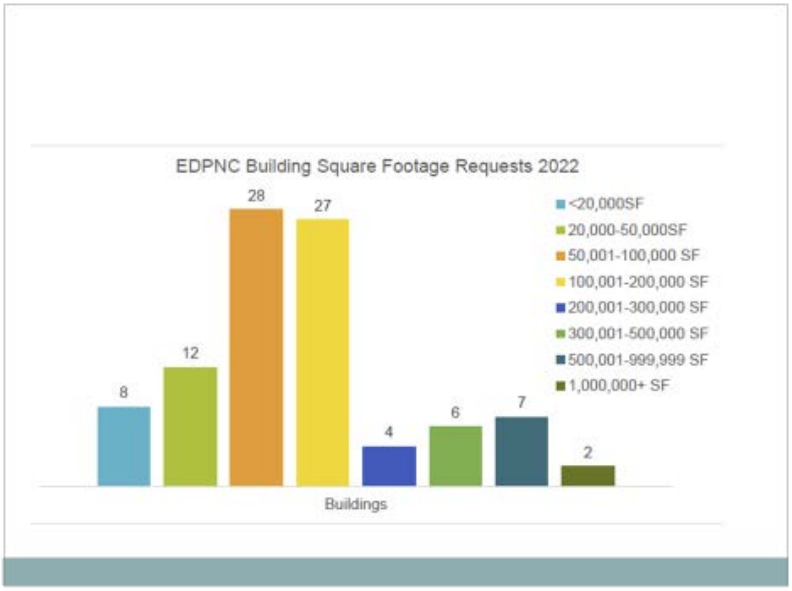
2024 Tier One		2024 Tier Two		2024 Tier Three	
County	Average Private Sector Wage	County	Average Private Sector Wage	County	Average Private Sector Wage
Anson	$42,710	Alamance	$51,059	Brunswick	$48,345
Beaufort	$46,336	Alexander	$41,662	Buncombe	$54,416
Bertie	$38,594	Alleghany	$39,469	Cabarrus	$49,058
Bladen	$45,784	Ashe	$42,000	Camden	$48,179
Caswell	$43,046	Avery	$40,225	Carteret	$41,149
Cherokee	$41,894	Burke	$45,083	Chatham	$48,413
Chowan	$45,196	Catawba	$54,131	Currituck	$42,061
Columbus	$42,856	Catawba	$54,131	Davie	$49,708
Cumberland	$45,351	Clay	$43,424	Durham	$80,727
Duplin	$45,722	Cleveland	$48,210	Henderson	$51,405
Edgecombe	$43,103	Craven	$47,048	Iredell	$53,674
Gates	$45,920	Dare	$42,431	Johnston	$50,605
Graham	$44,218	Davidson	$51,201	Lincoln	$51,896
Greene	$38,363	Forsyth	$64,038	Mecklenburg	$89,797
Halifax	$41,574	Franklin	$52,784	Moore	$51,842
Hertford	$45,912	Gaston	$50,746	New Hanover	$58,674
Hoke	$42,633	Granville	$51,439	Orange	$66,979
Hyde	$37,204	Guilford	$58,843	Pender	$43,071
Jones	$45,204	Harnett	$41,978	Union	$57,648
Lenoir	$48,313	Haywood	$47,008	Wake	$70,864
Martin	$35,887	Jackson	$43,488		
Mitchell	$46,822	Lee	$51,683	North Carolina	$65,409
Nash	$48,852	Macon	$44,742		
Northampton	$48,804	Madison	$41,820		
Onslow	$38,834	McDowell	$44,131		
Pasquotank	$44,457	Montgomery	$46,990		
Pitt	$40,897	Pamlico	$42,090		
Richmond	$43,208	Perquimans	$41,318		
Robeson	$42,730	Person	$47,933		
Rockingham	$43,892	Polk	$41,617		
Rutherford	$45,830	Randolph	$45,801		
Sampson	$46,518	Rowan	$52,101		
Scotland	$46,316	Stanly	$42,272		
Tyrrell	$38,887	Stokes	$36,481		
Vance	$44,720	Surry	$36,691		
Warren	$33,660	Swain	$35,561		
Washington	$48,223	Transylvania	$45,752		
Wayne	$45,743	Watauga	$42,088		
Wilkes	$45,819	Yadkin	$44,223		
Wilson	$52,819	Yancey	$43,089		

State Average Wage: $65,409
Burke Avg. Wage: $45,083
Catawba Avg. Wage: $$54,131
Caldwell Avg. Wage: $$48,333

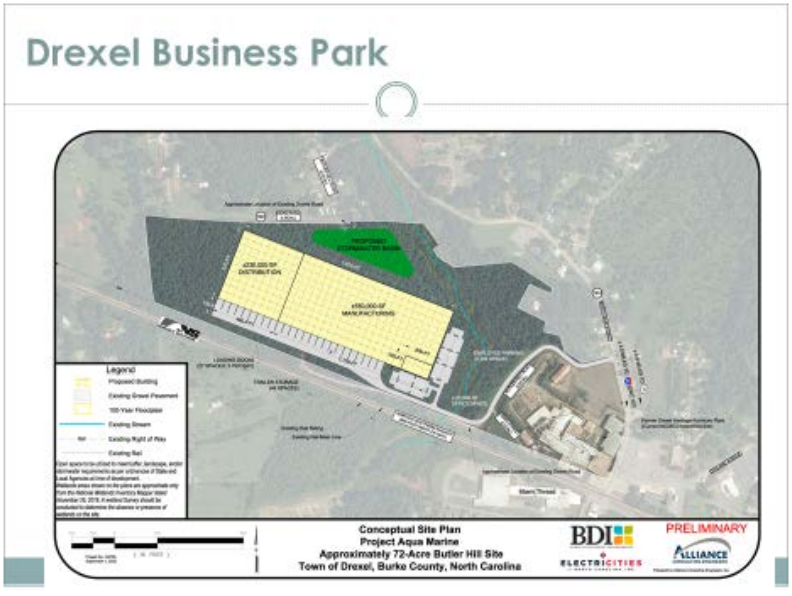
Product Development

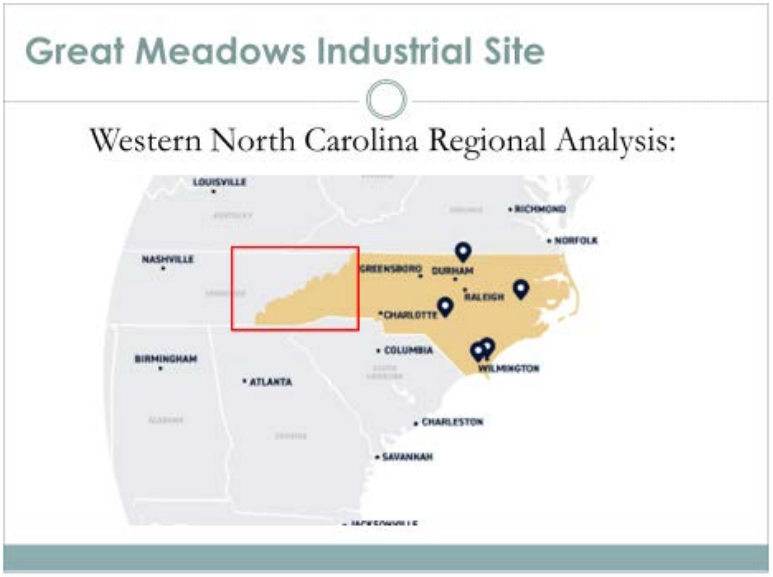
Speculative Building

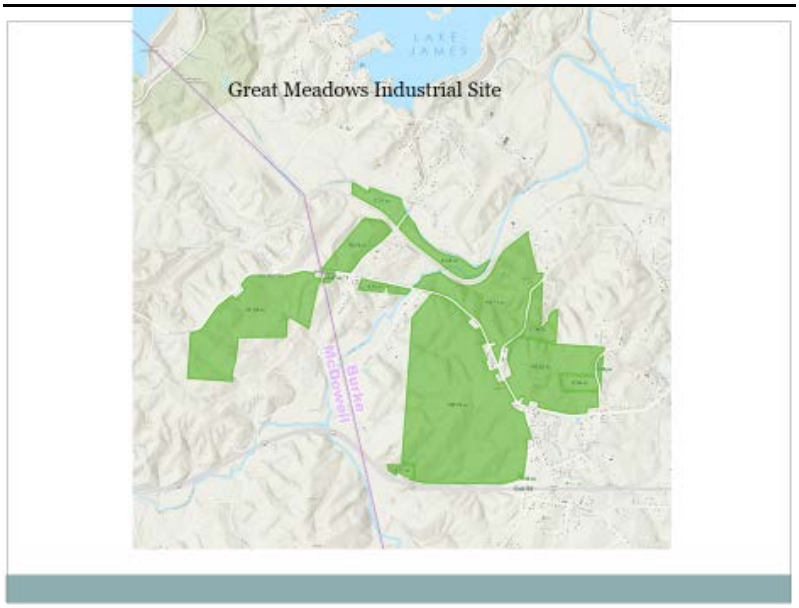



EDPNC Building Square Footage Requests 2022
8
12
28
27
4
6
7
2
Buildings
<20,000SF
20,000-50,000SF
50,001-100,000 SF
100,001-200,000 SF
200,001-300,000 SF
300,001-500,000 SF
500,001-999,999 SF
1,000,000+ SF


Burke Business Park
Water Tower
LEGEND
ElectriCities Burke Co Business Park
Concept plan
Creative


Drexel Business Park
Legend
Conceptual Site Plan
Project Aqua Marine
Approximately 72-Acre Butler Hill Site
Town of Drexel, Burke County, North Carolina
BDI
ELECTRICITIES
PRELIMINARY
ALLIANCE


Great Meadows Industrial Site
Western North Carolina Regional Analysis:
LOUISVILLE
RICHMOND
NORFOLK
NASHVILLE
GREENSBORO
DURHAM
RALEIGH
CHARLOTTE
COLUMBIA
WILMINGTON
BIRMINGHAM
ATLANTA
CHARLESTON
SAVANNAH


Great Meadows Industrial Site
LAKE JAMES
Burke
McDowell


BDI
Burke County, North Carolina
DISTANCE TO MANUFACTURING FACILITIES FROM GREAT MEADOWS SITE
Burke County
Toyota
VinFast
Nissan
Blue Oval - Ford
Volkswagen
BMW
Scout-VW
SK Battery
Hyundai
Kia
Rivian
Toyota
Mercedes-Benz
Volvo
Hyundai
City
Distance
Drive Time
828.764.9370
info@burkedevinc.com

Automaker announced electrification investment by region
North America, 2021—2023 YTD

Region	Investment Amount ($USD)
U.S. South	**$71.2 billion**
U.S. Great Lakes	$61.1 billion
U.S. Other	$4.8 billion

Source: CAR

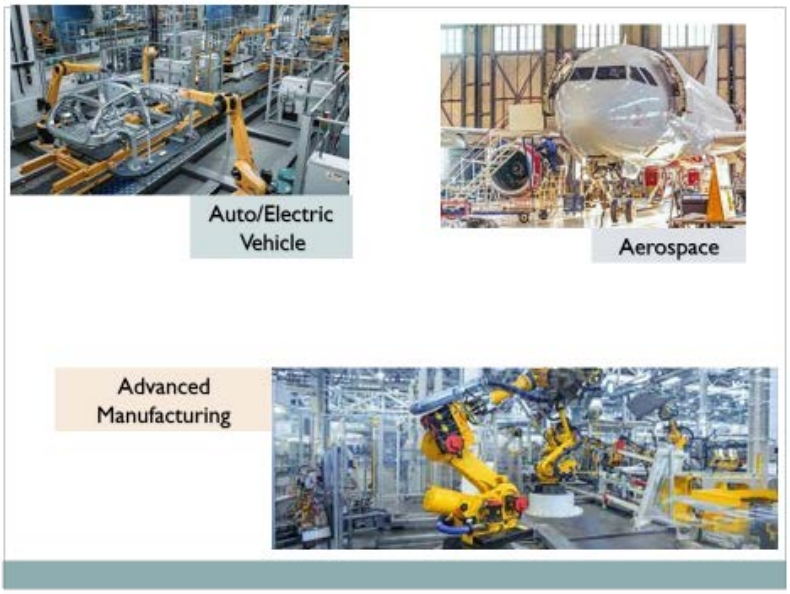








Target Industries



Workforce Development

Workforce Development Campaigns

Campaigns to educate students and parents about the jobs and education opportunities in Burke County

WORK IN BURKE

PROFESSIONAL DEVELOPMENT
OPT-IN
COMMUNITY MENTOR
WORK EXPERIENCE

JET
Jobs, Education & Training

BURKE COUNTY Public Schools

BDI
BURKE DEVELOPMENT INCORPORATED

WESTERN PIEDMONT COMMUNITY COLLEGE

NCWorks
Connecting Talent to Jobs

WESTERN PIEDMONT workforce development board





EFFICIENCY TASK FORCE RECOMMENDATIONS Eddie Perrou, Chairman of the Efficiency Task Force provided the following update and provided a copy to the Town Clerk:

The Efficiency Committee meet at the Public Works Department at 11:30 on Friday May 3.

All members were in attendance and the Interim Town Manager was there for a while.

Councilwoman Rexanna Lowman was there for the entire duration of the meeting along with Mr. Bo Weichel.

Mr. Hudson spent time in his office explaining the many functions of his department and highlighted that he has a lot fewer employees than in the past.

When questioned about the Broadband Company he seemed very complimentary of how they have worked together with all the line breaks and road issues. He explained that having all the lines under the middle of the roads was just a bad situation.

Councilman Ogle went through nearly all the capital improvement items. The committee is most concerned about any potential safety issues. The lift that was put in at 40,000 dollars was questioned by

committee member Tim Page who said that price was ridiculous. Upon further discussion Alan agreed that maybe he could get the 18,000-pound lift for half that amount. The committee agreed that this expense should be approved for up to $20.000.

We had a discussion about the roll off that is in the budget. This is used to pick up large amounts of unwanted material from resident's homes. We decided as a group that the current price of 75 dollars in too low. Tim Page said to consider that undercharging for services that private businesses can do if not the function of government. We agreed to recommend to the Council that the price should be $100.00. The new roll off container is in the budget for $6,000.

We discussed our Public Works Department working with NC Department of Transportation with regard to our paving needs. The thought being they can negotiate better contracts and do the engineering work as part of the process. The pushback from the staff was that they believe the DOT projects are on a five-year lead time. This needs to be confirmed as to its validity.

We went into the "yard" and checked out all the equipment. It appears that the least used piece of equipment is the gigantic Cat. loader that came from the sewer department and is now housed at public works. We should investigate how much it bring at sale and then do an analysis if it is worth keeping.

It appears that the town has 3 mini excavators, 5 tractors, and two Backhoes. Also, unused the last 2 years 6 snowplows. No recommendation to sell the snowplows even if they have not been needed lately.

At the conclusion of the meeting the Efficiency Committee agreed to present some recommendations to the council.

A cost-of-living increase of 4% to the town employees. Research indicates 3% is not enough and that 5% is too high.

No replacement of the Water Resource Director until a new Town Manager has been appointed.

The Town Hall is grossly underutilized as a building. We defer to the Facilities Committee regarding how this nice space can be used in a more efficient manner. But it is clear the small amount of people in this building is a wasteful endeavor.

We recommend that the Council or new town manager create a written policy regarding the use of town owned vehicles with regards to their personal use.

We recommend the active promotion of selling vacant town properties.

Councilman Harvey feels that we need to spend time on training employees and give them opportunities to grow. Mayor Watts would like to have a career ladder for employees to grow.

DRUG & HOMELESS TASK FORCE REPORT Police Chief Marc Sharpe reviewed the following report:

To: **Town Manager Bryan Steen**
Finance Director Bo Weichel
From: Chief of Police Marc A. Sharpe
Date: April 26th, 2024
Subject: Homeless and Drug Task Force Report

The Homeless and Drug Task Force has met on two occasions, our first meeting was on Tuesday, March 26th, 2024. In the first meeting discussions surrounded what actually qualified as being homeless and some avenues and thoughts at working with the homeless to better their situation and get them off of the streets. It was determined that so many different avenues contributed to being homeless such as loss of a job, veterans returning from the military, drug problems, alcohol problems, and mental health problems, to just name a few that more information needed to be obtained related to what other cities and towns may be doing to combat these issues. It was decided in this meeting to obtain a head count if possible on the number of homeless identified in Valdese, reach out to the Western Piedmont Council of Governments, locate and identify a mental health professional willing to discuss strategies, and lastly identify any local alcoholics anonymous and narcotics anonymous chapters in the area and obtain information about their meetings before the next meeting.

On Tuesday, April 23rd, 2024 the Homeless Drug Task Force met for a second time and the Western Piedmont Council of Governments was invited to present what they were currently doing with the homeless as the primary basis for this meeting. Ben Willis, Chasity Houck, and James Anders who are all members of the WPCOG provided a PowerPoint presentation to the members of the Task Force. During the presentation it was learned that the COG covers Alexander, Burke, Caldwell, and Catawba Counties working with 24 municipalities. Additionally, studies have shown that between 2018 and 2022 homelessness increased across the country a staggering 48% mostly due to the Covid pandemic. The Cog already has in place a Homelessness Response Team funded by a grant through the US Department of Housing and Urban Development consisting of professionals capable of dealing with the multifaceted

issues of the homeless. They have professionals trained in mental health, housing, outreach, and program management to help the homeless. The Homelessness Task Force has been awarded 4.2 million dollars in their grant to combat these issues in their assigned area.

This is done by forming partnerships in the local community to identify the homeless, identify their needs, and provide resources to get them off of the streets. This is accomplished in basically a (6) six step process identified below:

(1) Identify possible homeless individuals.
(2) Data collection from those individuals.
(3) Verification the individual is in fact homeless.
(4) Identify the individual's circumstances and needs.
(5) Offer to provide follow up services and resources to the individual.
(6) If accepted, actually provide services and resources to the individual.

Members of the Cog through a partnership with the local Police Department participate in an officer ride along program. After signing a liability waiver, (see attached) the Cog member rides along with selected officers to identify the homeless and possibly start intake procedures with the COG, if the individuals identified are receptive to getting off the streets. The standard intake is collecting data from the homeless person such as their identity, social security number, current mental health, and their current circumstances. This data collection will be used to assist in determining what the real factors and percentages of those factors are causing homelessness. That data will assist in identifying what factors appear to be the root of the problem so those factors can be addressed. The data collected will be available for public viewing. This information has not ever been collected by anyone in the past and the current granted task force is the only one doing it.

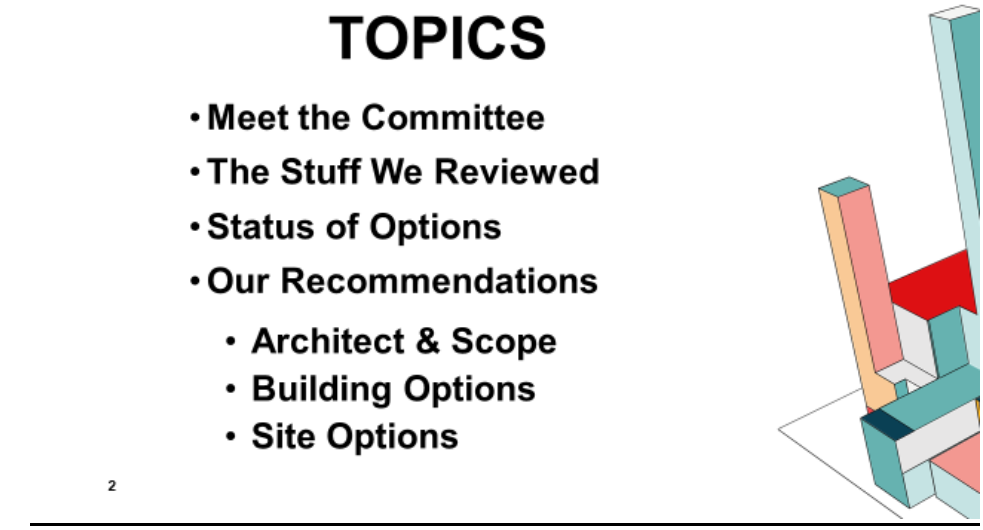
Data collected provides our community with a more accurate PIT Count (Head Count) of the number of homeless in our area and begins to identify the needs of those individuals identified to remove them from our streets. The Police assist the COG by establishing a safe initial interaction with the homeless individual as well as assisting with obtaining contact information for future follow up. The information obtained during the interaction is verified and COG intake procedures begin so that services can eventually be provided if possible. While every homeless individuals needs and problems are different, once those needs and

problems are identified those individuals are connected with the outreach counselor in the COG related directly to their individual issues and needs. This insures the resources that exist are directed at the identified problem causing the individuals homelessness. As the Police Chief, I am wanting to immediately utilize the COG and begin addressing our homelessness problem in Valdese by starting the ride along program with our officers. I would like to report our successes and failures back to the Town Manager and Council after some period of time has passed to produce a quality assessment of our efforts in this partnership. The Police Departments own head count of Homeless in our Town is currently (16) sixteen individuals. COG would actually determine this to be a high number of homeless for a community of our size and population if our head count is correct. Cog would conduct its own, Pit Count (head Count) which would be a verified count based on Cog's interaction with the individuals and their set criteria. It will be interesting to see what the COG concludes with their professional assessment of the situation once involved and how many of those individuals want help and are actually assisted by Cog's program.

As previously stated, I have attached a Ride Along Waiver for COG members to sign before beginning this process that I drafted for your review which they have agreed to sign. I would like to start a partnership with the COG and direct some of our Community Policing efforts in this direction. This will be valuable in determining the extent of our homeless problem and combat the issue by thinking outside of the traditional box with our approach to address some of the issues the homeless and our community are facing. Lastly, I think this provides us a more accurate account of our efforts to determine if we are helping to solve some of the problems causing homelessness or continuing to spin our wheels. These efforts do not cost our community any additional funds but does take advantage of a federal funded program specifically designed to combat the very problem we are facing. Thank you in advance for your thoughts.

FACILITIES REVIEW COMMITTEE REPORT All of the Facilities Review committee members were present and presented the following presentation:







WE REVIEWED HUNDREDS OF PAGES …



- 2018 - 2022 Designs & Plans
- Council Minutes
- Staff & Architect Emails
- Cost Estimates
- Tax Dollars Spent

4

WE REVIEWED 8 A&E FIRM PROPOSALS



Phase 1 Options

1. Total Renovation vs.
2. Total New Facility vs.
3. Separate PD & FD

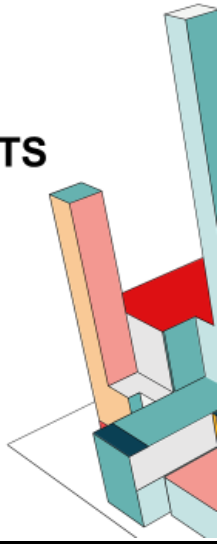
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RECOMMENDATION #1

HIRE TALLEY & SMITH ARCHITECTS

CONTRACT HAS TWO OPTIONS

1. $42 to 46,000 – With New Renovation Study.
2. $10,000 – Less to Summarize and Update Previous Renovation Estimates.



6

A NEW OPPORTUNITY !

Alba Headquarters Building on St. Germain Street Sold

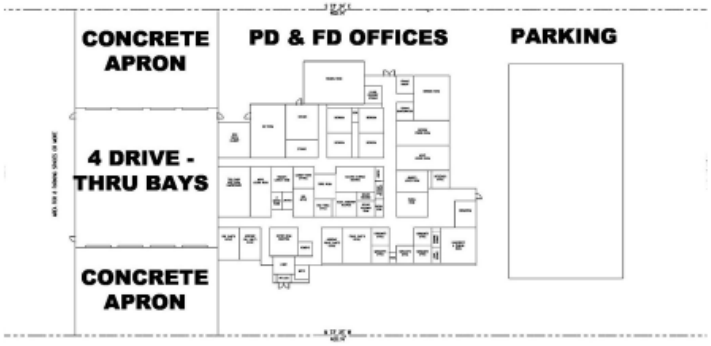
The Lot South of it – 200 Massel Ave – is For Sale



7

PRELIMINARY SCHEMATIC CONFIRMS

Even the Former, 24,000 SqFt, $9.2M Building Would Fit

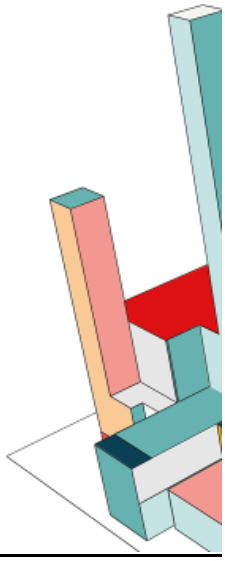


LOT 400' x 190' - SAME SIZE AS TOWN HALL LOT

RECOMMENDATION #2
PURCHASE 200 MASSEL AVE

ADVANTAGES

1. Puts Administration, PD & FD on Same Block.
   All Central and Near Main Arteries
2. Short-Term and Long-Term Savings
   a. Site Prep Cost
   b. Maintenance Forever: 1 vs. 14 acres
   c. Simplifies A&E Analysis of Options

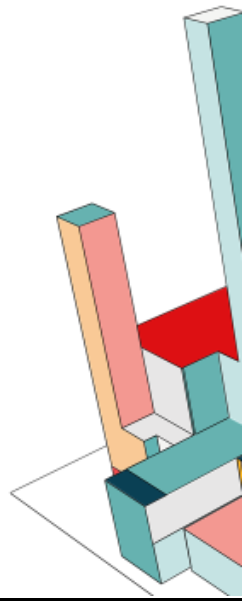


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WHERE TO FROM HERE?

TALLEY & SMITH
Priority #1 Employee Safety

THEN 3 Preliminary Designs & Estimates
Option 1- Total Renovation
Option 2 - Total New Facility
Option 3 - Separate PD & FD



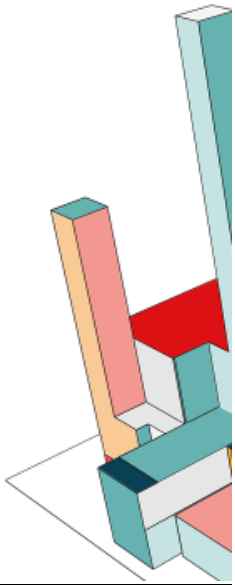
10

OPTIONS 2 & 3

TALLEY & SMITH

WITH CHIEFS SHARPE & WALTON :

- Option 2: Design Combined PD & FD vs. Previous 24,000 SF $9.2 Million
- Option 3: Separate PD & FD



11

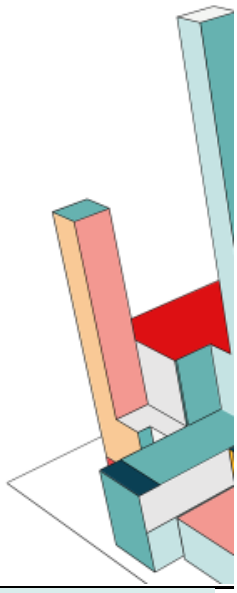
OPTION 3 EXAMPLE

VALDESE		BOILING SPRINGS	
Old Town Hall	3500 SF	Similar Population and Budget	
Occupants	7 Admin		
2010	Vacated		
2024	Still All HVAC		
New Town Hall	11,560 SF	Town Hall + PD	11,500 SF
2024	Still Owe $2.4 M	2016	Cost $2.7 M
Occupants	7 Admin	Occupants	Admin Staff + PD

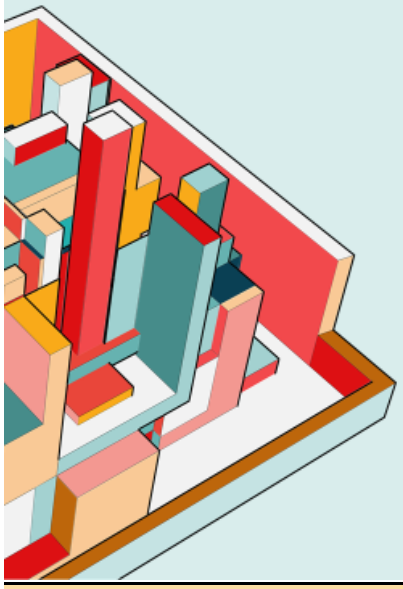
12

RECOMMENDATION #3
MARKET 800 PINEBURR AVE SE

1. Not Needed if 200 Massel Ave Aquired
2. Use Proceeds for Public Safety Building
3. Put 14.9 Acres Back on Tax Roll
4. Promote it for Economic Development
   a) Affordable Housing, or
   b) Job-creating Business



13



THE SCHEDULE AHEAD

This Month… If Council Approves A&E Contract

1. Consider Staff Safety
2. Estimate 3 Options

August or September…

Committee Will Report Again

THANK YOU FOR THE OPPORTUNITY TO SERVE OUR TOWN

FACILITIES REVIEW COMMITTEE

- Tessa Collinson
- Jerry Hyde
- Roger Heavner
- Greg Refour
- Glenn Harvey



APPROVED OF CONTRACT FOR ARCHITECTURAL FIRM FOR PUBLIC SAFETY BUILDING Councilman Harvey made a motion to approve the contract for the Architectural Firm for the Public Safety Building as recommended, seconded by Councilman Ogle.

Discussion: Councilman Harvey noted that the contract has been reviewed by the Town Attorney and returned to the Architectural Engineering firm. Like all the contracts that the Town approves, it will be finalized by the Town Attorney and Manager, who will prepare it for the Mayor's signature.

The vote was unanimous.

(A copy of the contract can be obtained in the Clerk's office.)

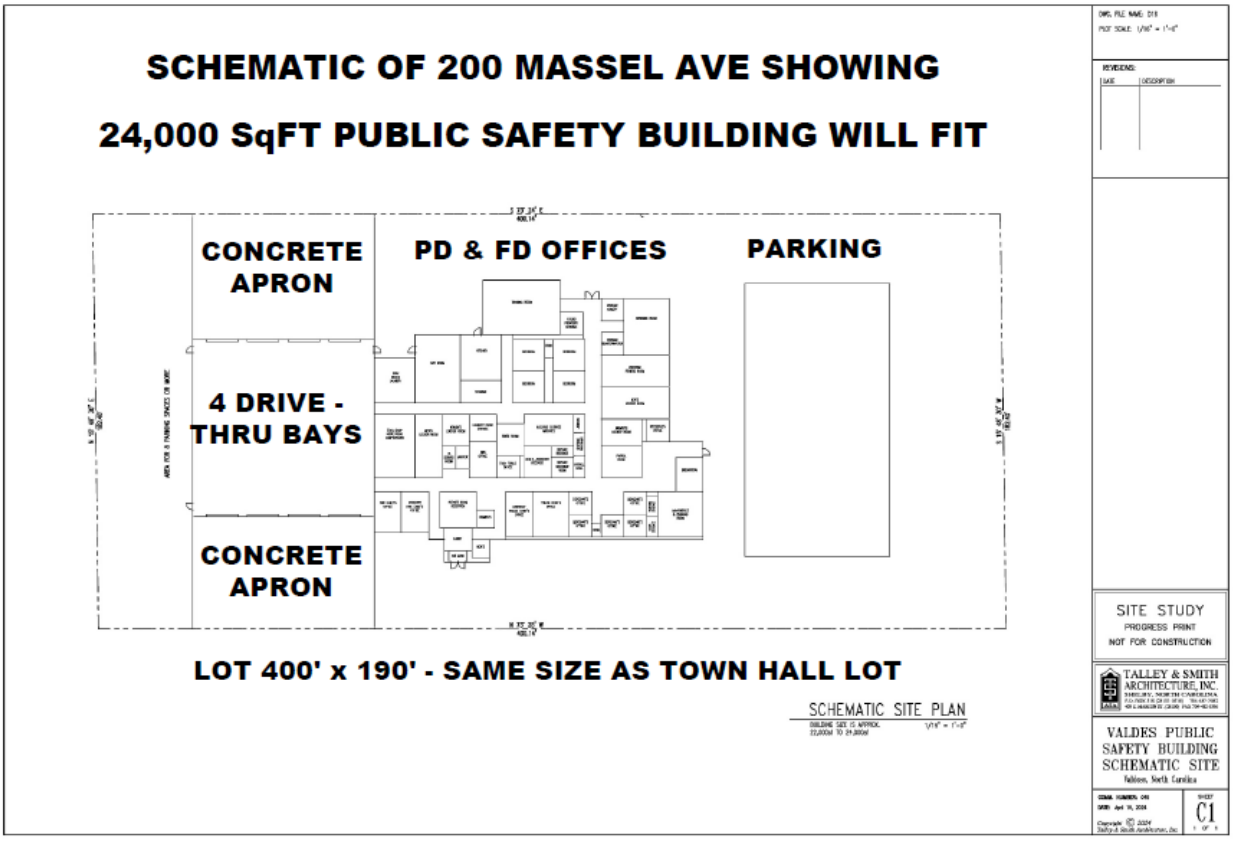
CONSIDERATION OF MAKING OFFER TO ACQUIRE 200 MASSEL AVE Councilwoman Lowman is excited to hear that the 200 Massel Ave. property has become available.



200 Massel Avenue, SW and 100 Faet Street SW

1.73 acres, REID 30874 and REID 14123

Same Size as Town Hall Lot

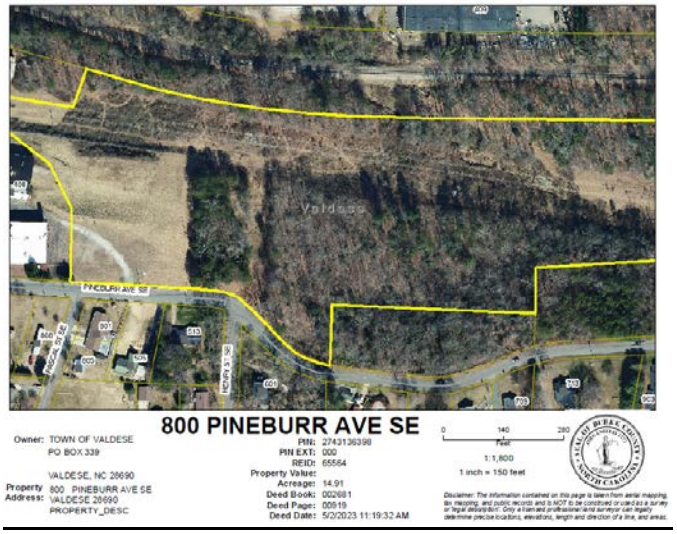


Councilwoman Lowman made a motion to authorize the Manager to enter into an agreement on behalf of the Town of Valdese with Valdese Mills LLC, for the purchase of 200 Massel Ave SW in the amount of $400,000.00, seconded by Councilman Mears. The vote was unanimous.

CONSIDERATION OF LISTING AGREEMENT FOR 800 PINEBURR AVE SE Councilman Harvey made a motion to approve the exclusive buyer agency agreement with BroadPoint Real Estate Group, seconded by Councilwoman Lowman.

Discussion: Councilman Mears asked who is going to put a value on this property if we are going to sell it. Councilman Mears wants to make sure that if the Town sells this property, we get a fair value. Councilman Harvey shared that the realtor has looked at the property and the area around it and his recommendation is that we list it at $495.000.00 and then we would go through the upset bid process.

The vote was unanimous.



Assistant Town Manager/CFO Bo Weichel noted that we would need to add a Capital Project Ordinance Amendment to the agenda for the acquisition of 200 Massel Ave.

ADDED - CAPITAL PROJECT ORDINANCE AMENDMENT

Councilman Harvey made a motion to add a Capital Project Ordinance Amendment for the acquisition of 200 Massel Ave, seconded by Councilwoman Lowman. The vote was unanimous.

APPROVED CAPITAL PROJECT ORDINANCE AMENDMENT Assistant Town Manager/CFO Bo Weichel presented the Capital Project Ordinance Amendment:

Valdese Town Council Meeting — Monday, May 6, 2024

Capital Project Ordinance Amendment # 11-35

Subject: Acquisition of property

Description: To amend Project Ordinance 35 for property purchase and fund adjustment.

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
35.3480.003	Future Loan	118,132	
35.3480.000	Town Contributions		400,000
	Total	$118,132	$400,000

Amounts appropriated for capital projects are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
35.5300.040	A&E Services		118,132
35.5300.150	Land Acquisition	400,000	
	Total	$400,000	$118,132

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 Mears made a motion to approve the Capital Project Ordinance Amendment as presented, seconded by Councilman Ogle. The vote was unanimous.

APPROVED RESOLUTION TO OPPOSE THE CITY OF CHARLOTTE INTERBASIN TRANSFER REQUEST Water Resources Director Greg Padgett presented the Resolution opposing the City of Charlotte's interbasin transfer request. Mr. Padgett said that we are strongly opposed to this and that Charlotte has other options.

RESOLUTION TO OPPOSE THE CITY OF CHARLOTTE INTERBASIN TRANSFER REQUEST

WHEREAS, North Carolina Environmental Management officials are currently reviewing a request from the City of Charlotte to modify their certificate increase their current transfer of 33 million gallons per day to 63 million gallons of water per day from the Catawba River Basin to the Rocky River Basin; and

WHEREAS, this latest request is a trend of additional interbasin transfer water usage from the Catawba River as evidenced by the following:

Charlotte/Mecklenburg's previously approved certificate of 33 million gallons per day interbasin transfer to the Rocky River in 2002; and

Concord and Kannapolis's previously approved certificate of 10 million gallons per day interbasin transfer to the Rocky River in 2007; and

WHEREAS, the net effect of the aforementioned actions will result in a total increased usage of 73 million gallons per day from the Catawba River Basin to the Rocky River Basin; and

WHEREAS, the Catawba River and its tributaries are not an unlimited supply of water as evidenced by previous years of drought conditions experienced most notably by the Upper Catawba Basin and the entire State of North Carolina; and

WHEREAS, Town of Valdese and the Western Piedmont Region is considered a growth area for the North Carolina with additional water needs in the future; and that there's a valid concern that interbasin transfers of this magnitude may effectively subsidize growth in receiving areas using the limited water resources of the Catawba River Basin; and

WHEREAS, issues of equity and sustainability are in question, as it involves one region bearing the environmental and infrastructural costs of supporting growth in another region, and it is essential to consider the long-term implications and fairness of such resource allocations; and

WHEREAS, reducing the flow of the Catawba River by transferring water could lead to greater concentrations of pollutants in the river, a reduced flow rate diminishing the river's natural ability to dilute and transport pollutants, and have detrimental effects on aquatic ecosystems, recreational activities, and public health within the Catawba River Basin; and

WHEREAS, the Town of Valdese Town Council is concerned the proposed interbasin transfer will limit the amount of water available for withdraw to support growth in our area due to regulation limits under state and federal laws; and

WHEREAS, the Town of Valdese Town Council does hereby express its concern about the long-term availability of water within the Catawba River Basin and believes transferring water from the Catawba River Basin to the Rocky River Basin could indeed limit future growth opportunities for local communities in the Catawba River Basin; and

WHEREAS, the Catawba Wateree Water Resource Management Group is actively working to update its water supply master plan for the entire river basin and Charlotte should wait until that process is complete; and

WHEREAS, previous studies for the Catawba River called for the elimination of interbasin transfers as a strategy to protect the river and water supplies during drought conditions and an IBT should be a temporary measure to accommodate growth and not a permanent solution; and

WHEREAS, the 2015 Water Supply Master Plan for the Catawba River projected Charlotte's current IBT would be sufficient through 2065 and that Charlotte should not increase its IBT for its growth needs over the next 30 years; and

WHEREAS, Charlotte should instead use that time to implement water infrastructure and policies to eliminate its current IBT certificate issued in 2002; and

WHEREAS, water availability is crucial for sustaining economic development, agriculture, and quality of life in growing communities and if water is diverted elsewhere, it may constrain the ability of communities within the Catawba River Basin to support their own development and population growth; and

WHEREAS, our region should not be forced to give up its potential growth opportunities to subsidize Charlotte growth with our water resources; and

NOW, THEREFORE, BE IT RESOLVED that the Town of Valdese Town Council requests that the North Carolina Environmental Management Commission deny the City of Charlotte interbasin transfer request to modify their certificate to transfer 63 million gallons of water per day from the Catawba River Basin to the Rocky River Basin.

Adopted this 6th day of May, 2024.

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

Councilman Harvey made a motion to approve the Resolution to oppose the City of Charlotte's interbasin transfer request, seconded by Councilman Mears. The vote was unanimous.

APPROVED RESOLUTION OF TENTATIVE AWARD OF BID FOR CLINE PUMP STATION UPGRADES

Water Resources Director Greg Padgett shared that Carolina Grading Utilities, Inc., was the lowest responsible bidder for the Cline Pump Station Upgrades. Mr. Padgett noted that the bid was in the amount of $1,241,190**,** but the original came in higher than that. Mr. Padgett was able to take a small part of the project out to save some money. Mr. Padgett is going to continue to negotiate with them **for** additional savings.

RESOLUTION OF TENTATIVE AWARD

WHEREAS, the Town of Valdese, North Carolina has received bids, pursuant to duly advertised notice therefore, for construction of the Cline Avenue Basin and Pump Station Improvements project, and

WHEREAS, the Town's Consulting Engineer, McGill Associates, has reviewed the bids; and

WHEREAS, of three (3) bids at the formal, public bid opening, Carolina Grading and Utilities, Inc. of Warrensville, North Carolina was the lowest bidder for the Cline Avenue Basin and Pump Station Improvements project, in the total bid amount of $1,241,190, and

WHEREAS, the scope of work has been negotiated to reduce the contract price to $1,157,710, and

WHEREAS, the Town of Valdese will request additional low-interest loan funding from the North Carolina Department of Environmental Quality, Division of Water Infrastructure, and

WHEREAS, the Town of Valdese will appropriate from the utility fund balance enough additional funds for project construction revenues to complete the project.

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

That TENTATIVE AWARD is made to Carolina Grading and Utilities, Inc. for the Contract Price of $1,157,710.

That such TENTATIVE AWARD be contingent upon the approval of bidding documentation and the commitment of additional funding by the North Carolina Department of Environmental Quality, Division of Water Infrastructure.

That Bryan Steen, Interim Town Manager, the Authorized Official, and successors so titled or titled as Town Manager, is hereby authorized to execute and approve all contract documents, memoranda of negotiation, and change orders for this project on behalf of the Town of Valdese.

Adopted this the 6th day of May, 2024 at Valdese Town, North Carolina.

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

Councilman Mears made a motion to approve the Resolution of Tentative Award of Bid for Cline Pump Station Upgrades, seconded by Councilman Ogle. The vote was unanimous.

APPROVED CONTRACT FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR PERMANENT POOL STRUCTURE Parks & Recreation Director David Andersen shared that the Parks & Recreation Commission and staff recommend the firm of Michael Graves, based in Winston Salem, for the design, construction documents, bidding, and construction administration.

MICHAEL GRAVES

May 3, 2024

David Andersen
Director, CPO
Town of Valdese Parks and Recreation Department
Office: (828) 874-6733
DAndersen@valdesenc.gov

Re: Proposal for Architectural and Engineering Services
Valdese – Draughn Aquatic Center Structure
312 Massel Ave. SE
Valdese, North Carolina 28690

Dear David:

Thank you for this opportunity to provide professional design services for the Town of Valdese. This is an exciting step to install a structure over the existing swimming pool. The following is our proposal to provide Architectural & Engineering services:

THE PROJECT

The Town of Valdese has an existing pool, that has been covered by an inflatable fabric structure for many years. The pool area is adjacent to their existing parks & recreational facility. The Town has decided to proceed with a pre-engineered / pre-fabricated structure (we understand a specification for the structure can be provided by the Town or one of the potential providers, to include in the bid documents).

Architectural and Engineering services are needed, to review the building code compliance and design accommodations for the new structure, including foundations, lighting, mechanical, and fire protection considerations.

SCOPE OF SERVICES

Structural:

Design Development Phase

Prepare foundation plans with construction requirements noted.
Prepare representative foundation and slab sections.
Prepare outline technical specifications for construction on the structural drawings.
Participate in web conferencing coordination meetings to review the work in progress.

1. Construction Document Preparation

   a. Preparation of detailed drawings for permitting, bidding and construction for one bid phase, which will include all phases of construction. The construction drawings will include plans, sections and details, and specifications applicable to the structural scope of work.
   b. Participate in web conferencing coordination meetings to review the work in progress.
   c. Compliance with North Carolina State Building Code requirements and code review

agency requirements.

d. Prepare technical specifications for construction shown on the structural drawings, prepared using Microsoft Word.
e. Construction documents will be developed using the current version of Revit. Revit Modeling to a maximum LOD: 300

2. Construction Contract Administration

a. Shop Drawings and Submittal Review.
b. Provide answers or clarifications to reasonable requests for information from the Contractor.
c. Site Observation visits during structural phase of work, plus reviews at critical milestones. SKA anticipates that the construction duration for the Structural Phase of the work will be approximately 4-6 months and includes two (2) site visits.

MEPFP:

Design Development Phase

Perform a review of available existing construction documents.
Perform a site visit to establish existing conditions of the facility.
Prepare mechanical and electrical drawings indicating outside air ventilation systems, heating systems, exhaust systems, lighting, and normal power systems.
Prepare basis of design for fire protection systems.
Prepare outline specifications.
Participate in web conferencing coordination meetings to review the work in progress.

1. Construction Document Preparation

a. Preparation of detailed drawings for permitting, bidding and construction for one bid phase, which will include all phases of construction. The construction drawings will include plans, details, control diagrams, equipment schedules and specifications applicable to the mechanical and electrical scopes of work.
b. Provide basis of design drawings for fire protection systems. Fire protection permit design shall be a delegated design provided by fire protection contractor.
c. Participate in web conferencing coordination meetings to review the work in progress.
d. Compliance with North Carolina State Building Code requirements and code review agency requirements.
e. Prepare technical specifications for construction shown on the mechanical and electrical drawings, prepared using Microsoft Word.
f. Construction documents will be developed using the current version of Revit. Revit Modeling to a maximum LOD: 300

2. Construction Contract Administration

a. Approval of shop drawings, responses to bid phase questions and RFI's.
b. Approval of pay applications.
c. Two (2) site observation visits with field report.
d. Final inspection.
e. Project closeout documentation.

PROJECT BUDGET

The Town of Valdese has not provided a construction budget, and the design process will help identify the bid day expectations with third party estimating.

COMPENSATION

We propose providing Architectural and Engineering Services on a fee basis. Based on our understanding of the project we are projecting the following fees:

o Architectural	$28,560
o Civil Engineering	$6,720
o Structural Engineering	$18,000
o Plumbing, Mechanical, Electrical & Fire Protections Engineering	$47,880
o Construction Cost Estimating (Design Development Estimate)	$3,840
o Construction Cost Estimating (Construction Document Estimate)	$3,840
o **Total Proposed Advanced Planning Fee**	**$108,840**

Fee Breakdown

o Design Development / 40% of fee	$43,536
o Construction Documents / 40% of fee	$43,536
o Construction Administration / 20% of fee	$21,768
o Total Fee	$108,840

Reimbursement for copying and printing will be billed at invoice times 1.1. Out-of-town travel will be billed using the Federal Mileage rate. In the event Additional Services are required they will be approved in advance and billed per our typical rate sheet. Services for consultants will be billed at invoice times 1.20. **Reimbursable Expenses (copying, printing, and mileage) will not exceed $4,000 – if additional reimbursable expenses are needed, we will seek prior approval before invoicing.**

SCHEDULE

- Designer Selection and Fee Negotiation – week of 4/29/24 sign design fee proposal.
- Town Council Meeting (where the Parks & Rec will provide an update that a designer has been selected and is proceeding with design concept / cost estimating) – 5/6/24
  - **We need to provide a site markup for the owner to proceed with the following – 1) site survey extents & 2) soil boring locations (see attached slide 13 for a PDF suitable for markup by civil and structural)**
  - Complete Design Development Documents (based on attached concept) – assuming three weeks to answer the scope questions below, related to sprinkler, site borings, and survey – publish DD docs by 5/24/24
  - Publish DD statement of Probable Cost (from HarrisCost) – publish 5/31/24
- Town Council Meeting on 6/3/24 (Although Parks & Rec does not need to seek additional approvals – other than the 5/6/24 design fee approval, then the approval to proceed with the apparent low bid for construction)
- Construction Documents (assuming the Town of Valdese accepts the DD budget published on 5/31/24)
  - Publish Construction Documents by 6/28/24
- Plan Review / Permitting / Bidding (we will assist with this process) – July 2024
- Construction Mobilization – Early to Mid-August 2024 (45 days for footing / slab work, existing fan / grill removal from old bubble, and sprinkler / fire line connection if needed / just before the structure delivery).
  - Lead Time on the pre-fab building product – 8 weeks (best case) to 12 weeks (contractor would need to order this by Mid-August 2024, to arrive on site by Mid-October 2024), Michael Graves and our engineering consultants should be part of the review / submittal process on this.
  - Expected erection time on this building product is 8 to 12 days (which puts the erection complete by Late-October)
  - Sprinkler Installation – Early-November (2 weeks)
  - Final Inspection 11/15/24
- Owner Occupancy – 11/28/24 (The Town would like to include $500 / Day Liquidated Damages for schedule delays beyond this date).

CONSULTANTS

We propose the following consultants for this project:

Clayton Engineering	Civil Engineering
SKA Consulting Engineers	Structural Engineering
SKA Consulting Engineers	Plumbing, Mechanical, Electrical, & FP Engineering
HarrisCost	Construction Cost Estimating

TERMS OF AGREEMENT

The attached Conditions of Agreement are incorporated into this proposal.

Thank you for your time and consideration on this project. If you need additional information, please contact us. If this proposal is acceptable, please return one fully executed copy for our file.

Sincerely,
Walter Robbs Architects, a Michael Graves Company

KEN McDANIEL

Ken McDaniel, AIA
Principal / President

Charles Watts, Mayor 05/06/2024
Accepted By: David Andersen Date

Councilwoman Lowman made a motion to approve the Contract for Architectural and Engineering Services for permanent pool structure, seconded by Councilman Ogle. The vote was unanimous.

APPROVED OLD ROCK SCHOOL RENOVATIONS PHASE 2 Community Affairs Director Morrissa Angi shared the following items to move forward with the Phase 2 Old Rock School renovations:

i. APPROVED RESOLUTION APPLICATION FOR NORTH CAROLINA DEPARTMENT OF COMMERCE RURAL DOWNTOWN ECONOMIC DEVELOPMENT(RDED) GRANT PROGRAM

Town of Valdese Resolution
Application for North Carolina Department of Commerce
Rural Downtown Economic Development Grant Program
Old Rock School Rehabilitation Project

WHEREAS, the Town of Valdese Town Council had indicated its desire to assist in development efforts within the town; and,

WHEREAS, the Town Council fully supports the proposed project Old Rock School Rehabilitation which will result in improvements for accessibility and efficiencies at 400 Main Street West, Valdese, NC 28690; and,

WHEREAS, the Town Council wished to pursue a formal application for a Rural Downtown Economic Development Grant in the amount of $487,500 from the North Carolina Department of Commerce, Rural Downtown Economic Development Grant Program and has contributed the required 5% match of the awarded amount; and,

NOW, THERFORE, BE IT RESOLVED, by the Town of Valdese Town Council:

That the Town of Valdese is authorized to submit a formal application to the North Carolina Department of Commerce, Rural Downtown Economic Development Grant Program in order to provide assistance to benefit the Old Rock School Rehabilitation Project.

That this Resolution shall take effect immediately upon its adoption.

Adopted this the 6th day of May 2024 in Valdese, North Carolina.

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

Ms. Angi recapped what the $487,500 will do at the Old Rock School. Ms. Angi said it would replace the interior fire doors, refinishing the hardwood floors and the Waldensian Room floors, removing trip hazards, and replacing the fan cool units on the second floor of the building.

Councilwoman Lowman made a motion to approve the Resolution Application for North Carolina Department of Commerce Rural Downtown Economic Development (RDED) Grant Program, seconded by Councilman Mears. The vote was unanimous.

ii. APPROVED RESOLUTION EXEMPTING SURVEY SERVICES FOR 400 MAIN ST. W

RESOLUTION EXEMPTING SURVEY SERVICES FOR 400 MAIN STREET W, VALDESE, NC (REID: 38377) FROM G.S. 143-64.31

WHEREAS, G.S. 143-64.31 requires the initial solicitation and evaluation of firms to perform architectural, engineering, surveying, construction management-at-risk services, and design-build services (collectively "design services") to be based on qualifications and without regard to fee; and

WHEREAS, the Town of Valdese proposes to enter into a contract for architect services for work on 400 Main Street W, Valdese, NC; and

WHEREAS, G.S. 143-64.32 authorizes units of local government to exempt contracts for design services from the qualifications-based selection requirements of G.S. 143-64.31 if the estimated fee is less than $50,000; and

WHEREAS, the estimated fee for design services for the above-described project is less than $50,000.

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

Section 1. The above-described project is hereby made exempt from the provisions of G.S. 143-64.31.

Section 2. This resolution shall be effective upon adoption.

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

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

Councilman Harvey made a motion to approve the Resolution Exempting Survey Services for 400 Main St. W, seconded by Councilman Mears. The vote was unanimous.

iii. APPROVED AIA DOCUMENT B101 STANDARD FORM OF AGREEMENT BETWEEN OWNER (TOV) AND ARCHITECT (GREENBERG FARROW ARCHITECTURE, INC. A copy of the agreement can be obtained in the Clerk's Office.

Councilman Mears made a motion to approve the AIA Document B101 Standard Form of Agreement between Owner (TOV) and Architect (Greenberg Farrow Architecture, Inc.), seconded by Councilman Harvey. The vote was unanimous.

iv. APPROVED AIA DOCUMENT A101 STANDARD FORM OF AGREEMENT BETWEEN OWNER (TOV) AND CONTRACTOR (HOUCK CONTRACTING, LLC)

Councilman Ogle made a motion to approve the AIA Document A101 Standard Form of Agreement between Owner (TOV) and Contractor (Houck Contracting, LLC), seconded by Councilwoman Ward. The vote was unanimous.

v. APPROVED CAPITAL PROJECT ORDINANCE AMENDMENT

Valdese Town Council Meeting — Monday, May 6, 2024

Capital Project Ordinance Amendment # 4-38

Subject: Old Rock School Renovations

Description: To amend Project Ordinance 38 based on the additional grant monies awarded.

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
38.3970.004	Rural Downtown Economic Downtown Development Grant		487,500
	Total	$0	$487,500

Amounts appropriated for capital projects are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
38.6250.150	Renovations	454,500	
38.6250.040	Professional Services	20,000	
38.6250.900	Contingency	13,000	
	Total	$487,500	$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 Capital Project Ordinance Amendment, seconded by Councilwoman Lowman. The vote was unanimous.

APPROVED PUBLIC HEARING: REZONING MAP AMENDMENT 1-2-24 - B-1 CENTRAL BUSINESS DISTRICT TO B-2 GENERAL BUSINESS DISTRICT At 8:21 pm, Mayor Watts opened the public hearing. Planning Director Larry Johnson shared the following information for the Rezoning Map Amendment 1-2-24 - B-1 Central Business District to B-2 General Business District:

Property Location: 210-240 Praley Street NW, 441-540 Main Street West, Colombo Street NW

Parcel ID Numbers: 2733857733, 2733867498, 2733853425, 2733851667, 2733759733, 2733863209, 2733867173, 2733867258, 2733857927, 2733850855, 2733850627, 2733769061, 2733759856, 2733851850, 2733851993, 2733851804, 2733851878, 2733385149, 2733856830, 2733756622, 2733852638, 2733852850, 2733852970 2733758605

Requested Action: Rezone properties from the current designation of B-1 Central Business District to B-2 General Business

BACKGROUND: The Town of Valdese adopted the Valdese Vision: A Land Use Action Plan in January 2014. This development plan was created to establish a vision for the Town's future, help ensure that planning is done in a manner that best serves the public interest, be an adopted policy document that can help guide appointed and elected officials in matters related to the Town's physical growth and development and help constitute the legal basis for the Town's land use decision-making process.

The action matrix of the Valdese Vision identifies action/policy, types of action, responsibility, resource allocation, time, and prioritization. The Downtown/Commercial Development section of the Valdese Vision Land Use Plan prioritizes the rezoning of properties in the downtown area to promote the expansion of the Central Business District and the creation of a new zoning district. The proposed rezoning of the B-1 Central Business parcels to B-2 General Business is part of this process.

The current zoning designation of all twenty-four parcels is B-1 Central Business. The current uses are retail sales and services, personal care establishments, food service, and residential, all allowed in the B-2 General Business District.

REVIEW CRITERIA:

1. Existing land uses in the general vicinity of the subject's property are residential, manufacturing, and retail.

   - **North:** The properties to the North are residential and institutional (school).
   - **South:** The properties to the South are manufacturing and government (Department of Public Safety).
   - **East:** The properties to the East are vacant (proposed multifamily housing) and commercial.
   - **West:** The properties to the West are residential and manufacturing.

   To the extent to which zoning will detrimentally affect properties in the general vicinity of the applicant's properties, the requested B-2 General Business District permits the zoning uses of the B-1 Central Business District.

2. Traffic
   - The Town of Valdese conducted no traffic study. However, the NCDOT traffic volume website reveals an Annual Average Daily Traffic count (AADT) of 8700 vehicles.

   No anticipated traffic volume increase is generated from rezoning the twenty-four parcels to B-2 General Business District.

3. Public Services
   The extent to which the proposed amendment (zoning map) will cause public services to fall below acceptable levels, public services are in place and serve the area. These include public infrastructure, water and sewer, police and fire protection.

4. Consistency of the proposed zoning with the Valdese Vision: A Land Use Action Plan for the Future
   *The general area is classified as commercial by the land use plan adopted by the Valdese Town Council. This rezoning petition is **consistent** with The Valdese Vision: Land Use Action Plan.*

REVIEW:

Staff finds Rezoning Petition 1-2-24 ***consistent*** with the Valdese Vision: A Land Use Action Plan for the Future. In so finding, Staff provides the following review:

1. The Valdese Planning Board requested a zoning map amendment in February 2024 to rezone twenty-four parcels with zoning designations of B-1 Central Business District to B-2 General Business District.

2. The parcels' land uses are commercial retail sales and services, food service, personal care establishments, and residential.
3. The B-2 General Business District permits residential uses, including multifamily buildings, planned unit development-residential, and single-family homes.
4. The Planning Board finds this rezoning petition is consistent with The Valdese Vision: Land Use Action Plan. The Land Use Action Plan identifies the parcels for commercial development, consistent with the proposed B-2 General Business designation.
5. The following steps were taken in advance of the public hearing on Rezoning Petition 1-2-24:
    a. Adjoining property owners were mail (first-class) notifications of the public hearing.
    b. A Notice of Public Hearing was advertised in the local paper.
    c. Rezoning Public Hearing signs where appropriate in the rezoning area.

RECOMMENDED ACTION:

1. The Valdese Town Council adopts a statement affirming the consistency and reasonableness with the Valdese Vision: A Land Use Action Plan for the Future.

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT TO THE ZONING MAP OF THE TOWN OF VALDESE

The Valdese Town Council will convene in the Council Chambers of the Valdese Town Hall, at 102 Massel Avenue SW, on May 6, 2024, at 6:00 p.m., to discuss the important matter of rezoning twenty-four parcels from a B-1 Manufacturing District to a B-2 General Business District designation.
Map Amendment #01-02-24

The Valdese Town Council will consider an application to rezone twenty-four parcels located on Main Street West (US Hwy 70), Church Street NW, and Colombo Street NW, further identified the Record Numbers 2733857733, 2733867498, 2733853425, 2733851667, 2733759733, 2733863209, 2733867173, 2733867258, 2733857927, 2733850855, 2733850627, 2733769061, 2733759856, 2733851850, 2733851993, 2733851804, 2733851878, 2733385149, 2733856830, 2733756622, 2733852638, 2733852850, 2733852970, 2733758605. The Valdese Planning Board recommends changing the zoning designation from a B-1 Central Business District to a B-2 General Business District.

The B-2 General Business District intends to encourage the establishment of areas for general business that do not require a central location. The B-2 General Business District is usually the location of retailing goods and services for the traveling public and residents along major radial highways leading out of town. At the hearing, all interested persons may voice objections to the proposed amendment to the Town of Valdese's zoning map. Complete copies of the proposed map amendment and this notice are now available. They will remain on file in the Office of the Planning Department at Valdese Town Hall for the inspection of all interested citizens until the public hearings. Contact the Planning Department at (828) 879-2124 for information regarding the above-listed items.

Interested parties are invited to attend this hearing and present comments. Persons with disabilities who request accommodations should contact Jessica Lail, Town Clerk, at (828) 879-2117 at least 48 hours before the scheduled meeting time.

Publish: April 27, 2024 and May 4, 2024

VALDESE TOWN COUNCIL ZONING MAP AMENDMENT
CONSISTENCY AND REASONABLENESS STATEMENT
Rezoning Petition 1-2-24

On May 6, 2024, the Valdese Town Council met to consider Rezoning Petition 1-2-24 and received a recommendation from the Valdese Planning Board. After considering the Plan (defined below), ordinances,

maps, recommendations, and other materials presented, the Valdese Town Council makes the following findings and conclusions:

1. In 2014 the Town of Valdese adopted a comprehensive land use plan entitled "The Valdese Vision: A Land Use Action Plan for the Future" (hereinafter the "Plan").

2. The Town of Valdese submitted a Rezoning Petition to the Town of Valdese Planning Board requesting to rezone the properties identified on Exhibit A (the "Properties") from B-1 Central Business to B-2 General Business District.

3. North Carolina General Statute 160D-605(a) provides that when adopting or rejecting a zoning text or map amendment, the governing board shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive or land-use plan.

4. North Carolina General Statute 160D-605(b) provides that when adopting or rejecting any petition for a zoning map amendment, a statement analyzing the reasonableness of the proposed rezoning shall be approved by the governing board.

5. The statement of reasonableness may consider, among other factors, (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment.

6. Existing land uses in the general vicinity of the Properties are residential, manufacturing, and retail. To the extent to which zoning will detrimentally affect properties in the general vicinity of the Properties, the requested B-2 General Business District designation will permit the same zoning uses of the B-1 Central Business District.

7. The NCDOT traffic volume website reveals an Annual Daily Traffic count of 8700 vehicles. A traffic volume increase is not anticipated from rezoning the Properties from B-1 Central Business District to B-2 General Business District.

8. Public services are in place and/or available to serve the area where the Properties are located.

9. The Properties are classified as Commercial by the Plan. The Downtown/Commercial Development section of the Valdese Vision Land Use Plan prioritizes the rezoning of properties in the downtown area to promote the expansion of the Central Business District and the creation of a new zoning district. The proposed rezoning of the B-1 Central Business parcels to B-2 General Business is part of this process. The B-2 General Business District is intended to establish and preserve areas for a general business that does not require a central location. B-2 General Business Districts are normally located along major radial highways leading out of town where they provide retailing goods and services to the traveling public and residents.

10. Rezoning Petition 1-2-24 is consistent with and supports several Plan priorities, including, but not limited to, the following:
(a) To ensure that the scale and design of commercial development is consistent with the unique small town character of Valdese, especially in the Central Business District;

(b) Rezoning properties in the downtown area to promote expansion of the Central Business District into several additional blocks and create a relevant new zoning district.

(c) Evaluate the Town's existing zoning ordinance to determine where amendments are necessary to encourage and enable more compact, mixed-use development.

11. The Town of Valdese's request for amendment was duly considered at a meeting of the Town of Valdese Planning Board. The Planning Board found the Town of Valdese's request to amend the Town's Zoning Map around the Properties from B-1 Central Business to B-2 General Business to be consistent with the Plan.

12. The Planning Board voted five to zero to recommend that Town Council amend the Town's Zoning Map regarding the Properties from B-1 Central Business to B-2 General Business District.

13. The Valdese Town Council hereby finds Rezoning Petition 1-2-24 in regards to rezoning the Properties from B-1 Central Business to B-2 General Business District to be consistent with the Plan.

14. For the reasons provided above, the Town Council also finds that the zoning amendment is reasonable and in the public interest

Based upon the recommendation of the Valdese Planning Board and the findings from the public hearing, the Valdese Town Council finds Rezoning Petition 1-2-24 in regards to rezoning the Properties from B-1 Central Business to B-2 General Business District to be consistent with the Plan and reasonable considering the factors described above. Valdese Town Council hereby approves Rezoning Petition 1-2-24 and the recommendation from the Valdese Planning Board to amend the Town's Zoning Map regarding the Properties from B-1 Central Business to B-2 General Business District.

This _____ day of _____, 2024.

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

Exhibit A

(Properties)

REID	PROPERTY_OWNER	LOCATION_ADDR	PHYADDR_CITY	PHYADDR_STATE	PHYADDR_ZIP
30974	C2LIFE FOUNDATION	210 PRALEY ST NW	VALDESE	NC	28690
49738	BURKE COUNTY PUBLIC SCHOOL BOE	0 PRALEY ST NW	VALDESE	NC	28690
38580	CLONTZ DAVID J DDS	205 CHURCH ST NW	VALDESE	NC	28690
30898	NORVELL VALDESE LLC	540 MAIN ST W	VALDESE	NC	28690
13273	BARGAIN HOUSE APPLIANCE INC	452 MAIN ST W	VALDESE	NC	28690
38589	BURKE COUNTY BOARD OF EDUCATION	305 CHURCH ST NW	VALDESE	NC	28690
11834	LAMBERT CHARLES D SR	204 COLOMBO ST NW	VALDESE	NC	28690
13573	BURKE COUNTY BOARD OF EDUCATION	240 PRALEY ST NW	VALDESE	NC	28690
50591	AUTOZONE STORES INC	441 MAIN ST W	VALDESE	NC	28690
19756	SHREE SAHAJANAND INC	310 MAIN ST W	VALDESE	NC	28690
9697	MCKINNEY JAMES F JR;MCKINNEY BRIAN K	312 MAIN ST W	VALDESE	NC	28690
30928	MCDONALDS CORPORATION	443 MAIN ST W	VALDESE	NC	28690
11709	WALKER GINA PAULINE;BAILEY DERON LA'QUINT	213 COLOMBO ST NW	VALDESE	NC	28690
13458	CPL RENTALS LLC	208 COLOMBO ST NW	VALDESE	NC	28690
38579	CHURCH OF GOD	209 CHURCH ST NW	VALDESE	NC	28690
13046	MAYNARD PATSY D	212 COLOMBO ST NW	VALDESE	NC	28690
8371	CAUSBY'S MAIN STREET STATION LLC	460 MAIN ST W	VALDESE	NC	28690
420	THRONEBURG TIFFANY B	412 MAIN ST W	VALDESE	NC	28690
32550	TOWN OF VALDESE	209 COLOMBO ST NW	VALDESE	NC	28690
10617	YANG KAI;CHANG SHEE	504 MAIN ST W	VALDESE	NC	28690
11708	DANNER DANIEL D;DANNER LAURA H	216 COLOMBO ST NW	VALDESE	NC	28690
14069	CAMP DUSTIN CHARLES;CAMP LEAH FAULKNER	200 COLOMBO ST NW	VALDESE	NC	28690
7845	STROUP STEPHEN H	280 PRALEY ST NW	VALDESE	NC	28690
8372	BUFFINGTON WILLIA	472 MAIN ST W	VALDESE	NC	28690

Mayor Watts asked if anyone wished to speak either for or against the public hearing. Hearing none, Mayor Watts closed the public hearing at 8:31 pm.

Councilwoman Ward made a motion to approve the Rezoning Map Amendment 1-2-24 - B-1 Central Business District to B-2 General Business District and adopt the Consistency and Reasonableness Statement for Rezoning Map Amendment 1-2-24, seconded by Councilman Mears. The vote was unanimous.

PUBLIC HEARING: ZONING ORDINANCE TEXT AMENDMENT 1-2-24 - ARTICLE E – B-2 GENERAL BUSINESS DISTRICT AND M-1 MANUFACTURING DISTRICT At 8:32 pm, Mayor Watts opened the public hearing. Planning Director Larry Johnson shared the following information for the Zoning Ordinance Text Amendment 1-2-24 - Article E – B-2 General Business District and M-1 Manufacturing District:

Requested Action: Staff request amendment to Article B 9-3012 Definitions, Article E 9-3056 B-2 General Business District and 9-3058 Manufacturing District M-1 and 9-3060.

BACKGROUND: During the January 2024 Planning Board meeting, staff noted recent inquiries for uses not listed in the "Uses Permitted by Right," and guidance from the Planning Board suggested that staff continue with a position that uses not listed are prohibited. The most recent inquiry centered on an inquiry for a "tattoo parlor" location.

Coinciding with the recent inquiry was information from Town Attorney Tim Swanson that it is unlawful to exclude a lawful use from an entire jurisdiction. So, prohibiting any unlisted use is not permissible in the State of North Carolina. Planning Consultant Ben Hitchings concurs with Attorney Swanson's position and suggests that Valdese could treat it the same as the closest listed in the ordinance or add language for an unlisted use.

Additionally, staff recommended implementing the Valdese Vision: A Land Use Action Plan priority—Downtown/commercial development, which called for the rezoning of properties in the downtown, expansion of the Central Business, and creation of a new Zoning District. This action plan prompted the Valdese Planning Board and staff to review and revise all the current uses permitted by Right in the current zoning districts B-1 Central Business and B-2 General Business District.

Recommendations: The first recommendation is to add "Personal Service Establishment" to the Article B Definitions of the zoning ordinance. A Personal Service Establishment is defined as an establishment that provides services of a personal nature. Typical uses include but are not limited to, beauty shops, barbershops, body modification establishments (e.g., tattoos, piercing, etc.), tanning salons, electronic repair shops, bicycle repair shops, nail salons, laundromats, dry cleaners, and tailors.

The next recommendation is to combine current B-2 uses (barbershops and beauty shops, bicycle sales and repair shops, dry cleaning facilities, and tailor shops) into one listing, Personal Service Establishment.

Another text amendment to the zoning ordinance's B-2 General Business District section removes "adult establishments" from the B-2 Uses Permitted by Right. This use would be added to the M-1 Manufacturing District. Adult Establishments would be permitted with a Special Use Permit and the use standards identified in Section 9-3065 Special Requirements. The Planning Board has discussed and recommended this amendment in conjunction with the Downtown commercial expansion and creation of a new district. Marked copies of these amendments are enclosed.

TOWN COUNCIL ACTION:
Before taking such lawful action on text amendments, the Town Council shall consider the Planning Board's recommendations. The Valdese Planning Board supports and approves the amendments and recommends that the Town Council approve Text Amendment 1-2-24.

NOTICE OF PUBLIC HEARING ON PROPOSED TEXT AMENDMENT TO THE ZONING ORDINANCE OF THE TOWN OF VALDESE

The Valdese Town Council will convene in the Council Chambers of the Valdese Town Hall, at 102 Massel Avenue SW, on May 6, 2024, at 6:00 p.m., upon amending Article B Definitions and Article E, Use Requirements by Rights.

Text Amendment #01-02-24

The Valdese Planning Board recommends amending Articles B and E. The definition of a Personal Service Establishment is proposed for Article B. Under Article E, the B-2 General District and M-1 Manufacturing District, Uses permitted by right will be revised to include personal service establishments and removing Adult Establishments from the B-2 General Business District to the M-1 Manufacturing District.

At the hearing, all interested persons may voice any objections to the proposed amendment to the Town of Valdese's zoning ordinance. Notice is further given that complete copies of the proposed text amendment and 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 public hearings. For more information, please contact (828) 879-2124.

Interested parties are encouraged to attend this hearing and present their comments. Persons with disabilities who request accommodations should contact Jessica Lail, Town Clerk, at (828) 879-2117 at least 48 hours before the scheduled meeting time.

Publish: April 27, 2024 and May 4, 2024

VALDESE TOWN COUNCIL TEXT AMENDMENT
CONSISTENCY STATEMENT
Text Amendment 1-2-24

On May 6, 2024, the Valdese Town Council met to consider Text Amendment 1-2-24 and received a recommendation from the Valdese Planning Board. After considering the Plan (defined below), ordinances, maps, recommendations, and other materials presented, the Valdese Town Council makes the following findings and conclusions:

1. In 2014 the Town of Valdese adopted a comprehensive land use plan entitled “The Valdese Vision: A Land Use Action Plan for the Future” (hereinafter the “Plan”).

2. The Planning Board recommends text amendments to the following provisions of the Town of Valdese Code of Ordinances:

    a. Amend Article B, Section 9-3012 Definitions to add and define “Personal Service Establishment” as an establishment that provides services of a personal nature. Typical uses include but are not limited to, beauty shops, barbershops, body modification establishments (e.g., tattoos, piercing, etc.), tanning salons, electronic repair shops, bicycle repair shops, nail salons, laundromats, dry cleaners, and tailors.

    b. Amend Article E, Section 9-3056 General Business District (B-2) to provide “The General Business District intends to encourage the establishment of areas for a general business that does not require a central location. These districts are generally located along major radial highways leading out of town, providing retailing goods and services to the traveling public and residents.”

    c. Amend Article E, Section 9-3056.1(a) Permitted Uses to remove “Adult Establishments,” “Barber and beauty shops,” Bicycle sales and repair shops,” Dry cleaning and laundry pickup stations and dry cleaning facilities,” “Laundromats,” and “Tailor, dressmaking, and millinery shops” as uses permitted by right in the General Business District (B-2) and to add “Personal Service Establishments” as a use permitted by right in the General Business District (B-2).

d. Amend Article E, Section 9-3058.1(b) Permitted Uses to add "Adult Establishments" as permitted uses with a special use permit in Manufacturing District (M-1).

e. Amend Article E, Section 9-3065 to defined and address Adult Establishments.

3. North Carolina General Statute 160D-605(a) provides that when adopting or rejecting a zoning text or map amendment, the governing board shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive or land-use plan.

4. Text Amendment 1-2-24 supports the following goals in the Plan:

Priority 1: Commercial/Downtown Development
CD1.2 Ensure that the scale and design of commercial development is consistent with the unique small-town character of Valdese, especially in the Central Business District.
CD1.9 Recruit and help establish more "basic services" businesses to attract more town residents downtown.
CD 1-13 – Rezone properties in the downtown area to promote the expansion of the Central Business into several additional blocks and create relevant new zoning district.

5. Text Amendment 1-2-24 was duly considered at a meeting of the Town of Valdese Planning Board. The Planning Board voted five to zero to recommend that Town Council approve Text Amendment 1-2-24.

Based upon the recommendation of the Valdese Planning Board and the findings from the public hearing, the Valdese Town Council finds Text Amendment 1-2-24 to be consistent with the Plan. Valdese Town Council hereby approves Text Amendment 1-2-24 and the recommendation from the Valdese Planning Board.

This _____ day of _____, 2024.

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

Mayor Watts asked if anyone wished to speak either for or against the public hearing. Hearing none, Mayor Watts closed the public hearing at 8:39 pm.

Councilwoman Lowman made a motion to approve Text Amendment 1-2-24 - Article E – B-2 General Business District and M-1 Manufacturing District and adopt the Consistency Statement for Text Amendment 1-2-24, seconded by Councilman Mears.

The vote was as follows: Councilman Harvey – Yes, Councilman Mears – Yes, Councilman Ogle – Yes, Councilwoman Lowman – Yes, Councilwoman Ward – No.

INTERIM MANAGER'S REPORT:

Granville Morrow Fun Fish Day is scheduled for Saturday, May 11, 2024, 9:00 a.m. – 1:00 p.m. at McGalliard Falls. Register online at valdese.recdesk.com. Rain Date: May 18, 2024

Family Friday Nights Kickoff Celebration is scheduled for Friday, May 17, 2024, 7:00 p.m. – 10:00 p.m., with Too Much Sylvia, at the Temple Field. Concerts will continue every Friday until August 30, 2024.

Town Offices Closed on Monday, May 27, 2024, in Observance of Memorial Day

Next Agenda Review Council meeting is scheduled for Tuesday, May 28, 2024, 6:00 p.m., Council Chambers, Valdese Town Hall

Mayor Watts asked if the Council would move the Agenda Review meeting on Tuesday, May 28, 2024, to 3:00 pm instead of 6:00 pm. Councilman Ogle made a motion to move the time to 3:00 pm, seconded by Councilwoman Lowman. The vote was unanimous.

MAYOR AND COUNCIL COMMENTS: Councilman Harvey assured everyone that is using the internet; nobody on this Council has suggested that we not have Broadband internet in Valdese. Councilman Harvey said we are taking care of Valdese as we were elected to do.

Councilman Mears shared that he was never excited about the Pineburr site where the Public Safety building was proposed to be located. He thinks the property next door to Town Hall will be a blessing and more convenient, and Mayor Watts agrees.

Councilwoman Ward thanked everyone for emails and input from citizens throughout the week.

CLOSED SESSION: Mayor Watts called for a motion to recess into Closed Session for:

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

- **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.

At 8:47 p.m., Councilman Mears made a motion to go into closed session, seconded by Councilwoman Ward. The vote was unanimous.

At 10:24 p.m., Councilwoman Lowman made a motion to return to open session, seconded by Councilman Harvey. The vote was unanimous.

ADJOURNMENT: At 10:25 p.m., there being no further business to come before Council, Councilwoman Lowman made a motion to adjourn, seconded by Councilman Mears. The vote was unanimous.

The next regular Council meeting is scheduled for Monday, June 3, 2024 at Valdese Town Hall.

_____ _____

Town Clerk Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL PRE- AGENDA MEETING
MAY 28, 2024

The Town of Valdese Town Council met on Tuesday, May 28, 2024, at 3:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The Council meeting was live-streamed on YouTube @townofvaldese. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilman Glenn Harvey, and Councilman Paul Mears. Also present were: Interim Town Manager Bryan Steen, Town Attorney Tim Swanson, Town Clerk Jessica Lail, and various Department Heads.

Absent:

A quorum was present.

Mayor Watts called the meeting to order at 3:00 p.m. He offered the invocation and led in the Pledge of Allegiance to the Flag.

NEW BUSINESS

PRESENTATION OF APPRECIATION Mayor Watts presented the following Resolution of Appreciation to retiring Water Resources Director, Greg Padgett:

WHEREAS, Greg Padgett for the past 20 years has served the Town of Valdese with distinction as a committed and dedicated public servant with the Water Resource Departments; and

WHEREAS, throughout his tenure, Greg Padgett's profound knowledge and steadfast dedication have significantly contributed to the effective management and sustainability of our vital water resources; and

WHEREAS, under Greg Padgett's guidance, the Town of Valdese has made remarkable strides in the efficient utilization and conservation of water ensuring it's availability for generations to come; and

WHEREAS, Greg Padgett has demonstrated exceptional leadership, fostering teamwork and collaboration within the Water Resource Departments, and earning the respect and admiration of colleagues and community members alike; and

WHEREAS, Greg Padgett has consistently demonstrated a passion for environmental stewardship, advocating for responsible water management practices and spearheading initiatives to safeguard our water supply; and

WHEREAS, Greg Padgett's leadership led to innovative modifications in disinfection treatment strategies, enhancing public safety while simultaneously reducing chemical costs, including pioneering a first in the State pilot study to replace chlorine disinfection with peracetic acid disinfection; and

WHEREAS, Greg Padgett played a pivotal role in the development and advancement of Valdese's annual Capital Improvement Process (CIP), ensuring continued infrastructure enhancements for the community's benefit; and

WHEREAS, Greg Padgett's continuous dedication has resulted in the optimization and maintenance of our water facilities, ensuring a consistently high level of service for our residents.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Valdese as we take this occasion to express honor, respect, and admiration to **Greg Padgett** for his outstanding contributions to the Water Departments and the Town of Valdese.

BE IT FURTHER RESOLVED, that the Town Council of the Town of Valdese, North Carolina, hereby expresses its sincere appreciation and gratitude to **Greg Padgett** for his service and leadership to the Water Departments and the Town of Valdese during the past 20 years and extends congratulations and best wishes upon his retirement.

Adopted this the 28th day of May, 2024.

/s/ Charles Watts, Mayor

REVIEW AND DISCUSSION OF JUNE 3, 2024 PRELIMINARY AGENDA:

Assistant Town Manager Bo Weichel added one item under Consent Agenda 6 F. Approval of American Rescue Plan Act Funding Policies. Mr. Weichel added a seventh policy title, Electronic Advertisement.

Mayor Watts asked if there were any questions under the consent agenda. No questions were asked.

VALDESE POLICE DEPARTMENT PRESENTATION Mayor Watts said that this presentation would take place on June 3, 2024.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON JUNE 3, 2024, AT 6:00 P.M.

CONSIDERATION OF APPOINTMENTS AND/OR REAPPOINTMENTS TO VALDESE ECONOMIC DEVELOPMENT INVESTMENT CORPORATION (VEDIC) BOARD Mayor Watts noted that there would be two appointments nominated by the VEDIC Board, Tim Barus and Kylie Gera. Mayor Watts said if Council members have other nominations, that would take place at the June 3, 2024 meeting. If someone is interested in serving, an application can be found on the Town's website.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON JUNE 3, 2024, AT 6:00 P.M.

FY 24-25 PROPOSED BUDGET AND SCHEDULING OF PUBLIC HEARING FOR MONDAY, JUNE 17, 2024 Assistant Town Manager/CFO Bo Weichel recapped what Council wanted removed from the General Fund budget from the last meeting, $100,000 Land Use Plan, reduced Attorney fees from $120,000 to $80,000, $150,00 of the $324,000 Public Safety money will go towards additional paving, ABC revenue that was being put into Public Safety goes back into the General Fund, added a $2.00 Recycling fee increase, reduced Friday Family Night series in the amount of $40,000, removed money for a full-time planner, reduced County election fees, and added $5,000 for additional Police training. Mr. Weichel said we are at a $69,000 fund balance appropriation with all those numbers run. Councilman Harvey was concerned that there were some things the Council had not resolved, such as staff COLAs, and recommended a 4% increase with money allocated for staff training. Councilman Harvey identified the training needed: Process Improvement, Customer Service, and Teamwork. Mayor Watts expressed his concerns about the staff COLA and workforce shortage and recommended a 5% increase. Councilman Harvey would like a salary study completed. Councilwoman Lowman has no problem adding training to the budget but would like the Council to be included in the training. Councilman Mears likes the idea of training, an updated salary study, and a 5% COLA. Councilman Harvey asked the Council members to consider removing themselves from the employee insurance program and adding compensation to cover the expense. Mr. Weichel suggested waiting until the new manager is hired to determine what training we need and then do a budget amendment at that time for the cost. Councilwoman Ward expressed disappointment for not having an orientation when appointed and feels that is a big reason why the Attorney fees are higher.

Mr. Weichel recapped the Utility Fund and shared that we are not pulling anything from the reserves. Mr. Weichel said that we have the outside water user's rate at 1.5 times over a 2.0 multiplier, moved inside residential water to a no increase, and increased the bulk users to 6%. Mr. Weichel noted that we removed the $600,000 vactor truck and moved that fund to add more aerators to do a one-and-done installation. The Council discussed the outside water rate with the 2.0 multiplier because they have received many calls and complaints. Most of the Council members would like to see the 1.5 multiplier. If we do, Mr. Weichel noted that we would have to look at the capital plan and possibly take away an aerator.

Councilman Harvey asked if the Efficiency Committee looked into the in-ground lift for $30,000, which was reduced to $20,000, a pickup truck in the Streets department, and a tractor with a mower for $60,000. Mr. Weichel said they looked at it and decided it was best to keep those in the budget, so they are currently still in the budget. Councilman Harvey asked about the fee schedule and if there were any deferential outside fees. Mr. Weichel said there was some at the Recreation Center. Councilwoman Lowman asked if we had looked into adding adult orthodontics to the dental plan. Mr. Weichel said we did add it at a minimal cost. The Council further discussed staff COLAs and insurance plans. Councilman Mears, Councilwoman Lowman, and Councilman Ogle want a 5% COLA. Councilwoman Ward is having a hard time determining what the COLA should be.

Mr. Weichel asked if the Council wanted to add a fee for public records request that was discussed at an earlier meeting. Town Attorney Tim Swanson said that you could charge for the IT time for email records requests and that the Town is getting around three to four requests a month for emails. Mr. Weichel said that IT services are $110.00 an hour. Councilwoman Lowman feels if someone wants the records, that fee is too high, and she has a problem with that. Councilman Mears is not in agreement but recommends letting the requestor know how much it costs the Town. There will not be a fee added to the fee schedule.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON JUNE 3, 2024, AT 6:00 P.M.

REVISION TO VALDESE TOWN COUNCIL RULES & REGULATIONS – RULE 5. PUBLIC COMMENT - COUNCIL DISCUSSION Interim Town Manager Bryan Steen asked if the Council wanted to change the rules of public comments. Councilwoman Lowman is very pleased with what we have in place and does not think we should limit people. Councilman Harvey liked the Town of Albemarle Rules and Regulations that Mr. Steen shared with the Council and thought they had good ideas. Mayor Watts and Councilman Mears are happy with keeping things as they are. Councilwoman Ward would be in favor of limiting the presentations. Council members would like to see the presentations limited to 15 minutes and leave the public comments at five minutes. Town Attorney Tim Swanson will look at language to limit presentations to 15 minutes.

RESULT: REMOVED FROM THE JUNE 3, 2024, MEETING

CONSIDERATION OF APPROVING RESOLUTION ESTABLISHING NEW TOWN OF VALDESE AD HOC STREET MAINTENANCE COMMITTEE Councilman Harvey shared that there are three proposed new ad hoc committees to continue public involvement. Councilwoman Lowman asked if we could wait until we got a Town Manager to get input from them. Councilman Harvey feels it is a Council decision.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON JUNE 3, 2024, AT 6:00 P.M.

CONSIDERATION OF APPROVING RESOLUTION ESTABLISHING NEW TOWN OF VALDESE AD HOC UTILITIES INFRASTRUCTURE COMMITTEE

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON JUNE 3, 2024, AT 6:00 P.M.

CONSIDERATION OF APPROVING RESOLUTION ESTABLISHING NEW TOWN OF VALDESE AD HOC MERCHANTS ADVISORY COMMITTEE

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON JUNE 3, 2024, AT 6:00 P.M.

CONSIDERATION OF APPROVING RESOLUTION OF LOCAL ADMINISTERED PROJECT PROGRAM (LAPP) LOVELADY SIDEWALK Planning Director Larry Johnson shared that he and Councilman Harvey attended a Transportation meeting in April in Hickory and learned that funding was available for certain projects. Staff came up with a project that would install a sidewalk from Laurel Street along the northern edge of Lovelady Road down to the park. Mr. Johnson shared that this would be completed in two phases: phase 1 would be the sidewalk construction from Laurel to Crescent Street, and phase 2 would be to continue to Lakeside Park. Mr. Johnson noted that the Resolution would need to be approved so the Town could apply for the funds. Mr. Johnson said the commitment for the Town would be 20%.

Lovelady Sidewalk Phase 1: STBG-DA Funding – Funding to construct sidewalk connecting existing Laurel Street sidewalk to Crescent Street NE.

- Estimated Total Project Cost: $1,430,700.00
  - 80% Federal Share: $1,144,560.00
  - 20% Local Share: $286,140.00

Lovelady Sidewalk Phase 2: STBG-DA Funding – Funding to construct sidewalk connecting phase 1 to Lake Rhodhiss Drive.

- Estimated Total Project Cost: $2,240,960.00
  - 80% Federal Share: $1,792,768.00
  - 20% Local Share: $448,192.00

Daniel Odom, Transportation Projects Director from WPCOG said that the applications will be reviewed and approved in June.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON JUNE 3, 2024, AT 6:00 P.M.

CONSIDERATION OF MASTER SERVICES AGREEMENT WITH MCGILL ASSOCIATES Assistant Town Manager/CFO Bo Weichel shared that this agreement is an on-demand professional service we can use for Water Resources expertise since Greg Padgett retired and for task orders on actual projects. Mr. Weichel, we would pay hourly as needed.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON JUNE 3, 2024, AT 6:00 P.M.

CONSIDERATION OF INTERIM TOWN MANAGER

RESULT: MOVED TO AFTER CLOSED SESSION

CONSIDERATION OF APPROVING RESOLUTION OF AUTHORIZING UPSET BID PROCESS FOR THE SALE OF TOWN-OWNED PROPERTY – 338 TRON AVE Assistant Town Manager/CFO Bo Weichel said the following two items go together. The Town received an offer of $3,500 to purchase two side-by-side parcels, and this resolution would allow us to go through the upset bid process. Councilman Harvey noted that the lots are assessed at $20,000. Councilman Harvey said the Town has five to six parcels left and recommends the Council give a local realtor the opportunity to list and market them. Councilman Harvey recommended not taking this offer.

RESULT: REMOVED FROM THE AGENDA

CONSIDERATION OF APPROVING RESOLUTION OF AUTHORIZING UPSET BID PROCESS FOR THE SALE OF TOWN-OWNED PROPERTY – 342 TRON AVE

RESULT: REMOVED FROM THE AGENDA

CONSIDERATION OF APPROVING RESOLUTION OF SALE OF TOWN-OWNED PROPERTY - 308 STUART AVE SE Assistant Town Manager/CFO Bo Weichel shared that the following three items went through the upset bid process by the same person, and there were no upset bids. Mr. Weichel noted that 308 Stuart was for $10,000, 317 Stuart was for $20,000, and 460 Perkins was for $40,000.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON JUNE 3, 2024, AT 6:00 P.M.

CONSIDERATION OF APPROVING RESOLUTION OF SALE OF TOWN-OWNED PROPERTY - 317 STUART AVE SE

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON JUNE 3, 2024, AT 6:00 P.M.

CONSIDERATION OF APPROVING RESOLUTION OF SALE OF TOWN-OWNED PROPERTY – 460 PERKINS RD SE

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON JUNE 3, 2024, AT 6:00 P.M.

CAPITAL PROJECT ORDINANCE AMENDMENT – CLINE AVE PUMP STATION Assistant Town Manager/CFO Bo Weichel said that this amendment is just amending the Capital Project Ordinance to account for the construction cost and SRP loan we are getting.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON JUNE 3, 2024, AT 6:00 P.M.

CAPITAL PROJECT ORDINANCE – POOL STRUCTURE Assistant Town Manager/CFO Bo Weichel said this is setting up a Capital Project Ordinance for the pool structure at the Aquatics Center.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON JUNE 3, 2024, AT 6:00 P.M.

Town Attorney Tim Swanson said that we needed to add a Trail Easement between Hoyle Creek and Lake Rhodhiss Road to the June 3, 2024, agenda.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON JUNE 3, 2024, AT 6:00 P.M.

INTERIM MANAGER'S REPORT:

Family Friday Nights continue each Friday in June on Temple Field from 7:00 p.m. – 10:00 p.m.

Valdese Independence Day Celebration, Friday, June 28, 2024, 6:00 p.m., Main Street

Next Regular Council meeting scheduled for Monday, June 17, 2024, 6:00 p.m.

CLOSED SESSION: Mayor Watts called for a motion to recess into Closed Session for:

- **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.

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

At 4:49 p.m., Councilwoman Lowman made a motion to go into closed session, seconded by Councilman Mears. The vote was unanimous.

At 5:34 p.m., Councilwoman Lowman made a motion to return to open session, seconded by Councilwoman Ward. The vote was unanimous.

ADJOURNMENT: At 5:36 p.m., there being no further business to come before Council, Councilman Harvey made a motion to adjourn, seconded by Councilwoman Lowman. The vote was unanimous.

_____ _____

Town Clerk Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL REGULAR MEETING
JUNE 3, 2024

The Town of Valdese Town Council met on Monday, June 3, 2024, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The Council meeting was live-streamed on YouTube @townofvaldese. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilman Glenn Harvey, and Councilman Paul Mears. Also present were: Interim Town Manager Bryan Steen, Town Attorney Tim Swanson, Town Clerk Jessica Lail, and various Department Heads.

Absent:

A quorum was present.

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

OPEN FORUM/PUBLIC COMMENT

VALDESE POLICE DEPARTMENT PRESENTATION Valdese Police Chief Marc Sharpe presented the following presentation:

"I think we can all agree many times in everyone's job, some of their greatest efforts or an exemplary performance goes unnoticed or is not recognized.

As an opening, I would like to share a brief synopsis of an incident in my career which was perhaps my most rewarding thus far to illustrate what I am speaking about.

Around 2005, while an SBI Agent, I worked a sexual assault case involving two little girls, (Children) who were 5 and 6 years old. Without going into great detail, I was placed in a situation where I had to make a decision in the case concerning the suspect who was their father of which they had very little contact with. The girls were not direct victims of their Father's wrong doing but were collateral damage. I created a meeting at their Mother's request in my office, with their Father so that the girls could say goodbye before he was sentenced to prison for the rest of his life.

Fast forward, 2018, I had just left the SBI, placing many cases and their details behind me in my past. I was going on a fishing trip with friends to relax for a couple of days and needed a fishing license. As I stood at the counter speaking with a female employee who looked at my driver's license, she asked, are you Marc Sharpe the SBI Agent? Perplexed with 1000 thoughts going through my mind, I said that could be a loaded question why do you ask? The young lady answered, if you are him I met you when I was six years old and while the moment was bad for my Dad it was good for me. You did your job and my Dad got what he deserved for the things he did. You were compassionate and caring and allowed me to say bye to him even though I really didn't know him at that time. I will never forget you for that and if you are him, ***"Thank You"***. I tearfully hugged the young lady admitting who I was and we parted ways for the second time in our lives.

A Chance encounter, some of us may think so, more of a blessing, it became the greatest reward of my career thus far for a deed done that was unnoticed, never even spoken about until that day. Now***, Hold that thought***.

On April 19th, 2024 each of the seated employees of the Valdese Police Department were instrumental in locating, securing, and rescuing, a (27) twenty seven day old infant reported missing from the State of Florida. My officers and employees worked for several days investigating and attempting to find the child which authorities thought may be in the Valdese area but was not quite sure just where.

During this period much time was spent with information passed on from shift to shift communicating and investigating to the point of almost involving every member of the department to insure this case ended in proper fashion. Once the child was actually located a mother and father had to be communicated with in a

tense situation to once again insure the child's safety and insure the child was turned over to Florida authorities as requested on the custody order received from the State of Florida.

Judges, Attorney's, DSS, the State of Florida's Department of Children and Families were all in communication with the Valdese Police Department and its employees to make sure the situation was properly handled.

When your time was called to step into the arena each of you did so and completed your task to take care of a child.

Just before midnight Florida authorities and investigators with the Florida Department of Children and Families arrived and took custody of the child transporting the child back to Florida.

Each of your duties over the time period of this case consisted of investigations, planning, transporting, child care, meal prep, counselor, feeding, and yes even rocking a child to sleep in the police department.

I want each of you to know someone noticed, someone was watching, your Chief was watching, and I want your Town to know about the job you did to complete this task. Your dedication and teamwork was exemplary.

I would ask that each of my employees stand to be recognized.

I would now ask that every member of this room give a round of applause and thank each of you for your exemplary performance during this incident. I and the citizens of Valdese applaud your efforts.

In closing a letter was shared with the council from the State of Florida as well as an exemplary performance letter from me. A copy of those letters will be provided to each of you and a copy will be placed in your departmental file.

Perhaps another unknown should be shared about this incident. The Mother of the child sent back to Florida that night told me as she left the Valdese Police Department that unfortunately this was not the first child that had been taken from her by authorities. She then added she had had many dealing with the Police in her life. Then she said she had never been treated with the compassion and kindness that she had received on this occasion from our officers and employees. The Mother said in this bad situation for all of us, your department was only good.

I can only hope for my officers and employees, one day one or all of you is rewarded with that chance encounter in this case from one or all involved thanking you for something that turned out the right way. Thank you all for your time."

FOOTHILLS BROADBAND – WENDY HARDIN, 313 SPRINGWOOD DR. NE, VALDESE: Ms. Hardin provided a copy of public comments to the Town Clerk:

Good evening,

My name is Wendy Hardin and my husband and three children reside in the Springwood neighborhood in Valdese. I was born and raised in Morganton and am a public school teacher. My husband is in the IT business and often works from home.

As a constituent of this Council, I would like to speak about a new business trying to be established here in the town of Valdese, that business being Foothills Broadband, a fiber optic internet provider. After speaking at length with Mr. Zachary Chiz, the founder and Chief Operating officer of Foothills Broadband, the company signed a one year lease in April 2023 for a .21 acre piece of property located at 204 Janavel Ave. Sw, currently owned by the Town of Valdese. This property was used to place a large piece of the main infrastructure for the broadband equipment, with the agreement that the lease would be extended for 10 years. The property, located at 204 Janavel Av. SW, was vacant and not generating any income for the town.. With the current lease to Foothills Broadband, the town collects $500 per month, and with an increase at an agreed upon set rate, in the extended 10 year lease, the Town of Valdese would generate $79,000. That's a pretty good deal in my opinion.

The large piece of equipment has been installed and the company is ready to proceed. However, from my understanding, there has been some resistance from the newly elected town council members who were not serving at the time of the original lease agreement. Without the renewal of the lease, the business essentially will be inoperable. The concern is whether Foothills Broadband will "come through with their end of the deal" and complete the installation and any repairs to city maintained roads and sidewalks that have been disturbed during the process.

In my opinion as a constituent of this council, this is an issue that should not even be discussed. How do you expect to expand any town, community, and/or business, as my late father used to say, without any growing pains? Which do we value more - pavement or progress? Interruption of traffic and sidewalks or displaying a community who embraces the future, especially when business owners who were born and raised right here in Burke County want to invest in the community and help make it the best it can be.

May I speak about the character and moral values of Mr. Chiz, founder and COO of Foothills Broadband. I have known Zachary and his family for many years and taught Zachary, his twin brother Eric, and his older sister, Andrea in children's choir at Burkemont Baptist Church in Morganton some 20 years ago. The Chiz family is honest, hard working, and

committed to our community. Through the years I have seen multiple displays of utmost ethics and honesty in Zach during his teenage years on mission trips, in Vacation Bible School, and in hearing about his success from his family after he graduated and left for college. The Chiz family is always willing to help and have proven to follow through on any commitment they make. Zachary and his wife, Jodi have a vision to help provide this service not only for current residents and business, but also for future growth of our beautiful town.

In closing, I ask that you vote to renew and extend the lease of 204 Janavel Avenue to Foothills Broadband and allow Mr. Chiz and his company to begin providing fiber optic internet to the citizens of Valdese, NC. For my family, that means having access to much needed faster and more reliable internet service. For the town of Valdese, this means the ability to offer fiber optic internet to larger businesses and franchising looking to expand in our area. For citizens without current internet connection, Foothills Broadband will allow them to have basic levels of access for safety, security, and support.

Thank you.

BUDGET PROPOSALS – TAMIKA GARRISON, 807 MICOL AVE NE, VALDESE: Ms. Garrison provided a copy of public comments to the Town Clerk:

"I want to address the conversation among the council about the opportunity for pay increases for our town employees. I also want to say that I am available to expand upon anything I am about to say to any council member individually or collectively because I believe in the systems we have in place, and that my voice as a public servant, volunteer, and concerned citizen is important both in this setting and as neighbors of this town.

The fact is, we have all been affected by inflation and the steady increase of costs nationwide. Town of Valdese citizens have been no strangers to this themselves.

I also empathize with folks who had to take out a loan to pay their taxes, because we had to borrow money to pay our taxes this past year. I was pastoring a small church, we had several unexpected medical expenses, and my father's health declined and he died on Christmas eve, around the time we would have typically paid our taxes. My husband, being the main source of income at the time, is a Valdese town employee and a Valdese citizen in Ward 1. As all of you know, responsibilities do not stop because of our circumstances. Our councilperson at the time made phone calls to us, checking in and offering his support for us through all of our tough circumstances, being a friend first, neighbor second, and councilman 3rd.

Another town employee, with a 4 year degree, could not get approved to purchase a home in city limits because their income was deemed inadequate for a first time buyer's loan with the cost of living and median price of homes now in Valdese. This individual has been forced to look outside of our town for homes because of this circumstance.

There are several examples of town employees who are in tough positions financially and other employees who have donated their banked sick or vacation time to support one another through various financial hardships.

For those of you who serve the town of Valdese in civic organizations and public service groups, you are made aware of many of these needs because you are volunteering your time serving the people of Valdese. Most recently, I had the privilege of serving two mobile food drives in this community. One at Abernethy Methodist and the other at First UMC here in valdese. I recognized over 20 of our town employees receiving food between these ministries because grocery money is sparing on town income.

There are many other stories I can't share due to privacy concerns and the fear that has been cast over the vast majority of our employees. Many of whom, I am sure, would love to feel the same support we felt through their own adversities.

I share all of this to say that I am more than a little concerned. We know that based on studies, neighboring municipalities will be experiencing a labor shortage. That means open door opportunities for our town employees to seek positions elsewhere with better pay, leaving Valdese with unfilled vacancies for long periods of time. Vacancies that put undue workload on existing employees.
Let's not try so hard to lower our taxes to prove a point that we neglect our most precious resources. Let's think forward about the future of our town and the wellbeing of citizens, employees, and services.

As I stand before you council, I am not asking for you to agree with me or take my word for it. I am asking you to consider that there is more out there than you may be aware of. I am asking you to hear the voices of 25 plus employees through my words here today. Equity is not just about money or resources, it is about being fair. I pray that you will be equitable in your decisions this evening."

TOWN MEETINGS – JEAN-MARIE COLE, 705 BERTIS ST, VALDESE: Ms. Cole shared that she was disappointed at the last agenda review meeting. She showed up at 6:00 p.m., and no one was there. Ms. Cole noted that this was the second time a meeting had been moved this year. She never found anything that gave a new time for the meeting, so she is concerned about that and would like the process fixed.

CONSENT AGENDA: (enacted by one motion)

APPROVED AGENDA REVIEW MEETING MINUTES OF APRIL 29, 2024

APPROVED REGULAR MEETING MINUTES OF MAY 6, 2024

APPROVED CLOSED SESSION MINUTES OF MAY 6, 2024

APPROVED LEASE AGREEMENT AT THE OLD ROCK SCHOOL WITH DREAM CONNECTIONS Lease agreement for rental space at the Old Rock School. The Dream Connections Lease is in the amount of $1,100 per month.

APPROVED AMERICAN RESCUE PLAN ACT(ARPA) FUNDING POLICIES Revised policies to meet the requirements for current and future federal funding. To obtain a copy of the policies, contact the Clerk's office.

i. Record Retention Policy
ii. Eligible Use Policy
iii. Allowable Cost Policy
iv. Civil Rights Compliance Policy/Nondiscrimination
v. Conflict of Interest Policy
vi. Procurement Policy
vii. Resolution for Electronic Advertising for Bidding

APPROVED RESOLUTION OF LOCAL ADMINISTERED PROJECT PROGRAM (LAPP) LOVELADY SIDEWALK

RESOLUTION AUTHORIZING TOWN OF VALDESE TO SUBMIT AN APPLICATIONS TO THE GREATER HICKORY METROPOLITAN PLANNING ORGANIZATION IN THE AMOUNT OF $3,671,660.00 AND WILL COMMIT $734,332.00 AS A CASH MATCH FOR LOVELADY ROAD SIDEWALK PHASE 1 & 2.

LEGISLATIVE INTENT/PURPOSE:

On March 27, 2024, the Greater Hickory Metropolitan Planning Organization (GHMPO) issued a call for projects to agencies in its jurisdiction for Surface Transportation Program- Direct Appointment (STBG-DA). Funding is available for Bicycle and Pedestrian, Intersections, Roadway, and Transit. The funding requires a 20% minimum local match.

The Town of Valdese is submitting applications for the following projects:

Lovelady Sidewalk Phase 1: STBG-DA Funding – Funding to construct sidewalk connecting existing Laurel Street sidewalk to Crescent Street NE.

- Estimated Total Project Cost: $1,430,700.00
    - 80% Federal Share: $1,144,560.00
    - 20% Local Share: $286,140.00

Lovelady Sidewalk Phase 2: STBG-DA Funding – Funding to construct sidewalk connecting phase 1 to Lake Rhodhiss Drive.

- Estimated Total Project Cost: $2,240,960.00
    - 80% Federal Share: $1,792,768.00
    - 20% Local Share: $448,192.00

NOW, THEREFORE, BE IT RESOLVED:

That, the Town of Valdese is hereby authorized to submit a STBG-DA application in the amount of $3,671,660.00 and will commit $734,332.00 as cash match for the Lovelady Sidewalk Project.

/s/ Charles Watts, Mayor

ATTEST:

/s/ Town Clerk

APPROVED MASTER SERVICES AGREEMENT WITH MCGILL ASSOCIATES An agreement with McGill Associates, P.A. for on-demand professional, multi-dimensional consulting services from time to time on an as-needed basis, to assist with Town projects, including but not limited to planning, design, bidding, and construction services up to and including public water distribution, sanitary sewer collection, transportation, water resources, administrative, funding and facility design, along with specific needs for supplemental engineering services. To obtain a copy of the agreement, contact the Clerk's office.

APPROVED RESOLUTION OF SALE OF TOWN-OWNED PROPERTY - 308 STUART AVE SE

RESOLUTION AUTHORIZING SALE OF REAL PROPERTY

Sale of 1.00 +/- Acre Tract at 308 Stuart Ave SE, Valdese, NC (REID: 10507)

WHEREAS, the Town of Valdese (the "Town") is the owner of that certain tract or parcel of real property (the "Property") situated in Lovelady Township, Valdese, North Carolina commonly known as 308 Stuart Ave SE, Valdese, North Carolina, PIN: 2743526258, REID: 10507, which Property is more particularly described in Deed Book 1044, Pages 150-152, Burke County Registry as follows:

BEGINNING on iron stake at the intersection of the new road and runs then North 76° East with north margin of said new road, 18½ poles to stake, a corner of Lot No 3, then with Lot No. 3, 24 poles more or less to a stake in the road, then with the road, 26 poles to the point of BEGINNING, containing 1 acre, more or less, being Lot No 4 of Report of Commissioners Deed.

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

WHEREAS, on or about March 25, 2024, the Town received an offer to purchase the Property from Michael R. Abee for $10,000.00; and

WHEREAS, at its May 6 2024 regular meeting, Town Council adopted a Resolution Authorizing Upset Bid Process authorizing the sale of the Property through the upset bid procedure of North Carolina General Statute § 160A-269;

WHEREAS, as required by N.C.G.S. § 160A-269, the Town Council directed Town representatives to publish notice of the Town's intent to accept the offer and notice that persons could raise the bid, and that notice was published;

WHEREAS, no upset bids were received within the ten (10) day upset bid period and the offer of Michael R. Abee for $10,000.00 is the last and highest bid for the Property; and

WHEREAS, the Town does not need the Property, and the Town therefore desires to accept the offer made by Michael R. Abee and sell the Property to Michael R. Abee upon the terms hereafter set forth; and

WHEREAS, Michael R. Abee will be responsible for all legal fees associated with preparing the closing documents and all closing costs necessary to transfer ownership from the Town to Michael R. Abee.

IT IS THEREFORE RESOLVED that, pursuant to N.C.G.S. § 160A-269, the sale of the Property to Michael R. Abee for the purchase price of $10,000.00 is approved and the Town Manager is hereby authorized and directed to deliver to Michael R. Abee 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 Michael R. Abee pay all legal fees associated with preparation of the closing documents and all closing costs necessary to transfer ownership from the Town to Michael R. Abee.

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

/s/ Charles Watts, Mayor

ATTEST:

/s/ Town Clerk

APPROVED RESOLUTION OF SALE OF TOWN-OWNED PROPERTY - 317 STUART AVE SE

RESOLUTION AUTHORIZING SALE OF REAL PROPERTY

Sale of 3.28 +/- Acre Tract at 317 Stuart Ave SE, Valdese, NC (REID: 38623)

WHEREAS, the Town of Valdese (the "Town") is the owner of that certain tract or parcel of real property (the "Property") situated in Lovelady Township, Valdese, North Carolina commonly known as 317 Stuart Ave SE, Valdese, North Carolina, PIN: 2743528801, REID: 38623, which Property is more particularly described in Deed Book 112, Page 522, Burke County Registry as follows:

Beginning at a point in center of road in line of the Town of Valdese, Impounding Basin and runs with the said line the following courses and distances, North 32 deg. 0' West 71.1 feet; North 41 deg. and 52' East 65 feet to the center of creek; thence down the meanders of said creek and the line of Valdese Property line, approximately North 25 deg. West 435 feet to a point in creek, their corner; thence down the meanders of the present creek as now runs North 32 deg. and 30' West 180 feet to the mouth of Culvert over the Railroad; the same course North 32 deg. and 30' West 50 feet to a point in center of Creek over the Culvert of the Southern Railroad track; thence with the center of Southern Railroad tract North 86 deg. West 240 feet to a point in said tract; thence leaving the railroad and running South 6 deg. East 51 feet to a white oak a new marked corner 3 hacks; thence with a new line South 18 deg. and 0' East 560 feet to a point in center of road leading across the Impounding Water Basin of the Town of Valdese; thence with the said road approximately 330 feet to the point of Beginning, and containing 4 acres more or less, as surveyed by James A. Harbison, County Surveyor, December 22, 1951.

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

WHEREAS, on or about March 25, 2024, the Town received an offer to purchase the Property from Michael R. Abee for $20,000.00; and

WHEREAS, at its May 6 2024 regular meeting, Town Council adopted a Resolution Authorizing Upset Bid Process authorizing the sale of the Property through the upset bid procedure of North Carolina General Statute § 160A-269;

WHEREAS, as required by N.C.G.S. § 160A-269, the Town Council directed Town representatives to publish notice of the Town's intent to accept the offer and notice that persons could raise the bid, and that notice was published;

WHEREAS, no upset bids were received within the ten (10) day upset bid period and the offer of Michael R. Abee for $20,000.00 is the last and highest bid for the Property; and

WHEREAS, the Town does not need the Property, and the Town therefore desires to accept the offer made by Michael R. Abee and sell the Property to Michael R. Abee upon the terms hereafter set forth; and

WHEREAS, Michael R. Abee will be responsible for all legal fees associated with preparing the closing documents and all closing costs necessary to transfer ownership from the Town to Michael R. Abee.

IT IS THEREFORE RESOLVED that, pursuant to N.C.G.S. § 160A-269, the sale of the Property to Michael R. Abee for the purchase price of $20,000.00 is approved and the Town Manager is hereby authorized and directed to deliver to Michael R. Abee 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 Michael R. Abee pay all legal fees associated with preparation of the closing documents and all closing costs necessary to transfer ownership from the Town to Michael R. Abee.

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

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

APPROVED RESOLUTION OF SALE OF TOWN-OWNED PROPERTY – 460 PERKINS RD SE

RESOLUTION AUTHORIZING SALE OF REAL PROPERTY

Sale of 13.44 +/- Acre Tract at 460 Perkins Rd SE, Valdese, NC (REID: 38624)

WHEREAS, the Town of Valdese (the "Town") is the owner of that certain tract or parcel of real property (the "Property") situated in Lovelady Township, Valdese, North Carolina commonly known as 460 Perkins Rd SE, Valdese, North Carolina, PIN: 2743624062, REID: 38624; and

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

WHEREAS, on or about March 25, 2024, the Town received an offer to purchase the Property from Michael R. Abee for $40,000.00; and

WHEREAS, at its May 6 2024 regular meeting, Town Council adopted a Resolution Authorizing Upset Bid Process authorizing the sale of the Property through the upset bid procedure of North Carolina General Statute § 160A-269;

WHEREAS, as required by N.C.G.S. § 160A-269, the Town Council directed Town representatives to publish notice of the Town's intent to accept the offer and notice that persons could raise the bid, and that notice was published;

WHEREAS, no upset bids were received within the ten (10) day upset bid period and the offer of Michael R. Abee for $40,000.00 is the last and highest bid for the Property; and

WHEREAS, the Town does not need the Property, and the Town therefore desires to accept the offer made by Michael R. Abee and sell the Property to Michael R. Abee upon the terms hereafter set forth; and

WHEREAS, Michael R. Abee will be responsible for all legal fees associated with preparing the closing documents and all closing costs necessary to transfer ownership from the Town to Michael R. Abee.

IT IS THEREFORE RESOLVED that, pursuant to N.C.G.S. § 160A-269, the sale of the Property to Michael R. Abee for the purchase price of $40,000.00 is approved and the Town Manager is hereby authorized and directed to deliver to Michael R. Abee 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 Michael R. Abee pay all legal fees associated with preparation of the closing documents and all closing costs necessary to transfer ownership from the Town to Michael R. Abee.

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

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

APPROVED CAPITAL PROJECT ORDINANCE AMENDMENT – CLINE AVE PUMP STATION

Valdese Town Council Meeting — Monday, June 3, 2024

Capital Project Ordinance Amendment # 1-50

Subject: Cline Ave Pump Station

Description: To amend Project Ordinance 50 for to account for the construction contract approved at the May 6, 2024 meeting.

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
50.3000.001	Utility Fund Contribution		7,260
50.3000.002	SRP Loan		312,510
	Total	$0	$319,770

Amounts appropriated for capital projects are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
50.8110.600	Loan Closing Fee	6,780	
50.8110.800	Construction	197,190	
50.8110.900	Contingency	115,800	
	Total	$319,770	$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.

APPROVED CAPITAL PROJECT ORDINANCE – POOL STRUCTURE

TOWN OF VALDESE
POOL STRUCTURE
CAPITAL PROJECT ORDINANCE

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

Section 1. The project authorized is the Pool Structure at the Jimmy C. Draughn Aquatic Center. This project involves building a permanent structure over the pool for year-round swimming. The project will be funded by a combination of grants and Town funds.

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

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

Source		Amount	Assigned Account Number
Transfer from General Fund	$	119,340	31.3970.000
	$	119,340	

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

Source		Amount	Assigned Account Number
Engineering Services	$	112,840	31.6200.040
Site Evaluation and Testing		6,500	31.6200.041
	$	119,340	

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 June 2024.

/s/ Charles Watts, Mayor

ATTEST:

/s/ Town Clerk

APPROVED ACCEPTANCE OF TRAIL EASEMENT AGREEMENT Acceptance of a trail easement agreement located between 0 Lake Rhodhiss Dr. NE and Hoyle Creek, Valdese, which Burke County Public Schools own. Duke Energy signed off on a conservation buffer on the property.

Councilwoman Ward made a motion to approve the aforementioned items on the Consent Agenda, seconded by Councilman Mears. The vote was unanimous.

End Consent Agenda

ITEMS REMOVED FROM CONSENT AGENDA: Councilman Harvey removed 6 E. Approval of Resolution of the Town of Valdese Town Council Leasing Property for a Term Up to Ten Years (Foothills Broadband)

A RESOLUTION OF THE TOWN OF VALDESE TOWN COUNCIL LEASING PROPERTY FOR A TERM UP TO TEN YEARS

WHEREAS, the Town of Valdese is the owner of that certain real property (the "Town Property") situated in Lovelady Township, Burke County, North Carolina commonly known as 204 Janavel Avenue SW, Valdese, North Carolina, Parcel I.D. No.: 2733950361, which Town Property is more particularly described in Deed Book 592, Page 904, Burke County Registry; and

WHEREAS, the Town Property is a vacant, unimproved lot other than permitted improvements the Town of Valdese has authorized Foothills Broadband, LLC ("Foothills Broadband") to make pursuant to a one (1) year Ground Lease dated April 6, 2023; and

WHEREAS, the Town Council for the Town of Valdese finds the Town Property is currently surplus to the Town's needs; and

WHEREAS, the Town of Valdese and Foothills Broadband have agreed upon a Ground Lease under which Foothills Broadband will lease the Town Property for a term of ten (10) years, beginning June __, 2024; and

WHEREAS, in consideration for the Ground Lease, Foothills Broadband has agree to pay rent in the amount of $6,000.00 for the first year of the lease term, which rental rate shall increase by three percent (3%) each lease year thereafter; and

WHEREAS, North Carolina General Statute § 160A-272 authorizes the city to enter into leases of up to ten (10) years upon resolution of the Town Council adopted at a regular meeting after ten (10) days' public notice; and

WHEREAS, the required notice has been published and the Town Council is convened in a regular meeting.

NOW, THEREFORE, BE IT HEREBY RESOLVED that:

1. Town Council hereby approves ground lease of the Town Property to Foothills Broadband, LLC for ten (10) years on the terms and conditions of the attached Ground Lease and authorizes the Mayor to execute any instruments necessary to effectuate the Ground Lease.

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

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

STATE OF NORTH CAROLINA
GROUND LEASE
COUNTY OF BURKE

THIS GROUND LEASE ("Lease") is made as of the ____ day of _____, 202_ by and between the TOWN OF VALDESE, a municipal corporation duly organized and existing under the laws of the State of North Carolina ("Lessor"), and FOOTHILLS BROADBAND, LLC, a North Carolina limited liability company ("Lessee"). Lessor and Lessee are sometimes referred to herein collectively as the "Parties" and individually as a "Party."

WITNESSETH:

WHEREAS, the Lessor is the owner of that certain real property (the "Town Property") situated in Lovelady Township, Burke County, North Carolina commonly known as 204 Janavel Avenue SW, Valdese, North Carolina, Parcel I.D. No.: 2733950361, which Town Property is more particularly described in Deed Book 592, Page 904, Burke County Registry; and

WHEREAS, Lessee is a private broadband provider or cooperative; and

WHEREAS, in accordance with North Carolina General Statute § 160A-272Lessee seeks to lease from Lessor and Lessor seeks to Lease to Lessee that certain area located on the Town Property described in EXHIBIT A attached hereto (the "Premises"), together with all rights, appurtenances, servitudes, charges, easements, rights of ingress and egress, parking, licenses, hereditaments thereto and any improvements presently located thereon, if any, for the operation and use of components of a wired or wireless network for a discrete and specific project located in an unserved and economically distressed area to provide broadband services to homes, businesses, and community anchor points not currently served; and

WHEREAS, on April 6, 2023 Lessee and Lessor entered into a Lease Agreement for a one-year term which commenced on April 15, 2023 and is set to expire on April 14, 2024 (the "One-Year Lease Agreement") for the Premises described above. together with all rights, appurtenances, servitudes, charges, easements, rights of ingress and egress, parking, licenses, hereditaments thereto and any improvements presently located thereon, if any, for the operation and use of components of a wired or wireless network; and

WHEREAS, on April 6, 2023, the Town Council authorized and approved by Resolution/Vote the Premises to be leased subject to the terms, provisions and conditions set forth in the One-Year Lease Agreement; and

WHEREAS, to facilitate the accomplishment of their respective purposes, Lessor has agreed to lease to Lessee, and Lessee has agreed to lease from Lessor, the Premises upon the terms, provisions and conditions hereinafter set forth in this Lease; and

WHEREAS, on _____, 202_, prior to the expiration of the One-Year Lease Agreement, the Town Council authorized and approved by Resolution/Vote the Premises to be leased subject to the terms, provisions and conditions hereinafter set forth in this Lease.

NOW THEREFORE, for and in consideration of the lease of the Premises, the mutual covenants contained herein and other valuable consideration, the adequacy and sufficiency of which are hereby acknowledged, Lessor and Lessee hereby agree as follows:

1. DEMISE. In consideration of the rents hereinafter agreed to be paid and in consideration of the mutual covenants and agreements herein contained, and to be performed by the respective Parties hereto, Lessor does hereby lease and demise unto Lessee, its successors and assigns as hereinafter limited, and Lessee does hereby lease and take as tenant from Lessor the Premises, together with the improvements constructed thereon, together with all rights, privileges and easements pertaining thereto.

2. COMMENCEMENT DATE. For purposes of this Agreement, “Commencement Date” shall mean April 15, 2024.

3. TERM. The term of this Lease shall commence on the Commencement Date and shall terminate ten (10) years thereafter (the “Term”), unless sooner terminated hereunder. In the event the Lessee is permitted to hold over beyond the Term with the consent, express or implied of Lessor, such holding over shall be from month to month only, subject to the conditions of this Agreement, shall not be a renewal thereof and shall be at the monthly compensation provided herein.

4. USE. Lessee will use the Premises as the central office and storage area for securing and maintaining telecommunication equipment essential for the installation, monitoring, and security of network for broadband services. Subject to the advance approval of the Lessor as to design, color and material, and subject to all applicable federal, state and local laws, rules, regulations, codes, ordinances, judgments, decrees, or orders of any state, federal or local government or agency having jurisdiction over the Town Property, the Lease Premises, or any portion thereof (“Applicable Laws”), Lessee has installed and shall maintain and repair as set forth below, at its sole cost and expense, a pre-fabricated building on the Premises, which building will, at all times, be and remain the personal property of Lessee (“Lessee Improvements”). Lessee has also installed and shall maintain and repair as set forth below, at its sole cost and expense, a privacy fence on the Premises, which will at all times, be and remain the personal property of Lessee.

5. DELIVERY OF PREMISES. Lessor shall deliver possession of the Premises to Lessee as of the Commencement Date. Lessee acknowledges that it has had the opportunity to inspect the Premises. Except as expressly set forth herein, the rights granted hereby by Lessor to Lessee are made and granted without any warranty or representation by Lessor whatsoever, and Lessor hereby disclaims all express and implied warranties, including, without limitation, any warranty of fitness of the Premises for the purpose of use desired by Lessee. Lessee accepts the Premises in their present “AS-IS,” “WHERE-IS,” and “WITH ALL FAULTS” condition subject to any and all: (a) taxes and assessments which may now or hereafter be assessed against the Town Property; (b) matters of record affecting the Premises or the Town Property lying outside of the Premises; (c) tenants or occupants in possession of the Town Property or any part thereof; (d) matters which would be shown by a current accurate survey of the Town Property or Premises; and (e) all Applicable Laws. Lessee, to the maximum extent permitted by North Carolina law, assumes the entire risk of all activities conducted or performed by Lessee or on behalf of Lessee on the Premises. Lessor shall have no obligation to make any repairs, alterations, or improvements to the Premises. Lessee will have the right to access the Premises via Janavel Ave SW and will have the right to use the parking lot located on the Town Property adjacent to the Premises in a manner otherwise allowed by the public in general. Lessee’s use of the parking, when permitted hereunder, shall not interfere with or obstruct the Lessor’s access and/or use of the Town Property and is subject to the absolute and sole discretion of Lessor.

6. RENT.

    a. Lessee shall pay to Lessor annual rent payments in the amount of Six Thousand and 00/100 Dollars ($6,000.00) for each year of the Term of this Lease (“Rent”). Rent shall be payable in installments of Five Hundred and 00/100 Dollars ($500.00) per month.

    b. Rent shall commence on April 15, 2024 and continue on the 15th day of each month thereafter during the Term of this Lease.

    c. Payment of all Rent shall be made by check, draft or money order issued and payable to the Lessor and mailed or otherwise delivered to Lessor at the address set forth herein, or such other place as may be designated in writing by the Lessor.

d. Rent shall increase each Lease year, effective on the anniversary of the Commencement Date, by three percent (3%) and shall be payable on the same terms as set forth herein.

7. REPAIRS AND MAINTENANCE OF LESSEE IMPROVEMENTS. Lessee shall throughout the Term of this Lease, at its own cost and without any expense to Lessor, keep and maintain the Premises, and all improvements located thereon, which were constructed with the advance approval of Lessor in accordance with Section 4, in clean order, condition and repair, normal wear and tear excepted. Any changes in design, color and/or material shall be subject to the advance written approval of Lessor and shall be constructed in accordance with all Applicable Laws. Lessee shall comply with and abide by all Applicable Laws affecting the Town Property and Premises, or any activity conducted thereon by Lessee.

8. UTILITIES. Lessee shall contract in its own name and fully and promptly pay for all water, gas, heat, light, sewage, power, telephone service and other public utilities of every kind that Lessee desires to be furnished to the Premises throughout the Term hereof.

9. REAL ESTATE TAXES AND ASSESSMENTS. For purposes of this Lease, the term "Real Estate Taxes: shall mean all general real estate or personal property taxes and assessments and other ad valorem taxes, rates and levies paid upon or with respect to the Premises, or the Lessee Improvements, for a calendar year, or a portion thereof to any governmental agency, or authority and all charges specifically imposed in lieu of any such taxes. Lessee shall timely pay all Real Estate Taxes attributable to the Premises and Lessee Improvements. In the event Lessor is charged for any Real Estate Taxes attributable to the Premises or Lessee Improvements, Lessee shall promptly pay such Real Estate Taxes within thirty (30) days of receipt from Lessor of the tax bill, or in the alternative, reimburse Lessor upon receipt of a copy of the tax bill and a copy of Lessor's check to the appropriate governmental agency or authority evidencing Lessor's payment thereof to the taxing authority.

10. INSURANCE.

a. From and after the Commencement Date, Lessee shall, at its sole cost and expense, obtain and maintain property insurance covering the Premises and Lessee Improvements in an amount not less than the full replacement cost thereof (less the cost of foundations), with such deductibles and retentions as determined by Lessee in its sole and absolute discretion. Such insurance shall be provided by companies authorized to do business in the State of North Carolina and shall name Lessor as an additional insured.

b. From and after the Commencement Date, Lessee shall maintain with respect to the Premises and Lessee Improvements a policy of commercial general liability insurance covering bodily injury, death and property damage in a commercially reasonable amount not less than $1,000,000.00 per each occurrence and $2,000,000.00 in aggregate limits.

c. Lessee shall, within fifteen (15) days after receipt of written request therefor by Lessor, provide Lessor with (i) evidence of such property insurance and (ii) a certificate of such commercial general liability insurance, each naming Lessor as an additional insured or loss payee, as applicable.

d. All insurance shall contain a provision requiring that Lessor will be given written notice of any intent to terminate within sixty (60) days by either the insured or the insurance company.

e. Lessee will provide Lessor with copies of any substantial changes to the policies. Within sixty (60) days prior to the expiration of any such policy, a signed and complete certificate of insurance coverage that has been renewed or extended shall be filed with Lessor.

f. Neither Lessor nor Lessee nor anyone claiming by, through, under or in their behalf shall have any claim, right of action or right of subrogation one against the other for or based upon liability for personal injury or any loss or damage caused by fire, explosion or other

casualty relating to the Premises or to any property upon, in, or about the Premises, whether such fire, explosion or other casualty shall arise from the negligence of Lessor or Lessee, their respective agents, representatives or employees, or otherwise.

11. ASSIGNMENT. Lessee shall have the right, without Lessor's consent, to assign, transfer and encumber its interest in the Premises, including the leasehold estate created by this Lease, to (a) any lender as collateral for a loan to Lessee, or (b) any lender or a transferee pursuant to a foreclosure, deed in lieu of foreclosure or otherwise. Any other transfer or assignments shall require the written consent of Lessor.

12. LESSEE'S FINANCING. Subject to the provisions of this Section 12 and provided that Lessee is not in default under this Lease, Lessee shall have the right at all times during the Term, to mortgage, assign, pledge, hypothecate or otherwise encumber all or any portion of Lessee's interests in the Premises, including the leasehold estate created by this Lease, by one or more deeds of trust or other security instruments in favor of any lender, or any financing in conjunction with construction of the Lessee Improvements and the development and operation of the Premises or a sale of the Lessee Improvements or a portion of the Lessee Improvements, including, without limitation, assignments of the profits from the Premises, to secure repayment of any loans, associated obligations, and other obligations of Lessee, for the purposes of interim and long-term financing of the Premises, the construction of new buildings and improvements upon the Premises, any refinancing of any such construction or acquisition financing whether equal to, less than, or in excess of the original financing, with notice to, but without the consent of Lessor. Any Leasehold Mortgage, as hereafter defined, as permitted hereunder and all rights of the mortgagee, beneficiary or security holder thereunder, shall in the event of any foreclosure of such Leasehold Mortgage be subject to all terms, covenants and conditions of this Lease and to all other rights and interests of Lessor under this Lease. In no event shall any Leasehold Mortgage constitute or be deemed to constitute a lien upon the fee estate of Lessor. As used in this Lease, "Leasehold Mortgage" shall mean any deed of trust or other security instrument, including, without limitation, an assignment of the rents, issues and profits from the Premises, which constitutes a lien on the leasehold estate created by this Lease, and "Lender" shall mean a beneficiary of a Leasehold Mortgage.

Notwithstanding anything herein to the contrary, the following provisions shall apply to the protection of any Lender during the continuance of any Leasehold Mortgage and until such time as the lien of any Leasehold Mortgage has been extinguished:

a. Lessor and Lessee shall not agree to any mutual termination or surrender of this Lease, nor shall they amend or modify this Lease, in any material manner, without the prior written consent of all Lenders, which consent shall not be unreasonably withheld, and any termination or surrender of, or material amendment or modification to, this Lease without such prior written consent shall be void. Unless the Lender shall otherwise expressly consent in writing, the fee title to the Premises and the leasehold estate of Lessee therein created by this Lease shall not merge but shall remain separate and distinct, notwithstanding the acquisition of such fee title and such leasehold estate by Lessor or by Lessee or by a third party, by purchase or otherwise.

b. Notwithstanding any default by Lessee in the performance or observance of any agreement, covenant or condition of this Lease on the part of Lessee to be performed or observed, Lessor shall have no right to terminate this Lease unless an Event of Lessee Default shall have occurred and be continuing, and Lessor shall, subject to subparagraph G. below, have given all Lenders written notice of such Event of Lessee Default, and such Lenders shall have failed to remedy such default or acquire Lessee's leasehold estate created hereby or commence foreclosure or other appropriate proceedings in the nature thereof, all as set forth in, and within the time specified by, this Section 12.

c. Any Lender shall have the right, but not the obligation, at any time prior to termination of this Lease and without payment of any penalty, to pay all of the rents due hereunder,

to effect any insurance, to pay any taxes and assessments, including, without limitation, the Real Estate Taxes, as defined above, to make any repairs and improvements, to do any act or thing required of Lessee hereunder, and which may be necessary and proper to be done in the performance and observance of the agreements, covenants and conditions hereof to prevent termination of this Lease. All payments so made and all things so done and performed by any Lender shall be as effective to prevent a termination of this Lease as the same would have been if made, done and performed by Lessee instead of by such Lender. Any Lender of the Premises, and any sublessee, shall not be disturbed by Lessor in the event of any default hereunder or any termination of this Lease or in the event that this Lease is subject to termination for any reason by virtue of Lessee's bankruptcy including the rejection of this Lease by Lessee or any trustee of Lessee in bankruptcy, or by any party under Section 365 of the Bankruptcy Code or any similar Section as a result of Lessee's bankruptcy, as long as (a) such sublessee performs all sublessee's obligations binding upon sublessee under its sublease, (b) such sublessee attorns to Lessor, and (c) any defaults in the payment of any monetary obligations of Lessee under this Lease are cured by any Lender within a reasonable time period not to exceed ninety (90) days.

d. Should any Event of Lessee Default under this Lease occur, any Lender shall have ninety (90) days after receipt of notice from Lessor, subject to subparagraph g. below, setting forth the nature of such Event of Lessee Default, to remedy such default, or if such default cannot be remedied within such ninety (90) day period, within a reasonable period thereafter, provided that the remedy for such default shall have been commenced within such ninety (90) day period and shall thereafter be diligently prosecuted to completion, and if the default is such that possession of the Premises may be reasonably necessary to remedy the default, a reasonable time after the expiration of such ninety (90) period within which to remedy such default, provided that (i) the Lender shall have fully cured any default in the payment of any monetary obligations of Lessee under this Lease within such ninety (90) period and shall continue to pay currently such monetary obligations as and when the same are due and (ii) the Lender shall have acquired Lessee's leasehold estate created hereby or commenced foreclosure or other appropriate proceedings in the nature thereof within such period, or prior thereto, and is diligently prosecuting any such proceedings. All right of Lessor to terminate this Lease as the result of the occurrence of any such Event of Lessee Default shall be subject to, and conditioned upon, Lessor, subject to subparagraph g. below, having first given any Lender written notice of such default and such Lender having failed to remedy such default or acquire Lessee's leasehold estate created hereby or commence foreclosure or other appropriate proceedings in the nature thereof as set forth in and within the time specified by this subparagraph d.

e. Any Event of Lessee Default under this Lease which in the nature thereof cannot be remedied by a Lender shall be deemed to be remedied if (i) within ninety (90) days after receiving written notice from Lessor, subject to subparagraph g. below, setting forth the nature of such Event of Lessee Default, or prior thereto, the Lender shall have acquired Lessee's leasehold estate created hereby or shall have commenced foreclosure or other appropriate proceedings in the nature thereof, (ii) the Lender shall diligently prosecute any such proceedings to completion, (iii) the Lender shall have fully cured any default in the payment of any monetary obligations of Lessee hereunder which do not require possession of the Premises within such ninety (90) day period and shall thereafter continue to faithfully perform all such monetary obligations which do not require possession of the Premises, and (iv) after gaining possession of the Premises, the Lender performs all other obligations of Lessee hereunder excepting however the cure or remedy of such Event of Lessee Default which in the nature thereof cannot be remedied by a Lender.

f. If a Lender is prohibited by any process or injunction issued by any court or by reason of any action by any court having jurisdiction of any bankruptcy or insolvency proceeding involving Lessee from commencing or prosecuting foreclosure or other

appropriate proceedings in the nature thereof, the times specified in subparagraphs d. and e. above for commencing or prosecuting such foreclosure or other proceedings shall be extended for the period of such prohibition provided that the Lender shall have fully cured, within the 90 day time periods set forth in subparagraphs d. and e. above, any default in the payment of any monetary obligations of Lessee under this Lease and shall continue to pay currently such monetary obligations as and when the same fall due.

g. Lessor shall mail or deliver to any Lender of whom Lessor has received notice hereunder or has actual knowledge, a duplicate copy of any and all notices which Lessor may from time to time give to or serve upon Lessee pursuant to the provisions of this Lease, and such copy shall be mailed or delivered to such Lender simultaneously with the mailing or delivery of the same to Lessee. Lessee shall provide Lessor with written notice of the name, mailing address, street address and telephone number of any such Lender of whom Lessee has received notice under any sublease or has actual knowledge. Any Lender may directly provide such information to Lessor. Upon receipt of such information, unless otherwise actually known to Lessor, Lessor shall thereupon become and thereafter shall be bound to mail or deliver a duplicate copy of all notices to the Lessee hereunder to each such Lender; provided, however, that any failure to provide such notice shall not constitute a failure to provide notice to Lessee hereunder. All such notices shall be governed by Section 24 of this Lease.

h. Notwithstanding anything to the contrary contained herein, foreclosure of a Leasehold Mortgage, or any sale thereunder, whether by judicial proceedings or by virtue of any power contained in the Leasehold Mortgage, or any conveyance of the leasehold estate created hereby from Lessee to a Lender through, or in lieu of, foreclosure or other appropriate proceedings in the nature thereof shall not require the consent or approval of Lessor or constitute a breach of any provision of or a default under this Lease, and upon such foreclosure, sale or conveyance Lessor shall recognize the Lender, or any other foreclosure sale purchaser, as Lessee hereunder. In the event the Lender becomes Lessee under this Lease or any new lease obtained pursuant to subparagraph i. below, or in the event the leasehold estate hereunder is purchased by any other party at a foreclosure sale, the Lender, or such other foreclosure sale purchaser, shall be bound to perform and satisfy the obligations of Lessee under this Lease or such new lease; provided, however, that the personal liability of the Lender, or such foreclosure sale purchaser, for the obligations of Lessee under the Lease or such new lease shall exist only with respect to obligations arising, or to be performed, during the period of time that the Lender or such other foreclosure sale purchaser remains lessee thereunder, and the Lender's or such foreclosure sale purchaser's right thereafter to assign this Lease or such new lease shall not be subject to any restriction. In the event the Lender subsequently assigns or transfers the interest under this Lease after acquiring the same by foreclosure or deed in lieu of foreclosure or subsequently assigns or transfers its interest under any new lease obtained pursuant to subparagraph i. below, and in connection with any such assignment or transfer the Lender takes back a mortgage or deed of trust encumbering such leasehold interest to secure a portion of the purchase price given to the Lender for such assignment or transfer, then such mortgage or deed of trust shall be considered a Leasehold Mortgage as contemplated under this Section 12 and the Lender shall be entitled to receive the benefit of and enforce the provisions of this Section 12 and any other provisions of this Lease regarding the holder of a Leasehold Mortgage.

13. DAMAGE OR DESTRUCTION. If any of the Lessee Improvements are damaged or destroyed by fire, earthquake, act of God, or other casualty (a "Casualty"), Lessee shall either (i) repair and restore the affected portion of the Lessee Improvements to substantially the same condition as existed immediately prior to the Casualty, or (ii) raze the affected portions of the Lessee Improvements, remove all debris and maintain the affected area as an appropriately landscaped area. All property insurance proceeds payable with respect to Lessee Improvements shall belong to and be the exclusive property of Lessee. Notwithstanding any

provision contained in this Lease to the contrary, Lessor and Lessee acknowledge and agree that the application of any and all insurance proceeds payable to Lessee as a result of any Casualty may be governed by and subject to the terms and conditions of any Leasehold Mortgage.

14. CONDEMNATION. If the whole or any part of the Premises shall be acquired or taken by eminent domain, condemnation or private purchase under threat thereof or in lieu thereof, including, without limitation, the physical occupation of the Premises, or any portion thereof, or the filing of eminent domain or condemnation papers by appropriate authorities (a "Taking"), and such Taking shall affect Lessee Improvements, Lessee shall be entitled to claim compensation from the condemning authority for (i) the value of its leasehold estate in the Premises, (ii) the unamortized costs of all leasehold improvements paid for by the Lessee and (iii) damages to Lessee Improvements occurring by reason of the Taking, and any other items to which Lessee may be entitled under applicable law. In the event of a complete Taking or a substantive Taking that would materially impede the operating of the business on the Premises, this Lease shall automatically terminate as of the effective date of such Taking. Notwithstanding any provision contained in this Lease to the contrary, Lessor and Lessee acknowledge and agree that the application of any and all proceeds payable to Lessee as a result of any Taking may be governed by and subject to the terms and conditions of any Leasehold Mortgage.

15. LEASE TERMINATION AND SURRENDER OF LAND.

    a. Termination Rights. Notwithstanding anything contained herein to the contrary, either Party may terminate this Lease with or without cause by providing the other Party with at least twelve (12) months written notice.

    b. Surrender of Land. Upon the expiration or earlier termination of this Lease, Lessee shall, at its sole cost and expense, promptly (i) return and restore the Premises and any portion of the Town Property located outside of the Premises which are damaged or disturbed by Lessee to Lessor in substantially the same condition the Premises and Town Property were in as of the Commencement Date, reasonable wear and tear excluded; and (ii) remove all Lessee Improvements and equipment kept, constructed or installed by Lessee on the Premises. Notwithstanding anything to the contrary contained herein, in the event any required restoration work is not promptly performed by Lessee, and such failure is not cured within thirty (30) days after Lessee's receipt of written notice from Lessor, Lessor shall have the right, but not the obligation, to perform such restoration work and to collect the costs and expenses of such restoration work from Lessee.

16. PROVISIONS RELATED TO WORK PERFORMED BY LESSEE.

a. General. Notwithstanding anything to the contrary set forth in this Agreement, the installation of any improvements on the Premises shall, in each and every instance, (A) be performed in a good and workmanlike manner; (B) be performed in a lien-free manner; (C) be performed in accordance with all Applicable Laws; (D) not violate any terms or provisions of this Agreement or of any other agreement or restriction affecting the Town Property or Premises; (E) be performed by qualified, licensed and insured contractors; (F) be performed only after at least seven (7) days' prior written notice to Lessor, except in the event of an emergency (and Lessor shall have the right to have a representative of Lessor present during the performance of any such work); and (G) be performed in such a manner so as not to interfere with, interrupt, disturb, obstruct, delay, or impose any additional expense, burden, or obligation upon Lessor or the ownership, use, enjoyment, operation, or maintenance of the Town Property.

b. Unsafe Conditions. Under no circumstance shall Lessee create or suffer any unsafe conditions on the Town Property, the Premises, or any portion thereof. If any unsafe condition is created, it shall be promptly remedied by Lessee, at Lessee's sole cost and expense, and, notwithstanding anything contained herein to the contrary, in the event Lessee fails to remedy such unsafe condition within thirty (30) days after Lessee's receipt of written notice from Lessor (except in the event of an emergency, in which no prior notice shall be required), or if such unsafe condition cannot be remedied within thirty (30) days and Lessee fails to commence the remedial work within such time period and diligently prosecute the same

thereafter, Lessor shall have the right, but not the obligation, to remedy such condition and collect the costs and expenses of its work from Lessee.

c. Restoration. After the completion of all work of any kind or nature whatsoever performed under or pursuant to this Agreement, Lessee shall, at its sole cost and expense, promptly restore the Premises, any portion of the Town Property located outside of the Premises, and any site which are damaged or disturbed by such work to as near possible the condition and contour that existed immediately prior to such work. Notwithstanding anything to the contrary contained herein, in the event any required restoration work is not promptly performed by Lessee, and such failure is not cured within thirty (30) days after Lessee's receipt of written notice from Lessor (except in the event of an emergency, in which no prior notice shall be required), Lessor shall have the right, but not the obligation, to perform such restoration work and to collect the costs and expenses of such restoration work from Lessee.

d. Repair and Maintenance. Lessee, at its sole cost and expense, shall keep and maintain the Premises and all Lessee Improvements in good, operational order and repair and a safe, clean, attractive, and presentable condition, clear of trash, debris, and other obstructions. Prior to commencing any major maintenance or repair work to the exterior of the structure or the Premises (which shall be defined for purposes of this Section as any maintenance or repair work exceeding $1,000.00), Lessee shall provide no less than seven (7) days' prior written notice of such repair or maintenance work, along with a reasonably detailed description of the repair or maintenance work and the anticipated timeframe for completion of such work, to Lessor. Notwithstanding anything to the contrary contained herein, and for the avoidance of all doubt, the Parties agree that Lessee is solely responsible for the maintenance and repair of the entirety of the Premises and Lessee Improvements and Lessor is under no duty to maintain or repair the Premises, the Lessee Improvements, or any portion thereof.

17. LESSEE'S DEFAULT.

    a. Lessee shall be in default hereunder (an "Event of Lessee Default") in the event Lessee fails to observe or perform any material provision of this Lease within sixty (60) days after Lessee's receipt of written notice from Lessor to Lessee specifying such default and demanding that the same be cured; provided that if such default cannot with due diligence be wholly cured within such sixty (60) day period, Lessee shall have such longer period as is reasonably necessary to cure the default, so long as Lessee proceeds promptly to commence the cure of same within such sixty (60) day period and diligently prosecutes the cure to completion.

    b. Upon the occurrence of an Event of Lessee Default, at Lessor's option, in addition to any and all other remedies which it may have at law and/or in equity except as provided below, and without its actions being deemed an election of remedies or a cure of Lessee's default, Lessor may (i) obtain specific performance, injunction, appointment of a receiver, or other equitable remedy, (ii) recover actual damages suffered by Lessor as a direct result of Lessee's default, and (iii) subject to the provisions of Section 19 below, terminate this Lease and Lessee's right of possession to the Premises.

    c. Notwithstanding the foregoing or anything herein to the contrary, specifically excluding, however, an Event of Default based on Lessee's non-payment of rent, if Lessee reasonably believes that an Event of Lessee Default has not occurred, Lessee may, within the applicable cure period, request that the matter be submitted for mediation as provided in Section 19 below, and no Event of Lessee Default shall be deemed to have occurred until the Parties have been through the mediation procedure provided in Section 19 below.

18. LESSOR'S DEFAULT

    a. Lessor shall be in default hereunder (an "Event of Lessor Default") in the event Lessor fails to perform any nonmonetary obligations of Lessor hereunder within sixty (60) days after receipt of written notice from Lessee specifying such default and demanding that the same be cured; provided that if such default cannot with due diligence be wholly cured within such sixty (60) day period, Lessor shall have such longer period as is reasonably

necessary to cure the default, so long as Lessor proceeds promptly to commence the cure of same within such sixty (60) day period and diligently prosecutes the cure to completion.

b. Upon the occurrence of an Event of Lessor Default, at Lessee's option, in addition to any and all other remedies which it may have at law and/or in equity except as provided below, and without its actions being deemed an election of remedies or a cure of Lessee's default, Lessor may pay or perform such obligations and offset Lessee's actual cost of performance, including any and all transaction costs and attorneys' fees actually incurred, against the Rent and any and all other amounts and charges due Lessor hereunder.

c. Notwithstanding the foregoing or anything to the contrary, if Lessor reasonably believes that an Event of Lessor Default has not occurred, Lessor may, within the applicable cure period, request that the matter be submitted for mediation as provided in Section 19 below, and no Event of Lessor Default shall be deemed to have occurred until the Parties have been through the mediation procedure provided in Section 19 below.

19. MEDIATION. Except as otherwise provided herein for non-payment of rent, following any dispute between the Parties under this Lease, the Parties agree to participate in mediation proceedings which shall be scheduled within thirty (30) days of such a request by either Party and held within sixty (60) days of such a request by either Party. The cost of the mediation will be split equally between the Parties. Such mediation shall be in accordance with the American Arbitration Association's mediation rules then in effect unless otherwise agreed to by the Parties. The Parties shall jointly pick the mediator.

20. LIENS. Should any lien of any nature, including but not limited to mechanic's and materialmen's liens, be filed against the Premises, the party on account of whose actions such lien has been filed shall, within thirty (30) days after receipt of written notice of such lien, cause such lien to be removed, or otherwise protected against execution during good faith contest, by substitution of collateral, posting a bond therefor, escrowing of adequate funds to cover the claim and related transaction costs or such other method as may be permissible under appliable title insurance regulations and reasonably acceptable to the other party hereto.

21. SURRENDER; HOLDING OVER. Upon expiration of this Lease, or its earlier termination, Lessee will surrender possession of the premises, except for the Lessee Improvements removed from the Premises in accordance with this Agreement, to Lessor in a condition as described in Section 15(b) hereof. In the event the Lessee holds over beyond the Term, such holding over shall be from month to month only, subject to the conditions of this Agreement, shall not be a renewal or extension thereof, and shall be at the monthly compensation provided herein.

22. COVENANT OF QUIET ENJOYMENT. Lessor covenants, warrants and represents that Lessee, upon paying the rent herein reserved and performing the covenants and agreements hereof, shall peaceably and quietly have, hold and enjoy the premises during the Term. No third party claiming a right through Lessor has the right to prohibit Lessee's tenancy hereunder, to prohibit Lessee or its employees, customers and/or invitees from using the Premises in accordance with the terms of this Lease or to consent to or approve, excepting governmental agencies, any feature of the Premises.

23. ENVIRONMENTAL REPRESENTATIONS; WARRANTIES AND INDEMNITY.

a. Lessee shall not cause or permit any hazardous wastes, hazardous substances, toxic substances or related materials (collectively, "Hazardous Materials") to be used, generated, stored, or disposed of on, under or about, or transported to or form the Premises (collectively "Hazardous Materials Activities") except in compliance with all Applicable Laws governing such Hazardous Materials or hazardous Materials Activities, which compliance shall be at Lessee's sole expense.

b. Lessor shall not be liable to Lessee or to any other party for any Hazardous Materials Activities conducted or permitted on, under or about the Premises by Lessee or by Lessee's employees, agents, contractors, licensees, or invitees. Lessee shall indemnify and hold Lessor harmless from any claims, damages, fines, penalties, losses, judgments, costs and liabilities arising out of or related to any Hazardous Materials Activities conducted or permitted on, or under or about the Premises by Lessee's employees, agents, contractors, licensees, or invitees, regardless of whether Lessor shall have consented to, approved of, participated in or had notice of such Hazardous Materials Activities. The provisions of this paragraph shall survive the expiration or termination of this Lease.

c. At the expiration of this Lease, Lessee shall remove from the Premises, at Lessee's sole expense, all Hazardous Materials located, stored or disposed of on, under or about the Premises which were first brought to or used, stored or disposed of on the Premises by Lessee or by Lessee's employees, agents, contractors, licensees, or invitees. Lessee shall close, remove or otherwise render safe any buildings, tanks, containers, or other facilities related to the Hazardous Materials Activities conducted or permitted on the Premises in the manner required by all Applicable Laws. Lessee shall be solely responsible for the transportation, handling, use or reuse and disposal of such Hazardous Materials after their removal from the Premises.

d. For purposes of this section, Hazardous Materials shall include all solid, liquid or gaseous material defined or regulated as wastes under any Applicable Law applicable to the Premises and shall further include all other substances defined or regulated as pollutants or as hazardous, toxic, infectious, or radioactive substances under any Applicable Law applicable to the Premises, all as amended from time to time. Without limitation to the foregoing, the term Hazardous Materials shall include used or waste oils regulated under any federal, state or local law, regulation or ordinance.

24. INDEMNIFICATION.

a. During the Term of this Lease, Lessee will protect, indemnify and save harmless Lessor from and against all liabilities, obligations, claims, damages, penalties, causes of action, costs and expenses, including without limitation, attorneys' fees and expenses by reason of (i) any accident, injury to or death of persons or loss of or damage in property occurring on the Premises or any part thereof due to the negligence of Lessee, its employees or agents, (ii) any use, nonuse or condition of the Premises or any part thereof due to actions or conditions attributable to Lessee, its employees or agents or (iii) any failure on the part of the Lessee to perform or comply with any of the terms of this Lease.

b. In case any action, suit or proceeding is brought against Lessor by reason of any such occurrences, Lessee upon Lessor's request, will at Lessee's expense resist and defend such action, suit or proceeding, or cause the same to be resisted and defended by counsel.

c. Such obligation of Lessee under this section which shall have occurred at the time of any termination of this Lease shall survive any such termination.

25. NOTICES. Notices under this Lease shall be in writing and shall be deemed properly served and received: (i) two (2) business days after being deposited in the United States mail, as certified or registered mail, return receipt requested, bearing adequate postage, (ii) one (1) business day after being deposited with a reputable overnight delivery carrier (e.g. Federal Express, Airborne, UPS, Express Mail) for guaranteed next day delivery with a request that the addressee sign a receipt evidencing delivery or (iii) upon receipt if personally delivered. Rejection or other refusal to accept or the inability to deliver because of changed address of which no notice was given shall be deemed to be receipt of the notice as of the date of such rejection, refusal or inability to deliver. Notices shall be addressed as follows:

To Lessor at: Town of Valdese
Post Office Box 339

Valdese, North Carolina 28690
Attention: Town Manager

With a copy to: Timothy D. Swanson, Esq.
Young, Morphis, Bach & Taylor, LLP
Post Office Drawer 2428
Hickory, North Carolina 28603

To Lessee at: Foothills Broadband, LLC
3088 US 70 E
Morganton, NC 28655
Attention: Zachary and Jodi Chiz

With a copy to: Tina Hlabse, Esq.
Ramseur Maultsby LLP
1150 N. Revolution Mill Drive, Suite 3
Greensboro, NC 27405

or to any other address furnished in writing by any of the foregoing. However, any change of address furnished shall comply with the notice requirements herein and shall include a complete outline of all current addresses to be used for all parties.

26. MISCELLANEOUS PROVISIONS.

a. Time of Essence. Time is of the essence with respect to any time periods or dates referenced in this Lease with respect to both Lessor and Lessee.

b. Identity of Interest. Nothing contained in this Lease shall be construed to make Lessor and Lessee partners or joint venturers or to render either party liable for the debts or the obligations of the other. The only relationship created by this Lease between the parties is that of Lessor and Lessee.

c. Third Party Beneficiaries. Except as herein specifically provided, no person, subtenant, customer, employee or invitee or any other third party shall be deemed to be a third party beneficiary of any of the provisions herein.

d. Partial Invalidity. If any section, paragraph, subparagraph, sentence, clause or phrase of this Lease shall be declared or judged invalid or unconstitutional, such declaration or adjudication shall not affect the other sections, paragraphs, subparagraphs, sentences, clauses or phrases of this Lease, all of which shall remain in full force and effect.

e. Recording of Memorandum of Lease. A Memorandum of Lease may be recorded in the appropriate office for filing by Lessee at Lessee's expense.

f. Headings; Gender. The section headings are for convenience and are not a part of this Lease. The masculine, feminine or neuter gender and the singular or plural number shall be deemed to include the others whenever the context so requires or indicates.

g. No Waiver. The failure of either party to insist in any one or more instances upon a strict performance of any covenant of this Lease or to exercise any option or right herein contained shall not be construed as a waiver or relinquishment for the future enforcement of such covenant, right or option, but the same shall remain in full force and effect, unless the contrary is expressed in writing by such party.

h. Force Majeure. Except as otherwise specifically contemplated in this Lease, in the event that Lessor or Lessee shall be delayed or hindered in, or prevented from, the performance of any act required hereunder by reason of strikes, lockouts, labor troubles, inability to

procure materials, delay by the other party, failure of power or unavailability of utilities, riots, insurrection, war, terrorism or other reason of a like nature not the fault of such party or not within its control (each, a "Force Majeure Event"), then performance of such act shall be excused for the period of delay, and the period for the performance of any such act shall be extended for a period equivalent to the period of such delay; provided, however, the party claiming a delay by reason of a Force Majeure Event shall notify the other party within five (5) business days following the onset of the Force Majeure Event.

i. Choice of Law. This Lease shall be construed in accordance with and governed by the laws of the State of North Carolina. Venue for any action brought pursuant to this Lease shall be placed in Burke County, North Carolina.

j. Binding Effect. This Lease shall inure to the benefit of and be binding upon Lessor and Lessee and their respective heirs, executors, legal representatives, successors and assigns.

k. Entire Agreement; Amendment. This Lease and the attached exhibits constitute the entire agreement between Lessor and Lessee with respect to the Premises, and all negotiations, considerations, representations and understandings between Lessor and Lessee prior to the execution of this Lease are incorporated herein. This Lease shall not be amended, modified, waived, discharged or terminated except by an instrument in writing signed by the parties hereto. The Parties acknowledge and agree that on or before the Commencement Date, the Lessor will issue a written public notice via publication as required by N.C.G.S. §160A-272(a1), announcing that it intends to enter into a ten (10) year lease with Lessee ("Amended Lease") and take up such matter for a decision at the next regular council meeting occurring at least thirty (30) days after the publication is issued.

l. Brokers. Lessee and Lessor warrant each to the other that it has had no dealings with any broker or agent in connection with this lease, and each party covenants to pay, hold harmless and indemnify the other from and against any and all costs, expenses or liability for any compensation, commissions and charges claimed by any broker or agent with respect to this Lease or the negotiation thereof.

m. Counterparts. This Lease may be executed in more than one counterpart, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have caused this Lease to be duly executed effective as of the day and year written below.

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

_____ (Seal)
ATTEST: CHARLES WATTS, Mayor

_____
JESSICA LAIL, Town Clerk

This document has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

_____
BO WEICHEL, Chief Financial Officer

Approved as to form on behalf of the Town this day of , 202__.

_____
TIMOTHY D. SWANSON, Attorney

STATE OF NORTH CAROLINA
COUNTY OF BURKE

I, _____ a Notary Public of said county and state, certify that Jessica Lail personally came before me this day and acknowledged that she is Town Clerk of the Town of Valdese, a North Carolina municipal corporation, and that by authority duly given and as the act of the Town Council of the Town of Valdese, the foregoing instrument was signed in its name and by its Mayor, CHARLES WATTS, sealed with its corporate seal and attested by her as its Town Clerk.

Witness my hand and notarial stamp or seal, this _____ day of _____, 202__.

_____
Notary Public

[AFFIX NOTARIAL SEAL]

My Commission Expires: _____.

IN WITNESS WHEREOF, the parties hereto have caused this Lease to be duly executed effective as of the day and year written below.

FOOTHILLS BROADBAND, LLC

By: _____
Zachary Chiz
Chief Operating Officer

By _____
Jodi Chiz
Chief Executive Officer

Date: _____

STATE OF NORTH CAROLINA
COUNTY OF _____

I, _____, a Notary Public of the County and State aforesaid, certify that Zachary Chiz and Jodi Chiz personally appeared before me this day and acknowledged that they are the Chief Operating Officer and the Chief Executive Officer of Foothills Broadband, LLC, a North Carolina limited liability company, and being duly authorized to do so, voluntarily executed the foregoing instrument for the purposes stated therein on behalf of said limited liability company.

Witness my hand and official stamp or seal this ___ day of _____, 202__.

[NOTARIAL SEAL]

_____
Notary Public
My commission expires: _____

EXHIBIT A

Legal Description

BEING that certain tract or parcel of land lying and being in Lovelady Township, Burke County, North Carolina more particularly described as follows:

BEGINNING at an iron pipe located in the southwest corner of the property of the Town of Valdese as shown in Deed Book 592, Page 904, Burke County Registry, and running thence South 73-19-09 East 63.64 feet; thence North 18-10-30 East 69.80 feet; thence North 70-59-10 West 68.82 feet; thence South 14-04-17 West 72.65 feet to the point of BEGINNING as surveyed by Roger D. Morgan Surveying, March 14, 2023, attached hereto for illustrative purposes only as Exhibit B, and being a portion of that property conveyed by Bertha S. Martinat to The Town of Valdese by Deed recorded in Deed Book 592, Page 904, Burke County Registry. Further being a portion of the land assigned Burke County PIN: 2733950361.

Motion: Councilman Harvey made a motion to approve the ten-year lease that was submitted by a private firm effective October 31, 2024, contingent upon Foothills Broadband having repaired all installation damage to the satisfaction of inspection by the NC Department of Transportation or an independent engineering firm. Seconded by Councilwoman Ward.

Discussion: Councilman Harvey shared**:**

Broadband is good – broadband is here to stay.
This item is not about broadband or any particular broadband provider but is about what is best for the citizens of Valdese. There are three or four broadband services available to most Valdese residents and businesses, and there soon will be more. The broadband services will compete on speed, price, and other features to win a share of the 2000 or so potential Valdese customers.
TWO ISSUES: Last year, the Town gave Foothills Broadband two major business boosts:

1. An "encroachment agreement" that permitted them to install underground cable throughout the town's rights-of-way, with two significant features:
   a. Access to every residence and business in Valdese.
   b. Authority to dig and cut into paving throughout the town.
   c. The town received no compensation for giving the private firm access to the captive market that is the entire Town; or for the resultant inconvenience to citizens whose lawns and water service were disturbed, or damage done to the town's streets.
2. A lease to construct a facility on town property where they had access to existing underground conduit throughout town where there are no utility poles and from which they intend to serve all of Burke County, for $500/month. That lease continues to this day and beyond, on a month-to-month basis, and at the same rate as the firm requests in the ten-year lease. **In effect** – no advantage or disadvantage to either the firm or the citizens of Valdese by deferring the effective date of a new lease to October.

THE FUNDAMENTAL PROBLEM EACH AGREEMENT – T HEY ARE ONE-SIDED

- FIRST, the town did not require a performance bond to assure that all the resultant damage would be repaired.
- Second, the town did not do any financial verification of the firm's financial viability. The town has no idea who is the silent backer, or if it is foreign or domestic funding.
- The installation and street repair dates are constantly changing, with the latest promise being the end of September.

The prevailing situation is:
Our streets will never be the same until all of them are repaved.
1) The only leverage that the town has to ensure that repairs will be made to some acceptable standard is to hold the long-term lease until the cable installation is complete and all damage is repaired.
2) There is no benefit to the Town, or change in the current lease terms, if the town were to give up its only leverage in this arrangement by approving a long-term lease today, rather than in October, or whenever the last street is repaired?

Councilwoman Lowman asked if other providers compensate us when they put things in the ground. Town Attorney Tim Swanson noted that typically, they would not give compensation; it's the value added of the infrastructure you are getting as a Town. Mr. Swanson shared that Foothills has provided a letter of credit in the amount of $15,000. Councilman Mears asked if the Public Works Director would speak to the condition of the roads. Public Works Director Allen Hudson shared that everything has been GPS, so we know where everything is. Mr. Hudson noted that we have standard paperwork from NCDOT that the

paving company is going by. Mr. Hudson has been out on an inspection and can confirm that they are doing the repairs to NCDOT standards.

Councilman Harvey asked what the benefit is to either party if this agreement is made effective today or in October. Councilman Mears said that as a business owner, coming to Valdese and investing 3 million dollars and then getting delay after delay over 10% of road incompletion repair is absurd. Councilman Mears said we need to approve this lease and stop delaying it. Councilman Mears feels it would be a terrible look for Council to continue to postpone this. Councilwoman Lowman agrees that we need to move forward.

Councilman Ogle asked Mr. Swanson if there was something in the contract that we can pull out of it if needed. Mr. Swanson said there is a termination provision that allows either party to terminate upon 12 months notice.

Vote: Councilman Harvey – Yes, Councilman Mears – No, Councilwoman Lowman – No, Councilman Ogle – No, Councilwoman Ward – No, Motion failed.

2nd Motion: Councilwoman Lowman made a motion to approve the ten-year lease with Foothills Broadband effective tonight, seconded by Councilman Mears.

Vote: Councilman Mears – Yes, Councilwoman Lowman – Yes, Councilman Ogle – Yes, Councilwoman Ward – Yes, Councilman Harvey – No, Motion carried.

APPOINTMENTS TO VALDESE ECONOMIC DEVELOPMENT INVESTMENT CORPORATION (VEDIC) BOARD Mayor Watts said we have two nominations to serve on the VEDIC Board: Rick McClurd and Kylie Gera. Councilman Harvey nominated Gary Ogle. Councilman Harvey believes it would be good to have a Council member on the board representing the Town.

Kylie Gera - Councilman Mears – Yes, Councilwoman Ward – No, Councilman Ogle – No, Councilman Harvey – No, Councilwoman Lowman – Yes

Rick McClurd - Councilman Mears – Yes, Councilwoman Ward – Yes, Councilman Ogle – Yes, Councilman Harvey – Yes, Councilwoman Lowman – Yes

Gary Ogle - Councilman Mears – Yes, Councilwoman Ward – Yes, Councilman Ogle – Yes, Councilman Harvey – Yes, Councilwoman Lowman – Yes

Mayor Watts stated that the Council appointments for the VEDIC Board would be Gary Ogle and Rick McClurd.

FY 24-25 PROPOSED BUDGET AND SCHEDULING OF PUBLIC HEARING FOR MONDAY, JUNE 17, 2023 Interim Town Manager Bryan Steen said that we have gone through some workshops, modified the budget based on the Council's input, and put together a budget message available to the public on the website. A public hearing is scheduled for June 17, 2024.

Councilman Harvey encouraged citizens to visit the Town's website and review the FY 23-24 budget. Councilman Harvey said that it was approved with a deficit of $238,000, and the projected outcome is a surplus of $390,000, which is a swing of $629,000 and is equivalent to ¼ of the total property taxes that were collected in 2023. Councilman Harvey said the problem was that we did not know the projected results for much of the budget during the budget process.

Councilman Harvey noted that three of the Capital Expenditure items still in the budget that the Efficiency Task Force needs to review are questions still pertaining to the Water Resources Director position and COLAs/Training for employees.

Motion: Councilman Harvey made a motion to remove the Ford F150 pickup truck, estimated at $45,000, a tractor and mower, estimated at $60,000, and a roll-off dumpster, estimated at $6,000 in Public Works

from the present budget and defer them until the Efficiency Task Force had had an opportunity to complete an analysis of equipment, seconded by Councilman Ogle.

Vote: Councilwoman Ward – Yes, Councilman Ogle – Yes, Councilman Harvey – Yes, Councilwoman Lowman – No, Councilman Mears – No, Motion carried.

The Efficiency Task Force will meet to determine the need.

Motion: Councilman Harvey made a motion to remove the Water Resource Director position from the present pay plan schedule of positions and salary ranges, that the position opening be removed from the Town's website and publications, and that the 2018 Ford Explorer that was assigned to this position be sold or traded in for the purchase of the police cruiser that is budgeted under capital expenditures.

Discussion: Interim Town Manager Bryan Steen shared that we have divided those duties between two current staff members until something is determined. We have also contracted with McGill Associates to help with some of the duties. Councilman Harvey suggested selling the 2018 Ford Explorer, which Kelly Bluebook values at $17,000 to $20,000.

There was no second to the motion, so the motion failed.

Motion: Councilman Harvey made the following motion: Whereas the Town Council strives to provide our valued employees with the best possible benefits that taxpayers can afford, which, among other benefits, is exceptionally good group health insurance coverage known as a "gold" or "platinum" plan; I, therefore, move that we bring back the two steps that the 2021 Town Council was prepared to address at its October 2021, to take effect at June 30, 2022, until it learned at the meeting that the compensation of council members can be adjusted only at the time of budget adoption. In accordance with intention and research that the Council and staff had concluded in 2021 to be prudent and justifiable, I move that the changes the prior Council intended to take effect in Fiscal Year 2023 be adopted to take effect December 31, 2024:
1. Ending all health, dental, vision, and supplemental insurance benefits for council members, effective December 31, 2024.
2. The stipends of the Town Council members will be increased to $6,000 per year and the Mayor's to $8,000 per year, effective December 31, 2024.

Seconded by Councilwoman Ward.

Discussion: Councilman Harvey said that making it effective starting 1/1/2025 would give the Council time to get other health insurance, and this issue would not have to be passed on to a new council. Councilman Harvey shared that this would be a savings of $11,000 for FY 24-25. Councilwoman Ward shared that being on Council takes a lot of time and is okay with giving up the insurance but asked if we could increase the stipend by $400 to cover the cost. Councilman Mears has no problem giving up these benefits as long as the employees get a 5% COLA.

Amended Motion: Councilman Harvey made a motion that Town Council will give up Town provided insurance and increase Town Council member's stipend to $8,000 per year and the Mayor's to $10,000 per year, effective December 31, 2024.

Vote: The vote was unanimous

Councilwoman Lowman noted that she gave up the town-provided insurance at 8:00 a.m. this morning, and Mayor Watts ended his a few days ago.

APPROVED RESOLUTION ESTABLISHING NEW TOWN OF VALDESE AD HOC STREET MAINTENANCE COMMITTEE Councilman Harvey believes the new committees are doing good things in the community. Councilman Harvey and Allen Hudson have contacted NC DOT to possibly complete the paving for the town, which will manage the whole project. Councilman Harvey also shared that the Institute for Transportation Research and Education (ITRI) – a state agency based at NCSU- may be a further resource for training our public works staff and assistance with future street maintenance planning. The Public Works Director is looking for a quote for approximately 30 streets. Councilman Harvey said that

because of the experience with the street paving committee and, especially, the importance of the town's street infrastructure, he moves to adopt the resolution establishing a street maintenance committee to engage citizens who use our streets daily to help set priorities for maintaining and repaving our streets.

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

WHEREAS, the Town Council is responsible for the care and maintenance of approximately thirty-five miles of streets owned and managed by the Town of Valdese; and

WHEREAS, the Town Council desires to establish an Ad Hoc Street Maintenance Review Committee to advise and make recommendations to the Town Council regarding the management, maintenance, improvement, and/or construction of Town-owned streets.

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

BE IT FURTHER RESOLVED that the Ad Hoc Street Maintenance Review Committee shall have the authority to elect its chairman, promulgate its own rules of order, and develop its schedule of meetings, which meetings shall be conducted by North Carolina Open Meeting Laws, N.C. Gen. Stat. Ch. 143, Art. 33C, §§ 143-318.9 through -318.18. Each member of the Ad Hoc Street Maintenance Review Committee shall serve a staggered three-year term unless otherwise removed by the Town Council, which may be done at any time, with or without cause. Members will be divided into three classes with the appointment of one class of members taking place every December at the regular meeting of the Town Council. The initial committee shall have one member appointed for a one-year term, two members appointed for a two-year term, and two members for a three-year term. No member shall serve more than two consecutive terms. A member shall be eligible for re-appointment after an absence from the Ad Hoc Street Maintenance Review Committee after one year.

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

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

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

Motion: Councilman Harvey made a motion to adopt the Resolution, seconded by Councilwoman Ward.

Discussion: Councilwoman Lowman asked if they did not have a study completed already with streets listed in order of how bad they are. Councilman Mears asked if this committee would add to the already-in-place Street Committee. Councilman Harvey said it would replace it and be an ad hoc committee that kept agendas and minutes. Councilman Harvey noted that the study completed is old. Councilman Mears suggested holding off on this committee until a permanent manager is hired and allowing our staff to make some decisions. Councilwoman Ward has heard positive things about the committees.

Vote: Councilwoman Ward – Yes, Councilman Ogle – Yes, Councilman Harvey – Yes, Councilwoman Lowman – No, Councilman Mears – No, Motion carried.

APPROVED RESOLUTION ESTABLISHING NEW TOWN OF VALDESE AD HOC UTILITIES INFRASTRUCTURE COMMITTEE Councilman Harvey shared that the Town's water and sewer lines are

an even more important infrastructure on which every Valdese resident depends. Councilman Harvey moved to adopt the resolution by establishing a Utilities Infrastructure Committee to engage citizens and businesses who use our utility systems daily to help set priorities for maintaining and replacing our water and sewer lines.

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

WHEREAS, the Town Council is responsible for the care and maintenance of a water plant, a wastewater plant, and numerous miles of water and sewer lines owned and managed by the Town of Valdese; and

WHEREAS, the Town Council desires to establish an Ad Hoc Utilities Infrastructure Review Committee to advise and make recommendations to the Town Council regarding the management, maintenance, improvement, and/or construction of Town-owned utility infrastructure assets.

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

BE IT FURTHER RESOLVED that the Ad Hoc Utilities Infrastructure Review Committee shall have the authority to elect its chairman, promulgate its own rules of order, and develop its schedule of meetings, which meetings shall be conducted by North Carolina Open Meeting Laws, N.C. Gen. Stat. Ch. 143, Art. 33C, §§ 143-318.9 through -318.18. Each member of the Ad Hoc Utilities Infrastructure Review Committee shall serve a staggered three-year term unless otherwise removed by the Town Council, which may be done at any time, with or without cause. Members will be divided into three classes with the appointment of one class of members taking place every December at the regular meeting of the Town Council. The initial committee shall have one member appointed for a one-year term, two members appointed for a two-year term, and two members for a three-year term. No member shall serve more than two consecutive terms. A member shall be eligible for re-appointment after an absence from the Ad Hoc Utilities Infrastructure Review Committee after one year.

BE IT FURTHER RESOLVED that the Ad Hoc Utilities Infrastructure Review Committee shall evaluate, consider, review, and make recommendations to the Town Council regarding the management, maintenance, improvement, and/or construction of Town-owned utility infrastructure assets. The Ad Hoc Utilities Infrastructure Review Committee may solicit input from the public that may assist with its duties. The Ad Hoc Utilities Infrastructure Review Committee shall issue a written report of its findings and recommendations to the Town Council annually on or before December 31 of each year, or as otherwise requested by the council.

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

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

Motion: Councilman Harvey made a motion to adopt the Resolution, seconded by Councilman Ogle.

Discussion: Councilwoman Lowman asked if this is not what we hire McGill Associates to do. Councilman Harvey said that this is not for engineering services; it is for citizens to get involved and advise the Council and management on concerns that they see with some of the water and sewer lines. Councilman Mears believes that this is a bad idea and does not know what citizens would know about our infrastructure.

Vote: Councilwoman Ward – Yes, Councilman Ogle – Yes, Councilman Harvey – Yes, Councilwoman Lowman – No, Councilman Mears – No, Motion carried.

APPROVED RESOLUTION ESTABLISHING NEW TOWN OF VALDESE AD HOC MERCHANTS ADVISORY COMMITTEE Councilman Harvey said that economic development begins at home, and there is no group of individuals who contribute more to the economic development of our town that attracts tourists and generates an increasing amount of sales tax revenue than our local merchants. Councilman Harvey said that Valdese once had an active "Merchants Association" that folded for unknown reasons. However, in recent visits to most of our merchants, we have gained strong support for establishing a formal Town committee. Councilman Harvey moves to adopt the Resolution establishing a Merchants Advisory Committee to advise the town management and Council on ways to make Valdese even more attractive to customers and visitors and that we increase the proposed membership of the committee to seven.

A RESOLUTION BY THE TOWN OF VALDESE TOWN COUNCIL TO ESTABLISH AN AD HOC MERCHANTS ADVISORY COMMITTEE

WHEREAS, the Town Council is responsible for the economic development of the Town of Valdese, including but not limited to planning events and programs that support local merchants and their efforts to attract customers and tourists and to serve citizens of Valdese; and

WHEREAS, the Town Council desires to establish a Merchants Advisory Committee to advise and make recommendations to the Town Council regarding the planning, management, maintenance, and/or improvement of conditions under the Town's control to serve citizens and attract visitors.

NOW, THEREFORE, BE IT RESOLVED that a Merchants Advisory Committee is hereby established, the membership of which shall be appointed by Town Council and shall include seven (7) members who shall own or operate businesses that serve Valdese citizens and other customers.

BE IT FURTHER RESOLVED that the Merchants Advisory Committee shall have the authority to elect its chairman, promulgate its own rules of order, and develop its schedule of meetings, which meetings shall be conducted by North Carolina Open Meeting Laws, N.C. Gen. Stat. Ch. 143, Art. 33C, §§ 143-318.9 through -318.18. Each member of the Merchants Advisory Review Committee shall serve a staggered three-year term unless otherwise removed by the Town Council, which may be done at any time, with or without cause. Members will be divided into three classes with the appointment of one class of members taking place every December at the regular meeting of the Town Council. The initial committee shall have two members appointed for a one-year term, two members appointed for a two-year term, and three members for a three-year term. No member shall serve more than two consecutive terms. A member shall be eligible for re-appointment after an absence from the Ad Hoc Merchants Advisory Committee after one year.

BE IT FURTHER RESOLVED that the Ad Hoc Merchants Advisory Committee shall evaluate, consider, review, and make recommendations to the Town Council regarding ways to plan and execute programs in support of local merchants and their efforts to serve Valdese citizens and attract new customers. The Ad Hoc Merchants Advisory Committee may solicit input from the public that may assist with its duties. The Ad Hoc Merchants Advisory Committee shall issue a written report of its findings and recommendations to the Town Council annually on or before December 31 of each year, or as otherwise requested by the council.

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

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

Motion: Councilman Harvey made a motion to adopt the Resolution, seconded by Councilman Ogle.

Discussion: Councilwoman Ward shared that the Merchants she talked to were excited about this committee, and sometimes, they feel ignored if they are too far out. Councilman Mears said that he used to be the President of the Merchants Association, but it disbanded due to a lack of interest. The Community Affairs Director noted that there is a Main Street Committee that meets quarterly.

Vote: Councilwoman Ward – Yes, Councilman Ogle – Yes, Councilman Harvey – Yes, Councilwoman Lowman – No, Councilman Mears – No, Motion carried.

CONSIDERATION OF INTERIM TOWN MANAGER Interim Town Manager Bryan Steen will be resigning June 28, 2024, and recommends appointing Assistant Town Manager/CFO Bo Weichel as Interim Town Manager with a salary of $130,000.

Motion: Councilwoman Lowman made a motion to accept the resignation of our Interim Manager and appoint Bo Weichel as our Interim Manager on June 28, 2024, at 5:01 pm, and appointed to represent the Town on the ABC Board, VEDIC Board, and BDI, seconded by Councilman Ogle.

Discussion and 2nd Motion: Councilman Harvey noted that the recommendation from the Interim Manager was more complicated that what we last discussed and would like to move that we table this to the next closed session on June 17, 2024, seconded by Councilman Ogle

Vote: Councilwoman Ward – Yes, Councilman Ogle – Yes, Councilman Harvey – Yes, Councilwoman Lowman – No, Councilman Mears – No, Motion carried.

INTERIM MANAGER'S REPORT:

Family Friday Nights continue each Friday in June on Temple Field from 7:00 p.m. – 10:00 p.m.

Valdese Independence Day Celebration, Friday, June 28, 2024, 6:00 p.m., Main Street

Next Regular Council meeting scheduled for Monday, June 17, 2024, 6:00 p.m.

MAYOR AND COUNCIL COMMENTS: Councilwoman Ward bragged about Police Chief Sharpe and our future plans for the Drug and Homeless Task Force.

Mayor Watts has received a few calls about emails and telephone calls not being returned by Council members and has asked that if we get a complaint or if someone has a question, we need to respond promptly.

ADJOURNMENT: At 8:11 p.m., there being no further business to come before Council, Councilman Harvey made a motion to adjourn, seconded by Councilman Mears. The vote was unanimous.

_____ _____

Town Clerk Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL REGULAR MEETING
JUNE 17, 2024

The Town of Valdese Town Council met on Monday, June 17, 2024, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The Council meeting was live-streamed on YouTube @townofvaldese. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilman Glenn Harvey, and Councilman Paul Mears. Also present were: Interim Town Manager Bryan Steen, Town Attorney Tim Swanson, Town Clerk Jessica Lail, and various Department Heads.

Absent:

A quorum was present.

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

OPEN FORUM/PUBLIC COMMENT

POSITIVE THINGS – EDDIE PERROU, 1312 LAUREL AT NE, VALDESE: Mr. Perrou thanked the Council for all their work in the last six months. Mr. Perrou identified the accomplishments: Strategic Plan, establishing new committees, upcoming new pool structure, Rock School renovations, firing an architect that could not get anything completed and buying land to build a new facility, hiring a new Police Chief, lower the tax rate and balancing the budget, giving employees a COLA, and looking into paving more streets. Mr. Perrou is pleased with the direction the Town is taking.

SEWER BACKUP – AZZAM KAMAL, 329 N. RODORET ST., VALDESE: Mr. Kamal lives on a street that always has sewer problems, and his backyard has been demolished to find out what is going on. Mr. Kamal said he had a manhole under his house. Mr. Kamal knows that something is in the CIP in a few years to fix the street, but in the meantime, he has a plumber who needs to know what to do with the manhole. Mr. Kamal needs the Town's help with what to do.

CONSENT AGENDA: (enacted by one motion) No items to approve.

End Consent Agenda

APPROVED FY 2024-2025 BUDGET PUBLIC HEARING & ORDINANCE ADOPTION: Mayor Watts opened the Public Hearing at 6:10 p.m.

Councilman Harvey asked if the Council could make amendments to the budget tonight. Mayor Watts said this is for the adoption tonight, and there can be no changes.

Interim Town Manager Bryan Steen recapped the budget process and asked if Council had any questions. Hearing none, Mayor Watts asked if anyone wished to speak either for or against the proposed budget.

Town Attorney Tim Swanson noted that we could make modifications, but doing so would require us to continue the meeting so that management has time to make them.

KAREN CARUSO, 805 MICOL AVE, VALDESE: Ms. Caruso provided a copy of her comments to the Town Clerk:

Karen Caruso, 805 Micol Avenue. Good evening, Mayor and Council. I'm here to ask you to approve the 5% employee pay increase in the proposed FY 24/25 budget. Please consider: inflation continues to eroded purchasing power and has for several years; the latest unemployment rate for Burke County is at the lowest it's been this calendar year; competition for good employees among local and state governments isn't going away; your own strategic plan places a priority on employee retention; and employees shouldn't have to fund their own training.

The Consumer Price Index, or CPI, measures the change in prices paid by consumers for goods and services. The annual CPI for 2021 was 7%. In the FY 21/22 budget, town employees received a 2% pay increase. The 2022 CPI was 6.5%. Employees received a 5% increase in the FY 22/23 budget. CPI in 2023 came down to 4.1%. Employees received a 5% increase in the FY 23/24 budget. These CPI numbers include the prices for food. Anyone who goes to the grocery store knows that when food is broken out of these numbers, by itself, the increase in cost is well above these percentages. You can get by without buying a lot of things, but food isn't one of them. At the last council meeting, it was heartbreaking to hear that a citizen witnessed town employees receiving food assistance from area church ministries.

Full employment is generally considered to be an unemployment rate of 5% or lower. Some economist question this and suggest it should be 3%. Last month, the unemployment rate in Burke County was 3.1%. That's full employment by most any economist's standards and indicates anyone who wants a job can likely find one. It also means it's easier for those with jobs to find another one if they're not satisfied with their current employment situation.

You can bet all the municipalities in the Unifour and the state institutions in Morganton are aware of the competition for good employees. Western Piedmont Community College has ten full-time positions available. There are nearly 100 full-time state job openings at various facilities in Morganton. A quick look for full-time municipal jobs shows multiple openings with Morganton, Burke County, and Hickory. Some of these positions even include generous signing bonuses. But the competition for our folks is definitely not limited to governmental entities. The private sector is much larger and has deeper pockets.

Employee retention emerged as a key priority of your SWOT analysis during the strategic plan process. Support your own plan by giving the town's most important asset competitive pay. The optics of not doing so are going to be very poor on the heels of giving yourselves a huge raise at the last council meeting.

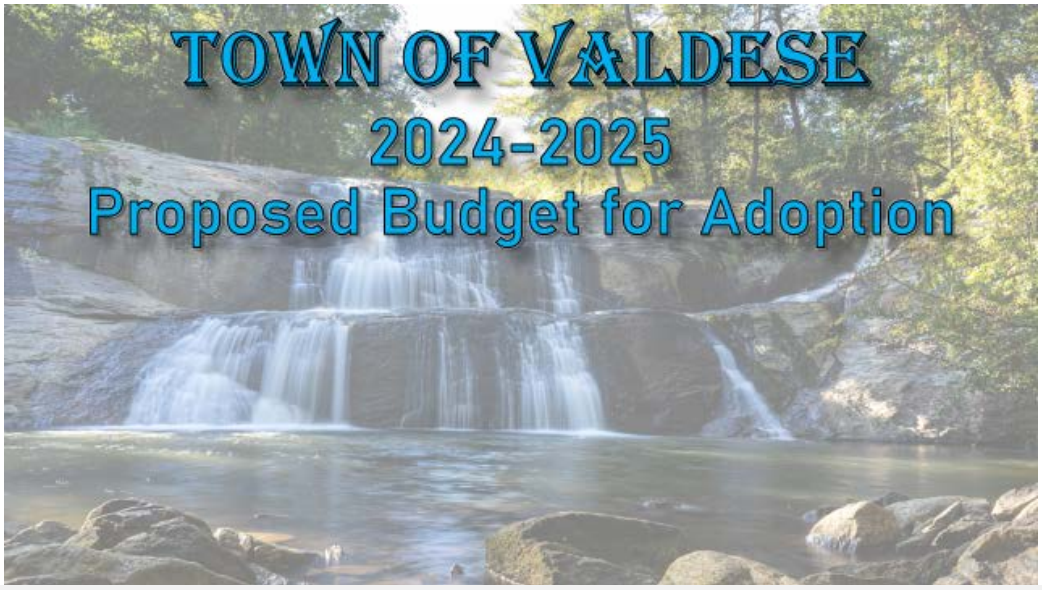
I'm all for employee training and think it's a great idea. But don't do it on the backs of employees by reducing their pay increase to fund it.

The strategic plan mandates that you must do your part to retain our experienced, dedicated employees who serve us so well. Please do not erode your employees' buying power further and continue to force them into seeking food assistance. Vote yes for the 5% pay increase. Thank you.

Mayor Watts asked if anyone else wished to speak. Hearing none, Mayor Watts closed the Public Hearing at 6:17 p.m.

Councilman Harvey asked what the COLA proposed in the budget cost, if training was included, and if any essential services had been cut. Mr. Steen said a 5% COLA, $30,000 for employee training, and no essential services that he knows of have been cut.

Assistant Town Manager/CFO Bo Weichel shared the following presentation:



Fund Categories of Valdese

Annual Budget Ordinance
(funds expire after June 30th)

GENERAL Fund
(supported by taxes)

WATER SEWER Fund
(supported by utility sales)

Capital Project Ordinance
(funds remain over project life)

CAPITAL PROJECT Fund
(supported by General, Utility, Grants, etc.)

- 31 Pool Structure
- 32 Hoyle Creek Restoration
- 35 Public Safety Building
- 38 Old Rock School Renovation
- 50 Cline Ave. Pump Station
- 54 Water Treatment Plant Upgrades

General Fund Budget Highlights

Budget $7,643,990

41.5 cent tax rate

$500,000 Street Resurfacing

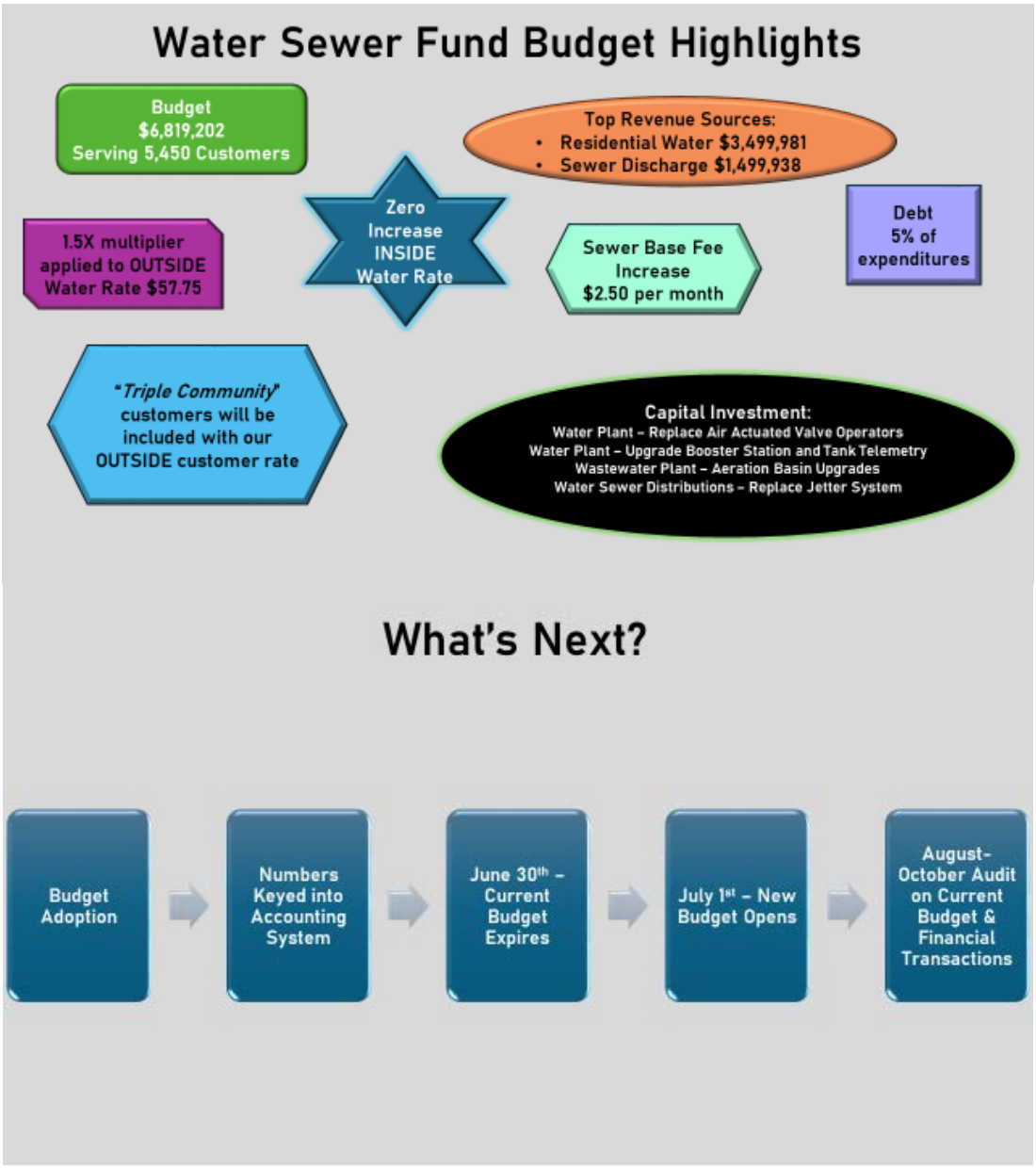
$2.00 Recycle Fee Increase

Top Revenue Sources:
- Property Taxes $2,234,454
- Sales Taxes $1,879,492

Debt 3% of expenditures

$25,000 Town-Wide Training

Capital Investment:
Parks & Rec Bowling Center Upgrades
Clock Tower Repairs
Public Safety Vehicles: Medic truck - Patrol car



Councilman Harvey made a motion to adopt the FY 2024-2025 Fee Schedules, FY 2024-2025 General Fund Capital Improvement Plan, FY 2024-2025 Utility Capital Improvements Plan, and the FY 2024-20245 Budget Ordinance, seconded by Councilwoman Lowman. The vote was unanimous.

FACILITIES REVIEW COMMITTEE REPORT Facilities Review Co-chairs Roger Heavner and Greg Refour gave Council the following update from their June 12, 2024, meeting. Mr. Heavner stated, "Last week there was a site visit to the Public Safety Building by Tally and Smith Architectural Firm. This is the group hired to develop new Public Safety facilities. This tour was conducted by Fire Chief Truman Walton and Police Chief Marc Sharpe.

As in previous inspections by several engineering and architectural firms, it has been suggested the Fire and Police Officers be relocated to a different facility. The reason being, the walls are deteriorating and creating a potentially dangerous condition. This coupled with the fact that it is probably going to take two years to complete the new facilities.

There are several potential locations in Valdese to fill these needs. After looking at the different locations, it is being recommended by the Facilities Review Committee the old Town Hall be renovated for temporary

Fire and Police offices. There are numerous reasons for this, some of which being: close proximity to all Police and Fire facilities such as armory, computer equipment, trucks and available parking.

Once the new Public Safety facilities are completed, this old Town Hall will become very marketable as a potential lease or sale property. These capital improvements will only enhance this property."

Councilwoman Lowman asked if there was enough room for both Fire and Police in the Old Town Hall. Mr. Heavner believes there is more room in the Old Town Hall than were they are now but said it would be up to the architect firm. Mr. Heavner said this is just a recommendation, and the Police and Fire Chief will meet with the architect as well.

STREET PAVING UPDATE Public Works Director Allen Hudson said that the Street Paving Panel came up with 30 streets to pave and they have been sent to NCDOT who said that they would have pricing for us the first of July.

FY 24-25 Budget Paving list

With estimates provided by NC DOT 4 June 2024 - two streets added 17 June 2024

		miles	At $210k/mile	width	mil Y/N
1	Anthony St	0.17	$ 35,700	18ft	Y
2	Bellview Ave Ne (Laurel to Walnut Ave)	0.16	$ 33,600	14 ft	Y
3	Bellview to Clyde	0.22	$ 46,200	18ft	Y
4	Berry Ave	0.24	$ 50,400	18ft	Y
5	Bonous St Nw	0.25	$ 52,500	18ft	Y
6	Campbell Ave(bottom of hill to the end past Picou)	0.18	$ 37,800	26ft	Y
7	Carter St Ne	0.19	$ 39,900	18ft	Y
8	Cline St Sw (Bertis St to Hoyle St)	0.15	$ 31,500	36ft	Over Lay
9	Club Circle Ne	0.31	$ 65,100	18ft	Y
10	Dixie Ave Nw	0.4	$ 84,000	20ft	Y
11	Eagle Nest Lane Nw	0.12	$ 25,200	20ft	Over Lay
12	Eldred St Ne (Main to Laurel St)	0.22	$ 46,200	20ft	Y
13	Flora Lane Ne (Gravel Portion)	0.11	$ 23,100	14ft	N
14	Forest Ave Ne	0.25	$ 52,500	20ft	Y
15	Forest Dr Ne	0.33	$ 69,300	20ft	Y
16	Griffin Ave Nw	0.19	$ 39,900	20ft	Y
17	Harris	0.35	$ 73,500	18	y
18	Hickory Ave Nw	0.1	$ 21,000	18ft	Y
19	Jaubert Ave Se	0.18	$ 37,800	18ft	Y
20	Katherine St Se (Portion next to the creek)	0.21	$ 44,100	20ft	Y
21	Laurel St Ne to Gardiol Ave Ne	0.37	$ 77,700	20Ft	Y
22	Louise ave Ne (Italty to end)	0.21	$ 44,100	18ft	Y
23	Morganton St Nw	0.36	$ 75,600	18ft	Y
24	Nellie St Nw	0.07	$ 14,700	18ft	Y
25	Pineburr Ave Sw (Orchard St to Hoyle St	0.17	$ 35,700	18ft	Y
26	Pineburr Ave Sw (Carolina to Faet St)	0.36	$ 75,600	20Ft	Y
27	Pineridge St SW	0.2	$ 42,000	22ft to 32 ft	Y
28	Tarheel Ave Ne	0.17	$ 35,700	18ft	Y
29	Tarvia Ave Ne	0.23	$ 48,300	16ft	Y
30	Tron Ave	0.67	$ 140,700	18	Y
31	Vinay Ave Nw	0.14	$ 29,400	18ft	Y
32	White St Ne	0.08	$ 16,800	18ft	Y
	TOTALS	**7.36**	**$ 1,545,600**		
5	**If rounded down to7 miles**	**7**	**$ 1,470,000**		
4	**If rounded down to 6 miles**	**6**	**$ 1,260,000**		
3	**If rounded down to 5 miles**	**6**	**$ 1,050,000**		
2	**FY 24-25 Budget Allocation, would repave about**	**2.4**	**$ 500,000**		
1	**Repaving completed in FY 23-24**	**1.34**	**$ 500,000**		

Councilman Harvey noted that one of the decisions the Town needs to make is whether to limit our paving this year to $500,000 and 2.4 miles, consider borrowing enough money to do two to three years of paving at this time under current costs, or borrow money from the Town's reserves and pay it back out of the Powell Bill fund.

APPROVED LOCAL REALTOR LISTING TOWN-OWNED PROPERTIES Interim Town Manager Bryan Steen shared that he emailed four local realtors and received two applications from Thompson Realty and Brinkley & Associates to list seven town-owned parcels.

39792	0 FOREST AVE NE	0.19		R-12	TOWN OF VALDESE
11672	811 FONTAINE AVE NW	0.53		R-12	TOWN OF VALDESE
38608	809 BIENVENUE AVE NW	0.32		R-12	TOWN OF VALDESE
38607	721 BIENVENUE AVE NW	0.43		R-12	TOWN OF VALDESE
41732	342 TRON AVE NW	0.46		R-12	TOWN OF VALDESE
41733	338 TRON AVE NW	0.46		R-12	TOWN OF VALDESE
12132	341 RODORET ST N	0.82		R-12	TOWN OF VALDESE

Councilman Harvey made a motion to engage Thompson Realty to list the properties, seconded by Councilman Mears.

Councilwoman Lowman asked if we could use both firms. Councilman Harvey noted that one them has a minimum listing fee and we should go with the better of the two options.

The vote was unanimous.

APPROVED ENCROACHMENT AGREEMENT TOWN RIGHT OF WAY WITH CONTERRA ULTRA BROADBAND, LLC Planning Director Larry Johnson shared that Catawba Valley Healthcare is seeking fiber, and Conterra has a line along Main Street, and they want to connect it to their business. Mr. Johnson said that they would have to encroach 108 feet along Morgan Street. Conterra has provided a performance bond guarantee of $10,000. Mr. Johnson shared that Conterra installed fiber along Main Street years ago.

STATE OF NORTH CAROLINA
BURKE COUNTY

ENCROACHMENT AGREEMENT
TOWN RIGHT OF WAY

THIS MASTER ENCROACHMENT AGREEMENT ("Agreement") is made and entered into this _____day of _____, 2024, by and between the **TOWN OF VANDESE**, a North Carolina municipal corporation having a mailing address of P.O. Box 339, Valdese, North Carolina 28690 (the "Grantor"), and **CONTERRA ULTRA BROADBAND, LLC d/b/a CONTERRA NETWORKS**, a South Carolina limited liability company having a mailing address of 5301 77 Center Drive, Charlotte, North Carolina 28217 (the "Grantee").

W I T N E S S E T H:

WHEREAS, the Grantee desires to encroach on certain public streets and/or street right of ways (hereinafter collectively "ROW") under the Grantor's jurisdiction for the purposes of constructing, installing and maintaining telecommunications facilities, including but not limited to fiber optic cables and associated conduit (hereinafter "Telecommunications Facilities") and the parties wish to memorialize any such permission and conditions through this Agreement rather than individual permits or approvals; and

WHEREAS, the Grantor is willing to exercise its authority in accordance with N.C.G.S. § 160A-296 to grant the Grantee a non-exclusive, revocable (subject to applicable law) permission to encroach on the ROW in locations approved by the Grantor pursuant to plans approved for the purposes described in this Agreement.

NOW, THEREFORE, IT IS AGREED that the Grantor grants to the Grantee, its successors, and assigns, the right and privilege to make this encroachment as shown on the attached plans (the "Encroachment"), upon the following conditions:

1. Permission to Encroach. Upon the approval of specific construction plans by the Grantor, the Grantor hereby grants the Grantee permission to encroach at the locations described in construction plans in accordance with this Agreement. Encroachments are for the purpose of constructing, installing, maintaining, operating and if necessary removing Telecommunications Facilities. The Telecommunications Facilities may consist of aerial or underground fiber optic cables, lines, or strands; underground conduits, vaults, access manholes and handholes; electronic equipment; power generators; batteries; pedestals; boxes; cabinets; huts; and other similar facilities (hereinafter "Network Facilities"). A general route and proposed design of Grantee's Telecommunications Facilities is attached as **Exhibit A**. Grantee understands and agrees that, notwithstanding any language in this Agreement to the contrary, the Grantor grants permission only to the extent authorized by law and the terms of the conveyance of the right of way, fee, easement, or other property interest to the Grantor in the ROW or public street. Nothing in this Agreement shall constitute or create an assignment to Grantee by the Grantor of any easement or license held by the Grantor or of any rights under any easement or license held by the Grantor. Nothing herein contained shall be construed to confer on Grantee an exclusive right to encroach on ROW or public streets or confer any rights to any third party. This Agreement also does not grant usage of Grantor poles or conduits by the Grantee.

Construction plans that are approved by the Grantor and show an encroachment shall be added as exhibits to this Agreement and shall be governed by the terms and conditions of this Agreement. Each such approved plan shall have a sequential Exhibit number included on the plan. All such construction plans that show an encroachment shall reference this Agreement and provide that any such installation, operation, or maintenance shall be governed by and incorporated into this Agreement.

2. Pre-Existing Interests. This Agreement and the rights granted hereto are subordinate and subject to the Grantor's continuing right to use and control the ROW in accordance with North Carolina law. Nothing in this Agreement shall be interpreted to restrict, impair, or affect the Grantor's right to construct, install, operate, maintain, repair, or remove roadways, sewers, water pipes, storm drains, gas pipes, utility poles, overhead and underground electric lines, and any other associated facilities or utility and municipal uses.

Grantee's rights are subject to all pre-existing easements, restrictions, conditions, covenants, claims of title and other property interests in the ROW. Grantee shall obtain any permission or rights necessary to accommodate such pre-existing property interests.

3. Grantee's Obligations. The Grantee, its contractors, employees, agents, successors, and assigns shall:

(a) take all necessary steps, including but not limited to, contacting North Carolina 811 at least three (3) days prior to any digging or excavation to ensure that any activity or operation by Grantee will not interfere with, damage, disrupt, or interrupt any utility located in the ROW, above or below ground;

(b) notify the Grantor at least five (5) business days before commencing work at a Grantor ROW location and at least three (3) days before work begins, take reasonable steps to notify residents of buildings in the area of the affected ROW that work will be performed. Failure to provide the notifications outlined in this Agreement may, in the Grantor's discretion, result in suspension or termination of this Agreement. Grantee shall not begin work until approval to proceed has been provided by the Grantor. Approval may

be provided through electronic mail and shall not be unreasonably withheld. Approvals will be provided by a representative designated by the Grantor. Approval or objections will be provided by the Grantor within two (2) business days of receipt of Notice;

(c) in the event Grantee will be placing Network Facilities in the ROW within the tolerance zone (as defined in Section 87-117 of the North Carolina Underground Utility Safety and Damage Prevention Act) (hereinafter "NC811 Law") of a Grantor water or sewer line or any other Grantor-owned utility line, Grantee shall follow NC811 Law requirements for excavating within that tolerance zone;

(d) provide proper traffic control devices in conformance with the latest Manual on Uniform Traffic Control Devices for Streets and Highways ("MUTCD"), including but not limited to signs, signal lights, and flagmen for the protection of traffic and amendments or supplements thereto during any installation or maintenance of the Network Facilities pursuant to this Agreement; Grantee shall provide at least five (5) business days' notice to the Grantor of any work which will require lane closure or traffic control measures lasting more than twenty-four hours; Grantee shall follow all federal, state, and local accessibility regulations, including the MUTCD and the Americans with Disabilities Act;

(e) install, operate, repair and maintain the Network Facilities at Grantee's sole cost and expense and in accordance with federal, state, and local law, and any other regulations, ordinances and standards imposed by the Grantor, as may be amended from time to time. Construction, installation, operation, and maintenance of Network Facilities shall not endanger, inhibit, prevent, or interfere (i) with use of a ROW as a way of passage except in conformance with paragraph 3(d) above, (ii) with traffic on any ROW except in conformance with paragraph 3(d) above, (iii) with the maintenance of any ROW, (iv) with operation or maintenance of any Grantor-owned infrastructure located within or adjacent to the ROW, including but not limited to electric lines or poles, underground fiber, and water or sewer lines, or (v) with operation or maintenance of any other infrastructure or equipment lawfully located within the ROW;

(f) in the event Grantee damages any existing gas, electric, communications, water, sewer, or other utility facilities, Grantee shall immediately cease work and notify the Grantor and the affected utility company of the damage. Grantee will not resume work where damage has occurred until the Grantor determines that the danger to the public and the utility facilities has been eliminated;

(g) promptly repair any damage to the ROW, all Grantor-owned infrastructure, and all other areas disturbed during installation, operation, repair and maintenance of the Network Facilities, including but not limited to pavement, sidewalk, curb and gutter, drainage systems, signs, pavement markings, underground fiber, utility poles, electric lines, and water or sewer lines, and shall restore same to the condition existing prior to Grantee's disturbance, re-establishing grass cover with seeding and spreading of straw for finishing, all to the Grantor's satisfaction which shall be based on the industry standards for such activity;

(h) comply with all Grantor ordinances, rules, and regulations regarding stormwater discharge and soil erosion and sedimentation control as well as the Grantor's regulations, ordinances, standards and specifications for roadway and utility construction;

(i) reimburse Grantor for any reasonable costs or expenses of Grantor for any repairs or maintenance to the ROW, any Grantor-owned infrastructure, or other Grantor-owned structures resulting from or related to Grantee's negligence or willful misconduct in performing the installation, operation, maintenance, repair, or existence of the Network Facilities following receipt of invoices from the Grantor detailing those costs and/or expenses, including supporting documentation evidencing them, if requested and available;

(j) in the event that Grantor, its employees, agents, or contractors, in Grantor's sole discretion, need to conduct work in the ROW for a legitimate governmental purpose that will conflict with the Network Facilities, Grantee shall within a commercially reasonable time, remove or alter the Network Facilities at its cost, unless applicable law provides otherwise. The Grantor will use due diligence when approving Grantee's construction plans to avoid a potential foreseeable conflict between the proposed Network Facilities and the need for work in the ROW by the Grantor. In the event of a public emergency that creates an imminent threat to the health, safety, or property of the Grantor or its residents, the Grantor may remove or relocate any applicable Network Facilities without notice to Grantee, provided, however, that Grantor will make best efforts to provide prior notice to Grantee before making an emergency removal or relocation. Grantor will provide Grantee a detailed description of any emergency removals or relocations of Network Facilities. If Grantee abandons any portion of its Network Facilities, Grantee shall notify the Grantor and remove the Network Facilities at Grantee's expense, provided, however, that Grantor and Grantee shall discuss whether underground facilities may be abandoned in place or transferred to Grantor at the mutual agreement of Grantee and Grantor;

(k) understand and agree that damage or destruction may occur to Network Facilities and other property of Grantee in the course of Grantor's operations and that Grantor has no obligation to take extraordinary measures to protect Grantee, Grantee's property, or Network Facilities or to minimize, mitigate, or avoid any such damage; and release, waive, and discharge any legal rights or claims to seek payment or relief of any kind from the Grantor, its elected officials, boards, commissions, and employees, for any damages resulting from Grantor's operations, maintenance, or other use of the ROW under its prior and continuing right to use the ROW;

(l) understand and agree that permission provided by this Agreement is non-exclusive, that additional encroachments by others may currently exist and be permitted in the future in the ROW ("Third Party Encroachments"), and that Grantor is not liable for any damage to Network Facilities that arise from the installation, operation, maintenance, or existence of Third Party Encroachments; and that any recourse for such damage must be from the Third Party Encroacher;

(m) release, waive, and discharge any legal rights to seek payment or relief of any kind from the Grantor, its elected officials, boards, commissions, and employees, for any damages due to or resulting from Third Party Encroachments;

(n) hold the Grantor, its officers, employees, and elected officials harmless from any and all liability arising out of the construction, installation, maintenance, repair, or existence of the Network Facilities and associated restoration activities in the ROW; that it will defend the Grantor, its officers, employees, and elected officials, and pay reasonable attorney fees in any and all actions brought as a result of such; and that it will indemnify the Grantor, its officers, employees, and elected officials against any and all loss sustained by reason of negligence, recklessness, or intentional wrongful conduct of Grantee arising out of the installation, maintenance, operation, repair, removal, location, or existence of Network Facilities, provided, however, that indemnification relating to personal injury of employees will not apply to any claims made by Grantor's employees that are covered under applicable workers' compensation laws, and provided, further, that Grantee's indemnification and defense obligations shall not extend to liability to the extent caused by the negligence or willful misconduct of Grantor;

(o) comply with all applicable Federal, State, and local laws and regulations. Grantee, and all subcontractors, shall comply with Article 2, Chapter 64, of the North Carolina General Statutes; and

(p) maintain valid general liability insurance in the combined single limit (bodily injury and property damage) amount of $5,000,000 general aggregate, commercial automobile liability insurance in the minimum amount of $2,000,000, and provide certificates of such

insurance naming the Grantor as an additional insured by endorsement to the policies. Grantee shall maintain an umbrella excess policy in the minimum amount of $3,000,000 over primary insurance. Additionally, Grantee shall maintain and show proof of workers' compensation within the NC statutory limits and employer's liability insurance in the minimum amount of $1,000,000. Grantee shall provide notice of cancellation, non-renewal or material change in coverage to the Grantor within 10 days of their receipt of notice from the insurance company. All required certificates of insurance, endorsements, and blanket additional insured policy provisions are attached and considered part of this document. Notwithstanding the foregoing, neither the requirement of Grantee to have sufficient insurance nor the requirement that the Grantor is named as an additional insured, shall constitute waiver of the Grantor's governmental immunity in any respect, under North Carolina law. All insurance certificates, endorsements, coverage verifications and any other items required pursuant to this Agreement will be mailed directly to:

Town of Valdese
Attn: Town Manager
Post Office Box 339
Valdese, North Carolina 28690

4. Microtrenching. Installation of Network Facilities through the use of microtrenching (installing conduits within the edges of sidewalk or roads) that in any way impacts any Grantor-owned street, road, sidewalk, curb, gutter, or infrastructure of any kind is prohibited under this Agreement unless first approved in writing by the Grantor. Approval may be provided through electronic mail.

5. As-Built Maps. Grantee will maintain accurate as-built drawings and maps of its Network Facilities located in the Grantor and provide them to the Grantor upon request and subject to applicable confidentiality protections under North Carolina law.

6. Required Relocation. In the event Grantee's Network Facilities would interfere with the Grantor's use of the ROW for a legitimate governmental purpose, including but not limited to, construction or installation of water, sewer, or electric lines, or construction/relocation of a public road, Grantee will, upon written notice from the Grantor, relocate its Network Facilities at Grantee's expense to another location in the public ROW as may be agreed upon by the Parties. Relocation shall occur within a commercially reasonable time period after receiving notice from the Grantor, taking into account the urgency of the need for relocation, the difficulty of the relocation, and other relevant facts and circumstances.

7. Contractors and Subcontractors. Grantee may retain contractors and subcontractors to perform the work contemplated by this Agreement on behalf of Grantee. Grantee will notify the Grantor in writing of the identity of and contact information for each contractor and subcontractor performing any work for the Grantee in the Grantor prior to commencement of the work by the contractor or subcontractor. The contact information to be provided to the Grantor shall include the contractor's state license information and the name and telephone number of the contractor/subcontractor representative with supervisory authority of the work.

8. Term. This Agreement is effective on the date the last party to sign executes this Agreement ("Effective Date"). The initial term will be twenty (20) years from the Effective Date. At the end of the initial term, the Agreement shall automatically renew for successive five-year terms unless terminated by either party in accordance with this Agreement or unless superseded by a new or amended agreement. Either party may terminate this Agreement without cause upon one hundred eighty (180) days written notice to the other party. In the event of termination of this Agreement, the Agreement will nevertheless continue to govern any construction plans approved by the Grantor and that are Exhibits to this Agreement prior to the effective date of termination. All provisions contained in Section 3 of this Agreement shall survive termination.

Notwithstanding the foregoing, a grant of permission to encroach shall become void, and this Agreement terminated, as to any individual Grantor approved construction plans if the Grantee does not begin installation of the Facilities covered by that permit application in the relevant ROW within one (1) year

of the date the plans are approved, unless the approval is updated in writing by the Grantor, and thereafter diligently pursue installation to completion.

9. Notice. Any notice, demand, request, or any other communication required, permitted, or desired to be given under this Agreement (collectively, "Notice") shall be in writing and sent via national overnight courier company (such as UPS or FedEx) or by depositing the Notice with the United States Postal Service, certified or registered mail, return receipt requested, with adequate postage prepaid, addressed to the appropriate party (and marked to a particular individual's or department's attention if so indicated) as hereinafter provided. Each Notice shall be effective upon being delivered to the national overnight courier company or being deposited with the United States Postal Service, as the case may be, but the time period in which a response to any Notice must be given or any action taken with respect thereto shall commence to run from the date of receipt of the Notice by the addressee thereof, as evidenced by the national overnight courier company's records or by the return receipt of the United States Postal Service, as the case may be. Rejection or other refusal by the addressee to accept or the inability of the national overnight courier company or the United States Postal Service to deliver because of a changed address of which no Notice was given shall be deemed to be the receipt of the Notice sent. The addresses of the Parties shall be as follows:

If to Grantor:
Town of Valdese
Post Office Box 339
Valdese, North Carolina 28690
Attention: Town Manager

With a copy (which shall constitute notice) to:
Timothy D. Swanson, Esq.
Young, Morphis, Bach & Taylor, LLP
Post Office Drawer 2428
Hickory, North Carolina 28603

If to Grantee:
Conterra Ultra Broadband, LLC
dba Conterra Networks
5301 77 Center Drive
Charlotte, NC 28217

Any Party shall have the right from time to time to change the Party's own address or individual or department's attention to which Notices shall be sent or the address to which copies of Notices shall be sent and to specify up to two additional addresses to which copies of Notices shall be sent by giving the other Party at least ten (10) days' prior written Notice thereof.

10. Mechanic's Liens. Grantee shall not permit or suffer any mechanic's or materialmen's or other liens of any kind or nature to be recorded and/or enforced against the Grantor, and Grantee shall indemnify and hold the Grantor harmless from and against any and all liens, claims, and expenses related to work done, labor performed, activities undertaken or materials furnished in connection with the Grantor's access to the encroachment area described herein in accordance herewith.

11. Taxes. Grantee shall pay all taxes which may be levied, imposed or assessed upon or against the Encroachment, or any possessory interest right which Grantee may have in or to the Town ROW by reason of its use or occupancy thereof, and upon or against the Encroachment. Grantee agrees to pay all taxes, assessments, and charges on goods, merchandise, appliances, equipment and property owned by it in or about the Town ROW.

12. Use at Permittee's Own Risk. In installing and constructing the Encroachment, Grantee agrees that it will, on its own behalf and on behalf of its contractors and subcontractors, and permitted guests and invitees, release, discharge and covenant not to sue the Town, its officials, officers, employees, volunteers and agents (collectively, the "Releasees") for any and all liability to Grantee, its contractors, subcontractors,

employees, officers, guests, invitees, or assigns (the "Releasors"), for any loss or damage and any claim or demands therefore on account of injury or death to persons or injury or damage to property of the Releasors resulting from and while Releasors are in, upon or about the Town ROW, or Encroachment, or any Network Facilities or equipment therein, unless such loss, damages, claim or demand is determined (by a court's final judgment after all appeals have been concluded or exhausted) to have been caused by the gross negligence or willful misconduct of the Releasees. Permittee accepts the Town's ROW, in its "AS-IS" condition as of the Effective Date of this Agreement and "WITH ALL FAULTS" AND WITHOUT ANY REPRESENTATIONS OR WARRANTIES WHATSOEVER, EXPRESS OR IMPLIED ON THE PART OF TOWN, OR ARISING BY OPERATION OF LAW INCLUDING, WITHOUT LIMITATION, ANY WARRANTY OF CONDITION, HABITABILITY, MERCHANTABILITY, OR FITNESS FOR A PARTICULAR PURPOSE OF THE CITY-OWNED CONDUIT.

13. Recitals. The Recitals are incorporated herein.

14. Governing Law. This Agreement shall be governed by the laws of the State of North Carolina and the parties agree that the proper venue for all suits or actions related to Agreement shall be in Burke County, North Carolina.

15. Miscellaneous.

(a) Neither party waives any rights it may have under applicable law with respect to the subject matter in this Agreement, and no breach or non-performance of this Agreement shall be deemed to be waived by either party unless said breach or non-performance is waived in writing and signed by the parties.

(b) There are no third party beneficiaries to this Agreement.

(c) The individual signing this Agreement warrants that he/she has the authority to do so and binds the Grantee to the obligations set forth herein.

(d) Grantee acknowledges that records in the custody of Grantor are public records and subject to public records requests unless such records are exempt from disclosures under North Carolina law. The burden of claiming an exemption from disclosure shall rest solely with Grantee and Grantee shall comply with North Carolina law in asserting any such exemption. Grantor shall make reasonable efforts to notify Grantee of any requests made for disclosure of documents submitted under any claim of exemption from public records requests, and Grantee may take any appropriate actions, at its own expense, to prevent disclosure of such material.

(e) Nothing contained in this Agreement shall be deemed or construed so as to restrict or inhibit the Grantor's police powers or regulatory authority.

(f) No elected official, agent, or employee of the Grantor shall be subject to any personal liability by reason of the execution of this Agreement. Such elected officials, agents, or employees shall be deemed to execute this Agreement in their official capacities only, and not in their individual capacities.

(g) Should any portion of this Agreement require judicial interpretation, it is agreed that the court construing the same shall not apply a presumption that the terms hereof shall be more strictly construed against any one party by reason of the rule of construction that a document is to be more strictly construed against the party who prepared the documents.

(h) This Agreement represents the entire agreement between the Parties with regard to the subject matter hereof and supersedes all prior negotiations, representations, or agreements, either written or oral, and may only be amended only by written amendment in a writing signed by the both parties.

(i) In the event of conflict between the requirements of this Agreement, the Grantor's ordinances, or the terms of any applicable construction plans, the more restrictive requirement shall apply.

(j) The Encroachment shall not be enlarged or increased beyond that shown in any individual approved construction plans.

(k) Grantee binds itself, its successors, permitted assigns and legal representatives to the terms of this Agreement. This Agreement may not be assigned without the prior written consent of the Grantor. In the event Grantee retains subcontractors to perform any activities covered by this Agreement, Grantee shall be and remain responsible for all activities and all required insurance. All entities performing the work must be North Carolina licensed and bonded contractors.

This Space was Intentionally Left Blank. Signatures and Acknowledgments Appear on the Following Pages.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed effective as of the day and year written below.

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

_____ (Seal)
CHARLES WATTS, Mayor

ATTEST:

_____
JESSICA LAIL, Town Clerk

STATE OF NORTH CAROLINA
COUNTY OF BURKE

I, _____ a Notary Public of said county and state, certify that Jessica Lail personally came before me this day and acknowledged that she is Town Clerk of the Town of Valdese, a North Carolina municipal corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name and by its Mayor, sealed with its corporate seal and attested by her as its Town Clerk.

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

_____
Notary Public

[AFFIX NOTARIAL SEAL]

My Commission Expires: _____.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed effective as of the day and year written below.

CONTERRA ULTRA BROADBAND, LLC

By: _____
_____, Manager

STATE OF _____
COUNTY OF _____

I, _____, a Notary Public of the County and State aforesaid, certify that _____ personally appeared before me this day and acknowledged that he or she is the _____ for Conterra Ultra Broadband, LLC, a South Carolina limited liability company, and being duly authorized to do so, voluntarily executed the foregoing instrument for the purposes stated therein on behalf of said limited liability company.

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

_____
[NOTARIAL SEAL] Notary Public

My commission expires: _____

Councilman Mears made a motion to approve the Encroachment Agreement with Conterra Ultra Broadband, LLC, seconded by Councilman Harvey. The vote was unanimous.

INTERIM MANAGER'S REPORT:

Family Friday Nights continue each Friday in June on Temple Field from 7:00 p.m. – 10:00 p.m.

Special Called Meeting scheduled for Friday, June 21, 2024, 8:45 a.m., at Valdese Town Hall, to go into Closed Session Pursuant to NC General Statute 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee.

Valdese Independence Day Celebration, Friday, June 28, 2024, 6:00 p.m., Main Street

Next Agenda Review Council meeting is scheduled for Monday, July 29, 2024, 6:00 p.m., Council Chambers, Valdese Town Hall

Next Regular Council meeting scheduled for Monday, August 5, 2024, 6:00 p.m., Council Chambers, Valdese Town Hall

MAYOR AND COUNCIL COMMENTS: Councilman Harvey thanked everybody for tolerating the change we have had this year. Councilman Harvey thanked the citizens for being a part of the Strategic Planning and new committees and the staff for their hard work. Councilman Harvey said the good news is that people will see a 20% cut in the Valdese tax rate and no cuts in services. Councilman Harvey said anyone who wants to donate money to the Town of Valdese could do so if they felt we did not need a drop in the tax rate. Councilman Harvey reminded citizens interested in serving in the new committees to fill out an application, which can be found on the website.

Councilwoman Ward thanked everyone involved with the budget and Councilman Harvey for addressing things that she would not have thought to address. She feels the committees are going well.

CLOSED SESSION: Mayor Watts called for a motion to recess into Closed Session for:

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

At 7:04 p.m., Councilwoman Lowman made a motion to go into closed session, seconded by Councilwoman Ward. The vote was unanimous.

At 7:17 p.m., Councilman Ogle made a motion to return to open session, seconded by Councilwoman Lowman. The vote was unanimous.

Councilwoman Lowman made a motion to approve the contract amendment for Interim Town Manager Bryan Steen, seconded by Councilman Mears. The vote was unanimous.

ADJOURNMENT: At 7:19 p.m., there being no further business to come before Council, Councilwoman Lowman made a motion to adjourn, seconded by Councilwoman Ward. The vote was unanimous.

_____ _____

Town Clerk Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL SPECIAL CALLED MEETING
JUNE 21, 2024

The Town of Valdese Town Council met on Friday, June 21, 2024, at 8:45 a.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilman Glenn Harvey, and Councilman Paul Mears. Also present were: Interim Town Manager Bryan Steen and Town Clerk Jessica Lail.

Absent:

A quorum was present.

CLOSED SESSION: Mayor Watts called for a motion to recess into Closed Session for:

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

At 8:45 a.m., Councilwoman Ward made a motion to go into closed session, seconded by Councilman Mears. The vote was unanimous.

At 12:03 p.m., Councilman Mears made a motion to return to open session, seconded by Councilwoman Lowman. The vote was unanimous.

ADJOURNMENT: At 12:04 p.m., there being no further business to come before Council, Councilman Mears made a motion to adjourn, seconded by Councilwoman Lowman. The vote was unanimous.

_____ _____

Town Clerk Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL SPECIAL CALLED MEETING
JULY 2, 2024

The Town of Valdese Town Council met on Tuesday, July 2, 2024, at 2:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilman Glenn Harvey, and Councilman Paul Mears. Also present were: Interim Town Manager Bryan Steen and Assistant Town Manager/CFO Bo Weichel

Absent: Town Clerk Jessica Lail

A quorum was present.

CLOSED SESSION: Mayor Watts called for a motion to recess into Closed Session for:

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

Councilwoman Ward made a motion to go into closed session, seconded by Councilwoman Lowman. The vote was unanimous.

Councilman Ogle made a motion to return to open session, seconded by Councilwoman Ward. The vote was unanimous.

ADJOURNMENT: At 2:52 p.m., there being no further business to come before Council, Councilman Mears made a motion to adjourn, seconded by Councilwoman Lowman. The vote was unanimous.

_____ _____

Town Clerk Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL SPECIAL CALLED MEETING
JULY 11, 2024

The Town of Valdese Town Council met on Thursday, July 11, 2024, at 8:30 a.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilman Glenn Harvey, and Councilman Paul Mears. Also present were: Interim Town Manager Bryan Steen and Town Clerk Jessica Lail

Absent:

A quorum was present.

CLOSED SESSION: Mayor Watts called for a motion to recess into Closed Session for:

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

Councilwoman Lowman made a motion to go into closed session, seconded by Councilwoman Ward. The vote was unanimous.

Councilman Harvey made a motion to return to open session, seconded by Councilwoman Lowman. The vote was unanimous.

ADJOURNMENT: At 10:02 a.m., there being no further business to come before Council, Councilwoman Ward made a motion to adjourn, seconded by Councilman Mears. The vote was unanimous.

_____ _____

Town Clerk Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL SPECIAL CALLED MEETING
JULY 12, 2024

The Town of Valdese Town Council met on Friday, July 12, 2024, at 10:30 a.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilman Glenn Harvey, and Councilman Paul Mears. Also present were: Interim Town Manager Bryan Steen and Town Clerk Jessica Lail

Absent:

A quorum was present.

CLOSED SESSION: Mayor Watts called for a motion to recess into Closed Session for:

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

Councilman Mears made a motion to go into closed session, seconded by Councilman Ogle. The vote was unanimous.

Councilwoman Lowman made a motion to recess the closed session to 1:00 p.m., seconded by Councilwoman Ward. The vote was unanimous.

Councilwoman Lowman made a motion to go back into closed session at 1:07 p.m., seconded by Councilman Harvey. The vote was unanimous.

Councilwoman Lowman made a motion to return to open session, seconded by Councilman Mears. The vote was unanimous.

ADJOURNMENT: At 5:25 p.m., there being no further business to come before Council, Councilwoman Lowman made a motion to adjourn, seconded by Councilwoman Ward. The vote was unanimous.

_____ _____

Town Clerk Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL PRE- AGENDA MEETING
JULY 29, 2024

The Town of Valdese Town Council met on Monday, July 29, 2024, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The Council meeting was live-streamed on YouTube @townofvaldese. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, and Councilman Paul Mears. Also present were: Interim Town Manager Bryan Steen, Town Attorney Tim Swanson, Town Clerk Jessica Lail, and various Department Heads.

Absent: Councilwoman Heather Ward and Councilman Glenn Harvey

A quorum was present.

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

NEW BUSINESS

REVIEW AND DISCUSSION OF AUGUST 5, 2024 PRELIMINARY AGENDA:

Mayor Watts noted that if anyone has any questions about the Consent Agenda, they should contact us before the following Monday.

NEW BUSINESS:

WEAVERS MILL HOUSING PROJECT Mayor Watts noted that the presentation would be made at the August 5, 2024, meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

2023 NORTH CAROLINA DEPARTMENT OF LABOR SAFETY AWARDS Mayor Watts noted that the presentation would be made at the August 5, 2024, meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

PUBLIC HEARING: REZONING MAP AMENDMENT 2-6-24 - B-1 CENTRAL BUSINESS DISTRICT TO B-2 GENERAL BUSINESS DISTRICT Planning Director Larry Johnson shared that this is the second of four Public Hearings that will be presented to Council this year. Mr. Johnson said this replicates the previous public hearing on Main Street West, but it will only be held on Main Street East. Mr. Johnson noted that 19 parcels would be considered for re-zoning.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

CONSIDERATION OF ACCEPTANCE OF PERMANENT UTILITY AND ACCESS EASEMENT B/T TOV & BCPS FOR VALDESE BLUFF'S PROJECT Planning Director Larry Johnson shared that there are five Easements on this agenda related to providing water and sewer to a site east of the high school for a potential housing project. Mr. Johnson said the Town received funding a few years ago, and this is just moving forward with the infrastructure. Mr. Johnson recommended placing the Easements on the Consent Agenda.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

CONSIDERATION OF ACCEPTANCE OF TEMPORARY ACCESS EASEMENT B/T TOV & BCPS FOR VALDESE BLUFF'S PROJECT

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

CONSIDERATION OF ACCEPTANCE OF PERMANENT ACCESS AND UTILITY EASEMENT & TEMPORARY ACCESS EASEMENT B/T TOV & BC FOR VALDESE BLUFF'S PROJECT

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

CONSIDERATION OF ACCEPTANCE OF TEMPORARY ACCESS EASEMENT B/T TOV & THE NICHOLSON'S FOR VALDESE BLUFF'S PROJECT

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

CONSIDERATION OF ACCEPTANCE OF PERMANENT ACCESS AND UTILITY EASEMENT B/T TOV & NATURAL LAND ALLIANCE, INC. FOR VALDESE BLUFF'S PROJECT

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

EFFICIENCY TASK FORCE COMMITTEE REPORT The Efficiency Task Force Committee Chair, Eddie Perrou, shared that they had a meeting and invited Assistant Town Manager/CFO Bo Weichel and Public Works Director Allen Hudson to join and follow up on some Capital Improvement Items requested that had been asked to be reviewed by the committee. Mr. Perrou shared the following on behalf of the committee:

- Roll-Off Dumpster – Recommends the purchase of the dumpster and the approval at the August meeting.
- 1985/1986 model tractor for mowing right-of-ways needs to be replaced next fiscal year. A newer model would cost around $60,000, but it would be safer and do a better job.
- The 14-year-old F150 should be looked at in the next fiscal year.
- Mr. Hudson received bids for a landscaper to take over the mowing. At this point, the committee likes how the Town is doing it now and recommends keeping it as is.

RESULT: REMOVED FROM THE AUGUST 5, 2024, MEETING

BUDGET AMENDMENT – ROLL-OFF DUMPSTER Councilman Ogle would like to move this to the Consent Agenda for the purchase of the Roll-Off Dumpster.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

DRUG AND HOMELESSNESS TASK FORCE REPORT Mayor Watts noted that the report would be made at the August 5, 2024, meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

FACILITIES REVIEW COMMITTEE REPORT Mayor Watts noted that the report would be made at the August 5, 2024, meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

CONSIDERATION OF AGREEMENT FOR PURCHASE AND SALE OF IMPROVED REAL PROPERTY AND ADDITIONAL PROVISIONS ADDENDUM Mayor Watts noted that this would be presented at the August 5, 2024, meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

CONSIDERATION OF AIA DOCUMENT B101-2017 STANDARD FORM AGREEMENT BETWEEN OWNER AND ARCHITECT WITH TALLEY & SMITH ARCHITECTURE, INC. Mayor Watts noted that this would be presented at the August 5, 2024, meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

REVIEW AND CONSIDERATION OF AIA DOCUMENT B104-2017 STANDARD FORM AGREEMENT BETWEEN OWNER AND ARCHITECT (TALLEY & SMITH ARCHITECTURE, INC. PUBLIC SAFETY FACILITY STUDY) Mayor Watts noted that this would be presented at the August 5, 2024, meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

CAPITAL PROJECT ORDINANCE AMENDMENT – PUBLIC SAFETY BUILDING Mayor Watts noted that this would be presented at the August 5, 2024, meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

STREET RESURFACING STATUS REPORT Mayor Watts noted that the report would be made at the August 5, 2024, meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

PERMANENT POOL STRUCTURE UPDATE Mayor Watts noted that the update would be made at the August 5, 2024, meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

WALDENSIAN FESTIVAL PLANS – AUGUST 9 AND 10, 2024 Mayor Watts noted that the presentation would be made at the August 5, 2024, meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

OLD ROCK SCHOOL RENOVATION FUNDRAISING DISCLOSURE Mayor Watts noted that the presentation would be made at the August 5, 2024, meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

CONSIDERATION OF APPOINTMENTS TO THE MERCHANTS ADVISORY COMMITTEE Mayor Watts noted that the appointments would be made at the August 5, 2024, meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

CONSIDERATION OF APPROVING RESOLUTION AUTHORIZING UPSET BID PROCESS FOR THE SALE OF TOWN-OWNED PROPERTY – 342 TRON AVE Assistant Town Manager/CFO Bo Weichel shared that we received an offer for the sale of town-owned properties on Tron Ave. for $10,000.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

CONSIDERATION OF APPROVING RESOLUTION AUTHORIZING UPSET BID PROCESS FOR THE SALE OF TOWN-OWNED PROPERTY – 338 TRON AVE Assistant Town Manager/CFO Bo Weichel shared that we received an offer for the sale of town-owned properties on Tron Ave. for $10,000.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

CONSIDERATION OF ACCEPTANCE OF EASEMENT BETWEEN TOV & DUKE ENERGY AT LAKESIDE PARK FOR THE PAVILION CONSTRUCTION

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

CONSIDERATION OF ACCEPTANCE OF RESOLUTION FOR CLINE AVE BASIN PUMP STATION LOAN

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

CONSIDERATION OF ACCEPTANCE OF RESOLUTION FOR LEAD SERVICE LINE INVENTORY LOAN Assistant Town Manager/CFO Bo Weichel shared that this was a funding offer from DEQ. As part of the Lead and Copper Rule Revisions (LCRR) published December 16, 2021, the Environmental Protection Agency (EPA) requires that all community water systems (CWS) and non-transient non-community (NTNC) water systems develop an inventory of all service line connections, both system-owned and customer-owned. The inventory must identify the potential presence of lead within each service line connection. Mr. Weichel said DEQ has offered a State Revolving Fund Loan in the amount of $500,000. Sixty percent (60%) of the loan up to a maximum of $300,000 will be forgiven, and the remainder will be repayable at 0.00% interest. Mr. Weichel noted that the LGC has reviewed it and approved it, and the next step is for the Council to consider accepting the loan. Public Works Director Allen Hudson shared that once the lines were identified, there would be another phase of the project: several years of planning and implementation.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

CAPITAL PROJECT ORDINANCE – LEAD SERVICE LINE INVENTORY Mr. Weichel said that this CPO would set up the actual project for the funds.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

CONSIDERATION OF RESOLUTION ACCEPTING THE 2023 LOCAL WATER SUPPLY APPROVED PLAN Assistant Town Manager/CFO Bo Weichel shared that this is approved yearly. Mr. Weichel explained that the LWSP is essentially a summary of a system's current and future water needs, sources of supply, and wastewater information. These plans are prepared annually for the prior year and then submitted to the Division of Water Resources at NCDEQ. Their staff reviewed and eventually approved the annualized report. Mr. Weichel said the next step is to be adopted by the governing board.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

CONSIDERATION OF LENOIR INTERCONNECT AGREEMENT Assistant Town Manager/CFO Bo Weichel shared a background on the project:

In February 2024, the town was notified by the Division of Water Infrastructure (DWI) of $7,000,000 (less a 1.5% DWI admin fee) that would be funded under Session Law 2023-134 Appropriations Act Directed Project. This direct appropriation from State funds is for upgrades to the Valdese Water Plant in preparation of increasing the daily output of clean water production into the City of Lenoir's water system.

At the same time, the City of Lenoir received a similar notice of direct appropriation of State funds for the purpose of constructing infrastructure to connect to the Valdese water system. This extensive project (responsibility of Lenoir) will take several years to complete.

Valdese has already begun the process of upgrades to the Water Plant – we are currently in the design phase of the engineering work. The next step in this partnership with the City of Lenoir is to approve an interlocal agreement for providing water to their system including rates, future increases, terms, conditions of service, and other important factors.

A key to the agreement is that the terms are reciprocal, meaning in case of some emergency in the future, the Valdese Water Plant could pull water from the Lenoir system if necessary, utilizing the same conditions outlined in the agreement.

Both municipal staff and attorneys have reviewed and negotiated for several months to develop this final agreement.

The City of Lenoir Council will consider this agreement for adoption at their next meeting on August 6.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

CONSIDERATION OF INTERBASIN TRANSFER COST SHARING Assistant Town Manager/CFO Bo Weichel shared a background:

Charlotte Water filed a notice of its intent to request an increase from 33 million gallons per day (MGD) to 63 MGD regarding the water it transfers from the Catawba River Basin to the Rocky River Basin, a tributary of the Yadkin/Pee Dee River.

The local governments in our region are concerned about the negative impacts of Charlotte's request to transfer additional water from the Catawba River Basin into the Rocky River, which is part of the Yadkin River Basin. Like all rivers, the Catawba River is a limited resource that is vital to life and economic growth. IBTs of this magnitude subsidize growth in other areas using the limited resources of the Catawba River. The NC Environmental Management Commission approved a Charlotte requested IBT in 2002 for 33 million gallons per day and approved another IBT in 2007 for 10 million gallons per day for Concord and Kannapolis.

A few years ago, we experienced severe drought conditions that depleted water levels to a point that nearly interrupted public drinking water supplies. This IBT will exacerbate that issue with the next drought.
Transferring water from the Catawba River Basin reduces future growth opportunities for local communities in our region by reducing the available water. Reducing the flow of the Catawba River potentially causes greater concentrations of pollutants in the river. IBTs of this magnitude subsidize growth in other areas using the limited resources of the Catawba River.

At the request of local governments, the WPCOG is providing coordination of our region's discussions and response to the Charlotte IBT request. The next steps are to employ specialized attorneys, engineers, and lobbying services to navigate this process. Charlotte Water will be required to do an environmental impact statement (EIS), required by law. The Environmental Management Commission (EMC) will hold a public hearing on the EIS sometime after the EIS is submitted.

The cost-sharing plan is based on the size of each local government utility system is attached. The WPCOG will serve as the contracting entity on behalf of the participating local governments
For Valdese to participate, our cost share is as follows:

- FY2024-25 = $6,890.56
- FY2025-26 = $5,418.22

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

BUDGET AMENDMENT - INTERBASIN TRANSFER COST SHARING

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON AUGUST 5, 2024, AT 6:00 P.M.

INTERIM MANAGER'S REPORT: Interim Town Manager Bryan Steen will report at the August 5, 2024, meeting.

ADJOURNMENT: At 6:35 p.m., there being no further business to come before Council, Councilwoman Lowman made a motion to adjourn, seconded by Councilman Mears. The vote was unanimous.

_____ _____

Town Clerk Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL REGULAR MEETING
AUGUST 5, 2024

The Town of Valdese Town Council met on Monday, August 5, 2024, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The Council meeting was live-streamed on YouTube @townofvaldese. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilman Glenn Harvey and Councilman Paul Mears. Also present were: Interim Town Manager Bryan Steen, Town Attorney Tim Swanson, Town Clerk Jessica Lail, and various Department Heads.

Absent:

A quorum was present.

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

OPEN FORUM/PUBLIC COMMENT:

INTRODUCTION OF NEW POLICE OFFICER: Police Chief Marc Sharpe made the following introduction: "Good evening everyone, I would just like to take a brief moment of your time to recognize and officially introduce to our citizens and council the Valdese Police Department's newest officer, Officer Sean Link. Rookie School or Basic Law Enforcement Training is the starting point for all law enforcement. Many do not complete that. Once that is completed, one must complete Field Training, which is conducted as you ride along with senior officers, some do not complete that. Sean just completed his 400 hour field training program within our department and is now an official police officer in our town sworn to protect and serve. We have a certificate of completion to recognize you for this achievement and completion of your field training. I know your parents who are present are proud and your father a former police officer himself is enjoying the passing of the torch. Sean please stand and step forward to receive your certificate. Welcome to Valdese Officer Link!!"

Mayor Watts read the Public Comment Guidelines.

PROCESS – RICK MCCLURD, 408 GARROU AVE SE, VALDESE: Mr. McClurd thanked the new Police Chief for the article in the paper and what he is doing for the drug and homeless issues. Mr. McClurd had concerns with the pre-agenda meeting and how things got pushed on the consent agenda without discussion. Mr. McClurd had to study and ask people to understand what was going on. Mr. McClurd recommended doing what we originally were doing and following the procedures.

WATER RATES – EULA MAE SHOOK, 804 OLD NC 18, MORGANTON: Ms. Shook is concerned about the increase in water rates and wants to know what happened to the infrastructure money that President Biden approved. Ms. Shook feels it is a human right to have water at a decent rate. Ms. Shook wants to know what the plans are for next year's rates.

WATER RATES – FRANK HORTON, 3065 BRANDON RD E, MORGANTON: Mr. Horton is concerned about the triple community water rate increase. Mr. Horton wanted to know where all the money was going from the Triple District and asked if it was going to the new Fire Department. Mr. Horton shared that in 2022, he had a water leak and called the Town of Valdese to check it, and they said they would not send anybody. Mr. Horton said he had never seen anybody from the Town of Valdese out there. Mr. Horton said that if the water rates go up, the taxes would go up.

CONSENT AGENDA: (enacted by one motion) Councilman Harvey requested to remove one item 6 O, APPROVAL OF RESOLUTION AMENDING 2024 TOWN COUNCIL MEETINGS CALENDAR

APPROVED AGENDA REVIEW MEETING MINUTES OF MAY 28, 2024

APPROVED REGULAR MEETING MINUTES OF JUNE 3, 2024

APPROVED REGULAR MEETING MINUTES OF JUNE 17, 2024

APPROVED CLOSED SESSION MINUTES OF JUNE 17, 2024

APPROVED SPECIAL CALLED MEETING MINUTES OF JUNE 21, 2024

APPROVED CLOSED SESSION MINUTES OF JUNE 21, 2024

APPROVED SPECIAL CALLED MEETING MINUTES OF JULY 2, 2024

APPROVED CLOSED SESSION MINUTES OF JULY 2, 2024

APPROVED SPECIAL CALLED MEETING MINUTES OF JULY 11, 2024

APPROVED CLOSED SESSION MINUTES OF JULY 11, 2024

APPROVED SPECIAL CALLED MEETING MINUTES OF JULY 12, 2024

APPROVED CLOSED SESSION MINUTES OF JULY 12, 2024

APPROVED ORDINANCE DECLARING ROAD CLOSURE FOR TOWN OF VALDESE SPECIAL EVENT – DRAUGHN HIGH SCHOOL HOMECOMING PARADE

AN ORDINANCE DECLARING ROAD CLOSURE FOR TOWN OF VALDESE SPECIAL EVENTS

WHEREAS, for many years the Town of Valdese has sponsored the Draughn High School Homecoming Parade; and

WHEREAS, the Town of Valdese desires to schedule the Draughn High School Parade on Tuesday, September 24, 2024; and

WHEREAS, part of US 70/Main Street in Valdese will need to be closed for the parade; and

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

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

DRAUGHN HIGH SCHOOL HOMECOMING PARADE
Date: September 24, 2024
Time: 5:30pm to 7:00pm
Route: Main Street (US 70) from Hoyle Street to Eldred Street

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

This ordinance shall take effect upon adoption. THIS, the 5th day of August 2024.

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

APPROVED ACKNOWLEDGMENT AND WAIVER OF CONFLICT OF INTEREST

ACKNOWLEDGMENT AND WAIVER OF CONFLICT OF INTEREST

This Acknowledgment and Waiver of Conflict of Interest is entered into effective as of the _____ day of _____, 20___, by and between **The Town of Valdese, a North Carolina municipal corporation ("Seller") and Michael Abee and wife, Ciejae Abee ("Buyers")** (collectively, the "Parties").

W I T N E S S E T H :

WHEREAS, the Parties have decided to enter into certain sell/purchase of certain real properties known as 460 Perkins Road, SE (13.44 acres), 308 Stuart Avenue, SE (1 acre) and 317 Stuart Avenue, SE (3.28 acres), Valdese, North Carolina 28690 and shown as Parcel Identification Number(s) (PINS): 2743-62-4062; 2743-52-6258 and 2743-52-8801, Burke County Tax Assessor Office,(the "Agreement");

WHEREAS, the parties acknowledge that the law firm of Young, Morphis, Bach & Taylor, L.L.P., and its various partners and associate attorneys (the "Law Firm") may have previously represented and/or continue to represent all and/or certain Parties in various matters; and

WHEREAS, the Parties desire that the Law Firm search title and conduct a closing based upon terms provided by each of the Parties.

NOW, THEREFORE, for and in consideration of the mutual premises and covenants set forth herein, and for other good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, the parties hereto acknowledge and agree as follows:

1. The Parties acknowledge that the Law Firm's representation of each of them in connection with the title search and closing may present a conflict of interest as to such representation of all Parties as set forth above. The Parties, for themselves and their respective partners, officers, directors, shareholders, managers, agents, successors, assigns and personal representatives, hereby waive such conflict of interest in order that the Law Firm search title and conduct a closing.

2. The Parties each acknowledge and agree that the Law Firm did not participate in the negotiation of the terms of the purchase, as the Parties were each afforded the opportunity to secure their own representation as to the Purchase Contract terms. Further, the Parties each acknowledge and agree that the terms of the purchase represent the terms upon which they negotiated.

3. The Parties each acknowledge and agree that, if any issues arise in connection with the terms of the closing and execution of closing documents thereof that may involve further negotiations, the Law Firm will be unable to negotiate such terms but will merely present such issues and will rely upon the Parties to solely negotiate such issues and direct the Law Firm upon their mutual agreement as to any such issues.

4. The Parties, for themselves, their respective partners, officers, directors, shareholders, members, managers, agents, personal representatives, successors and/or assigns, hereby fully release and hold harmless the Law Firm from any and all matters which might arise in connection with the Law Firm's limited representation of each of them as set forth herein and waive any conflict relating to such representation.

5. The Parties understand that they have the right to repudiate this conflict waiver should they later decide that it is no longer in their best interest. Should a conflict contemplated and/or addressed by this conflict waiver be in existence at the time either party wishes to repudiate this conflict waiver, and should the Law Firm and/or the non-repudiating client have acted in reliance on the representations of the repudiating client set forth and/or contemplated by this conflict waiver, the Law Firm will have the right to continue to represent the Seller in this transaction. The Buyers acknowledge that continued representation of the Seller may be adverse to their interest, but agree to this conflict waiver and hereby waive any and all objections they may have to the Law Firm's continued representation of the Seller.

6. This acknowledgment shall be binding upon the parties hereto and their respective successors and/or assigns, may be executed in any number of counterparts, each of which shall constitute an original and all of which, when taken together, shall constitute an original and one and the same instrument. Further, copies of signatures hereto shall constitute originals for all purposes.

IN WITNESS WHEREOF, the parties hereto have signed or caused this Acknowledgment effective as of the day and year first above written.

Seller:
The Town of Long View,
A North Carolina municipal corporation

_____ (SEAL)
Charles Watts, Mayor

Attest:

_____(SEAL)
Jessica Lail, Town Clerk

Buyers:

_____ (SEAL)
Michael Abee

_____ (SEAL)
Ciejae Abee

APPROVED ACCEPTANCE OF PERMANENT UTILITY AND ACCESS EASEMENT B/T TOV & BCPS FOR VALDESE BLUFF'S PROJECT

APPROVED ACCEPTANCE OF TEMPORARY ACCESS EASEMENT B/T TOV & BCPS FOR VALDESE BLUFF'S PROJECT

APPROVED ACCEPTANCE OF PERMANENT ACCESS AND UTILITY EASEMENT & TEMPORARY ACCESS EASEMENT B/T TOV & BC FOR VALDESE BLUFF'S PROJECT

APPROVED ACCEPTANCE OF TEMPORARY ACCESS EASEMENT B/T TOV & THE NICHOLSON'S FOR VALDESE BLUFF'S PROJECT

APPROVED ACCEPTANCE OF PERMANENT ACCESS AND UTILITY EASEMENT B/T TOV & NATURAL LAND ALLIANCE, INC. FOR VALDESE BLUFF'S PROJECT

APPROVED BUDGET AMENDMENT – ROLL-OFF DUMPSTER

Valdese Town Council Meeting — Monday, August 5, 2024

Budget Amendment # 1-10

Subject: Roll off dumpster

Description: For the Sanitation Department to supply bulk trash service for $75 per load to citizens only.

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, 2025:

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.		6,000
	Total	$0	$6,000

Amounts appropriated for expenditure are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
10.5800.740	Capital Outlay	6,000	
	Total	$6,000	$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.

Roll off Dumpster Rental Guidelines

For City Residents Only

- This service is available exclusively to property owners within the city limits.
- It is not intended for clean-up or remodeling work carried out by contractors hired by homeowners.
- Construction debris from remodeling or new home builds is not accepted.
- A fee of $75.00 per load applies, limited to one week per request.

Prohibited Items:

1. No shingles
2. No insulation
3. No tires
4. No hot ashes
5. No stumps

6. No bricks or blocks
7. No hazardous materials
8. No sheet rock

Accepted Materials:

1. Trash
2. Cleaning out of homes, outbuildings, basements, and garages
3. Furniture
4. Metal (not to be mixed with wood)
5. Wood materials (not to be mixed with metal)
6. Brush (may be up to eight feet long and up to seven inches in diameter)
7. Rough trash

APPROVED RESOLUTION AUTHORIZING UPSET BID PROCESS FOR THE SALE OF TOWN-OWNED PROPERTY – 342 TRON AVE

RESOLUTION AUTHORIZING UPSET BID PROCESS

Sale of 0.46 +/- Acre Tract at 342 Tron Ave NW, Valdese, NC (REID: 41732)

WHEREAS, the Town of Valdese (the "Town") is the owner of that certain tract or parcel of real property (the "Property") situated in Lovelady Township, Valdese, North Carolina commonly known as 342 Tron Ave NW, Valdese, North Carolina, PIN: 2733874604, REID: 41732; and

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

WHEREAS, on or about July 12, 2024, the Town received an offer to purchase the Property from Tim Norman of T.L. Norman Land Company for $10,000.00; and

WHEREAS, Tim Norman has deposited five percent (5%) of its bid with the town clerk.

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

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

2. The Town Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the Property and the amount of the offer and shall state the terms under which the offer may be upset.

3. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the Town Clerk within ten (10) days after the notice of sale is published. At the conclusion of the 10-day period, the Town Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

4. If a qualifying higher bid is received, the Town Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Town Council.

5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first $1,000.00 of that offer and five percent (5%) of the remainder of that offer.

6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid. The deposit may be made by cashier's check or by certified check. The Town will return the deposit on any bid not accepted, and will return the

deposit on an offer subject to upset if a qualifying higher bid is received. The Town will return the deposit of the final high bidder at closing.

7. The terms of the final sale are that:

(a) the Town Council must approve the final high offer before the sale is closed, which it will do within thirty (30) days after the final upset bid period has passed;
(b) the buyer must pay the purchase price in certified funds at the time of closing;
(c) the Property shall be sold "as is" and subject to all existing easements, restrictions, utility easements and right of ways of record;
(d) the Town will reserve easements for all town utility lines located on or under the Property; and
(e) the Property shall be conveyed by special warranty deed.

8. The Town reserves the right to withdraw the Property from sale at any time before the final high bid is accepted and the right to reject all bids at any time.

THIS RESOLUTION IS ADOPTED this day of , 2024.

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

APPROVED RESOLUTION AUTHORIZING UPSET BID PROCESS FOR THE SALE OF TOWN-OWNED PROPERTY – 338 TRON AVE

RESOLUTION AUTHORIZING UPSET BID PROCESS

Sale of 0.46 +/- Acre Tract at 338 Tron Ave NW, Valdese, NC (REID: 41733)

WHEREAS, the Town of Valdese (the "Town") is the owner of that certain tract or parcel of real property (the "Property") situated in Lovelady Township, Valdese, North Carolina commonly known as 338 Tron Ave NW, Valdese, North Carolina, PIN: 2733875604, REID: 41733; and

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

WHEREAS, on or about July 12, 2024, the Town received an offer to purchase the Property from Tim Norman of T.L. Norman Land Company for $10,000.00; and

WHEREAS, Tim Norman has deposited five percent (5%) of its bid with the town clerk.

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

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

10. The Town Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the Property and the amount of the offer and shall state the terms under which the offer may be upset.

11. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the Town Clerk within ten (10) days after the notice of sale is published. At the conclusion of the 10-day period, the Town Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

12. If a qualifying higher bid is received, the Town Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Town Council.

13. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first $1,000.00 of that offer and five percent (5%) of the remainder of that offer.

14. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid. The deposit may be made by cashier's check or by certified check. The Town will return the deposit on any bid not accepted, and will return the

deposit on an offer subject to upset if a qualifying higher bid is received. The Town will return the deposit of the final high bidder at closing.

15. The terms of the final sale are that:

(f) the Town Council must approve the final high offer before the sale is closed, which it will do within thirty (30) days after the final upset bid period has passed;
(g) the buyer must pay the purchase price in certified funds at the time of closing;
(h) the Property shall be sold "as is" and subject to all existing easements, restrictions, utility easements and right of ways of record;
(i) the Town will reserve easements for all town utility lines located on or under the Property; and
(j) the Property shall be conveyed by special warranty deed.

16. The Town reserves the right to withdraw the Property from sale at any time before the final high bid is accepted and the right to reject all bids at any time.

THIS RESOLUTION IS ADOPTED this day of , 2024.

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

APPROVED ACCEPTANCE OF EASEMENT BETWEEN TOV & DUKE ENERGY AT LAKESIDE PARK FOR THE PAVILION CONSTRUCTION

APPROVED ACCEPTANCE OF RESOLUTION FOR CLINE AVE BASIN PUMP STATION LOAN

RESOLUTION BY VALDESE, TOWN COUNCIL

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

WHEREAS, the North Carolina Department of Environmental Quality has offered a State Reserve Loan in the amount of $1,488,510 for the replacement of two (2) 200 gpm submersible pumps with two (2) 360 gpm submersible duplex pumps and 1,570 LF of 6-inch FM with 1,570 LF of 8-inch FM; installation of approximately 470 LF of 8-inch FM. Replacement of approximately 2,610 LF of 8-inch gravity sewer and 12 manholes; and rehabilitation of 15 manholes.

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

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

That the Town of Valdese does hereby accept the State Reserve Loan offer of $1,488,510.

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

That Mr. Bryan Steen, Valdese interim Town Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such

application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That Town of Valdese has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted the 5th day of August 2024.

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

Docusign Envelope ID: 77C62ACA-1460-428D-80FC-C1E08C8CEBEF

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WATER INFRASTRUCTURE

Funding Offer and Acceptance

Legal Name and Address of Award Recipient

Town of Valdese
PO Box 339
Valdese, NC 28690

Project Number(s): SRP-W-0197

Assistance Listing Number: N/A
Unique Entity ID Number: V67AJH87ABS5

Funding Program

		Additional Amount for Funding Increases	Previous Total	Total Offered
Drinking Water	☐			
Stormwater	☐			
Wastewater	☒			
State Revolving Fund-Repayable Loan	☐			
State Revolving Fund-Principal Forgiveness	☐			
State Reserve Loan	☒	$312,510	$1,176,000	$1,488,510
State Reserve Grant	☐			
State Reserve Earmark (S.L. 2023-134)*	☐			
American Rescue Plan Act - Choose an item.	☐			

Project Description:

Cline Avenue Basin Collection System and Pump Station Upgrades

Total Financial Assistance Offer:	**$ 1,488,510**
Total Project Cost:	$ 1,518,280
Estimated Closing Fee:**	$ 29,770
For Loans	
Interest Rate:	1.10% Per Annum
Maximum Loan Term:	20 Years

** Federal conditions and requirements will also apply to S.L 2023-134 projects co-funded with federal funds.*
*** Estimated closing fee calculated based on grant and loan amount.*

Pursuant to North Carolina General Statute 159G:

- The applicant is eligible under Federal and State law,
- The project is eligible under Federal and State law, and
- The project has been approved by the Department of Environmental Quality as having sufficient priority to receive financial assistance.

The Department of Environmental Quality, acting on behalf of the State of North Carolina, hereby offers the financial assistance described in this document.

For The State of North Carolina: **Shadi Eskaf, Director, Division of Water Infrastructure**
North Carolina Department of Environmental Quality

DocuSigned by: Shadi Eskaf 7/10/2024
Signature Date

On Behalf of: Town of Valdese
Name of Representative in Resolution: _____
Title (Type or Print): _____

I, the undersigned, being duly authorized to take such action, as evidenced by the attached CERTIFIED COPY OF AUTHORIZATION BY THE APPLICANT'S GOVERNING BODY, do hereby accept this Financial Award Offer and will comply with the attached Assurances and the Standard Conditions.

Signature Date

STANDARD CONDITIONS & ASSURANCES FOR STATE RESERVE PROJECTS
Project Applicant: Town of Valdese **Project Number: SRP-W-0197**

1. The Applicant intends to construct the project or cause it to be constructed to final completion in accordance with the Application approved for financial assistance by the Division.
   The recipient acknowledges that in the event a milestone contained in the most recent Clean Water State Revolving Fund Intended Use Plan and/or the Letter of Intent to Fund is missed, the Department of Environmental Quality will rescind this Funding Offer.

2. The Applicant is responsible for paying for the costs ineligible for DWI funding.

3. The construction of the project, including the letting of contracts in connection therewith, conforms to the applicable requirements of State and local laws and ordinances.

4. As of the acceptance of this Funding Award Offer, steps A-D in the SRP Guidance will be complete. These Assurances, likewise, incorporate the most recent version of the SRP Guidance, and the Applicant hereby certifies by accepting this Funding Award Offer that it will adhere to the subsequent steps in the SRP Guidance document. The remaining steps generally govern project design, bidding, contracting, inspection, disbursements, closeout and repayment.

5. The Applicant will provide and maintain adequate engineering supervision and inspection.

6. The recipient agrees to establish and maintain a financial management system that adequately accounts for revenues and expenditures. Adequate accounting and fiscal records will be maintained during the construction of the project and these records will be retained and made available for a period of at least three years following completion of the project.

7. All SRP funds must be expended solely for carrying out the approved project, and an audit shall be performed in accordance with G.S. 159-34. Partial disbursements on this loan will be made promptly upon request, subject to adequate documentation of incurred eligible costs, and subject to the recipient's compliance with the Standard Conditions of this Award. The Applicant agrees to make prompt payment to its contractor, and to retain only such amount as allowed by North Carolina General Statute.

8. The applicant will expend all of the requisitioned funds for the purpose of paying the costs of the project within three (3) banking days following the receipt of the funds from the State. Please note that the State is not a party to the construction contract(s) and the Applicant is expected to uphold its contract obligations regarding timely payment.

9. The applicant acknowledges that any loan funds contained in this Funding Offer requires approval from the North Carolina Local Government Commission before they can be disbursed.

APPROVED ACCEPTANCE OF RESOLUTION FOR LEAD SERVICE LINE INVENTORY LOAN

RESOLUTION BY VALDESE, TOWN COUNCIL

WHEREAS, part of the Lead and Copper Rule Revisions (LCRR) published December 16, 2021, the Environmental Protection Agency (EPA) requires that all community water systems and non-transient non-community water systems develop an inventory of all service line connections, both system-owned and customer-owned. The inventory must identify the potential presence of lead within each service line connection, and

WHEREAS, the North Carolina Department of Environmental Quality has offered a State Revolving Fund Loan in the amount of $500,000. Sixty percent (60%) of the loan up to a maximum of $300,000 will be forgiven and the remainder will be repayable at 0.00% interest. The goal of the Lead Service Line Inventory project for the Town of Valdese is to develop a complete, detailed service line inventory for the entire Town that is compliant with LCRR. The project will be performed in phases through desktop evaluation, meter box inspections, field locates (soft digs), and finally assembling the data and finalize and submit inventory report that is compliant with LCRR requirements to DWI.

WHEREAS, the Town of Valdese intends to perform said project in accordance with the approved requirements,

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

That the Town of Valdese does hereby accept the State Revolving Fund Loan offer of $500,000.

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

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

That Town of Valdese has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted the 5th day of August 2024.

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

Docusign Envelope ID: 79746D80-0B46-4D7E-BD7D-F856DE1F651D

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WATER INFRASTRUCTURE

Funding Offer and Acceptance

Legal Name and Address of Award Recipient

Town of Valdese
PO Box 339
Valdese, NC 28690

Project Number: SRF-D-LSL-0053

Assistance Listing Number: 66.468
Unique Entity ID Number: V67AJH87ABS5

Funding Program

		Additional Amount for Funding Increases	Previous Total	Total Offered
Drinking Water	☒			
Stormwater	☐			
Wastewater	☐			
BIL-DWSRF-LSLR Fund - Repayable Loan	☒	--	--	$200,000
BIL-DWSRF-LSLR Fund - Principal Forgiveness	☒	--	--	$300,000
State Reserve Loan	☐			
State Reserve Grant	☐			
State Reserve Earmark (S.L. 2023-134)	☐			
American Rescue Plan Act - Choose an item.	☐			

Project Description:

Lead Service Line Inventory

Total Financial Assistance Offer:	**$500,000**
Total Project Cost:	$500,000
Estimated Closing Fee*:	**$10,000**
For Loans	
Interest Rate:	0% Per Annum
Maximum Loan Term:	5 Years

**Estimated closing fee calculated based on grant and loan amount.*

Pursuant to North Carolina General Statute 159G:

- The applicant is eligible under Federal and State law,
- The project is eligible under Federal and State law, and
- The project has been approved by the Department of Environmental Quality as having sufficient priority to receive financial assistance.

The Department of Environmental Quality, acting on behalf of the State of North Carolina, hereby offers the financial assistance described in this document.

For The State of North Carolina: **Shadi Eskaf, Director, Division of Water Infrastructure**
North Carolina Department of Environmental Quality

DocuSigned by: Shadi Eskaf 8209A51D7B4C8...
Signature

7/23/2024
Date

On Behalf of: **Town of Valdese**
Name of Representative in Resolution:
Title (Type or Print):

I, the undersigned, being duly authorized to take such action, as evidenced by the attached CERTIFIED COPY OF AUTHORIZATION BY THE APPLICANT'S GOVERNING BODY, do hereby accept this Financial Award Offer and will comply with the attached Assurances and the Standard Conditions.

Signature

Date

APPROVED CAPITAL PROJECT ORDINANCE – LEAD SERVICE LINE INVENTORY

TOWN OF VALDESE
LEAD SERVICE LINE INVENTORY
CAPITAL PROJECT BUDGET ORDINANCE
DWI PROJECT NO.: SRF-D-LSL-0053

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

Section 1. The project authorized is the Lead Service Line Inventory (SRF-D-LSL-0053) which is a federally mandated requirement to identify the Town's water service lines into categories such as known non-lead, unknown non-lead, or lead status unknown. The goal of the LSL Inventory project for the Town of Valdese is to develop a complete, detailed service line inventory for the entire Town that is compliant with LCRR. The project will be performed in phases through desktop evaluation, meter box inspections, field locates (soft digs), and finally assembling the data and finalize and submit inventory report that is compliant with LCRR requirements to DWI.
The Division of Water Infrastructure (Division) has reviewed the application, and the State Water Infrastructure Authority (SWIA) has approved our Lead Service Line Replacement project as eligible to receive a total funding amount of $500,000 from DWSRF BIL Lead Service Line Replacement Funds. Sixty percent (60%) of the loan up to a maximum of $300,000 will be forgiven and the remainder will be repayable at 0.00% interest. DWI charges a 2% mandatory administrative fee on the loan.

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
Principle Forgiveness	300,000	53.3000.000
Loan	200,000	53.3000.001
Transfer from Utility Fund	10,000	53.3000.002
	$ 510,000	

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

Source	Amount	Assigned Account Number
Desktop Evaluation	85,000	53.8120.000
Meter Box Inspections	40,000	53.8120.001
Develop Initial Inventory for LCRR	20,000	53.8120.002
Field Locates – Soft Digs	275,000	53.8120.003
Assemble Data Final Report	80,000	53.8120.004
Loan Fee	10,000	53.8120.005
	$ 510,000	

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 Utility Fund for the purpose of making payments as due.

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

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

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

Adopted this 5th day of August 2024.

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

APPROVED RESOLUTION ACCEPTING THE 2023 LOCAL WATER SUPPLY APPROVED PLAN

RESOLUTION FOR APPROVING 2023 LOCAL WATER SUPPLY PLAN

WHEREAS, North Carolina General Statute 143 355 (l) requires that each unit of local government that provides public water service or that plans to provide public water service and each large community water system shall, either individually or together with other units of local government and large community water systems, prepare and submit a Local Water Supply Plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Local Water Supply Plan for Town of Valdese, has been developed and submitted to the Town Council of the Town of Valdese for approval; and

WHEREAS, the Town Council of the Town of Valdese finds that the Local Water Supply Plan is in accordance with the provisions of North Carolina General Statute 143 355 (l) and that it will provide appropriate guidance for the future management of water supplies for Town of Valdese Water System, as well as useful information to the Department of Environmental Quality for the development of a state water supply plan as required by statute;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Valdese that the Local Water Supply Plan entitled, Valdese LWSP dated 2023, is hereby approved and shall be submitted to the Department of Environmental Quality, Division of Water Resources; and

BE IT FURTHER RESOLVED that the Town Council of the Town of Valdese intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

This the day of , 2024.

/s/ Charles Watts, Mayor

ATTEST:

/s/ Town Clerk

APPROVED LENOIR INTERCONNECT AGREEMENT

STATE OF NORTH CAROLINA
COUNTY OF BURKE

WATER PURCHASE AGREEMENT

THIS WATER PURCHASE AGREEMENT ("Agreement") is made and entered into this day of , 2024 by and between the Town of Valdese, a North Carolina municipal corporation, having a mailing address of P.O. Box 339, Valdese, NC 28690 (hereinafter referred to as "Valdese") and the City of Lenoir, a North Carolina municipal corporation, having a mailing address of P.O. Box 958, Lenoir, NC 28645 (hereinafter referred to as "Lenoir").

WITNESSETH

WHEREAS, N.C. Gen. Stat. §§ 160A-460 through 160A-466, N.C. Gen. Stat. § 160A-11 and N.C. Gen. Stat. § 160A-322 authorize municipalities to enter into joint undertakings to own and operate a public enterprise; and
WHEREAS, N.C. Gen. Stat. § 160A-311(2) defines a public enterprise to include water supply and distributions systems; and

WHEREAS, N.C. Gen. Stat. § 160A-274 authorizes governmental units such as Valdese and Lenoir to exchange with, lease to, lease from, sell to, or purchase from one another an interest in real or personal property upon such terms and conditions as the governmental units deem wise, with or without consideration; and

WHEREAS, Valdese and Lenoir are municipalities duly organized and existing under the laws of the State of North Carolina; and

WHEREAS, Lenoir, among its other functions, operates a water supply and distribution system serving water users within its boundaries, and is in need of an additional supply of treated water; and

WHEREAS, Valdese, among its other functions, owns and operates a water supply and distribution system serving water users within its boundaries; and

WHEREAS, Valdese currently has available excess capacity of treated water sufficient to supply the request of Lenoir as set forth in this Agreement and to satisfy the present and anticipated needs of its customers; and

WHEREAS, Valdese desires to sell to Lenoir and Lenoir desires to buy from Valdese a supply of potable water as set forth herein; and

WHEREAS, Valdese and Lenoir have agreed upon certain terms regarding the sale of water as mentioned above, and now desires to set forth the terms of their Agreement; and

WHEREAS, by vote approved by the Town Council for the Town of Valdese at its meeting on August 5, 2024, the sale of said water to Lenoir as provided herein was approved, and the execution of this Agreement by Valdese was duly authorized; and

WHEREAS, by vote approved by the City Council for the City of Lenoir at its meeting on August 6, 2024, the purchase of said water from Valdese as provided herein was approved, and the execution of this Agreement by Lenoir was duly authorized,

NOW THEREFORE, in consideration of the foregoing and the mutual agreements hereinafter set forth, the parties agree as follows:

A. VALDESE'S OBLIGATIONS:

1. (Quality and Quantity) Subject to the remaining provisions of this Agreement, Valdese shall furnish to Lenoir at the point of delivery hereinafter specified, during the term of this Agreement or any renewal or extension thereof, potable treated water meeting applicable purity standards of the State of North Carolina, Rules Governing Public Water Systems, 15 NCAC 18C, in such quantity as may be required by Lenoir and not to exceed Four Million (4,000,000) gallons per day except as set out in paragraph B.1. Lenoir shall not resell, give away, transfer or otherwise dispose of water purchased under this Agreement to anyone other than Lenoir customers without the prior written consent of Valdese.

2. (Point of Delivery and Pressure) Valdese shall furnish water at a reasonably constant pressure from an existing main supply line owned by Lenoir. The point of delivery shall be at a meter vault that includes appropriate meter size and backflow apparatus provided by Lenoir. If a greater pressure than that normally available at the point of delivery is required by Lenoir, the cost of providing such greater pressure shall be borne by Lenoir. The water purchased by Lenoir from Valdese shall be transmitted on a continuous basis except for unforeseen circumstances and emergency failures of pressure or supply due to main supply line breaks, power failure, water source contamination, flood, drought, fire and use of water to fight fire, earthquake or other catastrophe. In the event of an unforeseen circumstance or emergency, Valdese shall notify Lenoir of the circumstances and provide timely updates so as to keep Lenoir informed of the status and nature of repairs.

3. (Metering Equipment) The metering equipment that will be located on Valdese property shall be furnished by Lenoir and dedicated to Valdese. Lenoir staff/designee shall be granted reasonable access to Valdese facilities for maintenance of Lenoir’s equipment located on Valdese property. Future repairs or replacement to meter equipment shall be the responsibility of Lenoir. Recalibration of meter equipment shall be done annually by Lenoir. Additional calibrations beyond the annual will be covered by the party initiating the calibration. This meter shall be read by Valdese between the fourteenth (14th) and seventeenth (17th) of each billing cycle. An appropriate official of Lenoir shall have access at all reasonable times to the meter for the purpose of verifying its readings.

4. (Billing Procedure) Valdese shall provide to Lenoir, between the first (1) day and the fifth (5) day of the billing month a statement of the amount of water furnished to Lenoir during the preceding billing cycle. Water bills are considered past due after the 15th of the billing month at 5:00 pm. After 5:00 p.m. on the 15th of the month, a ten percent (10%) penalty will be added to any outstanding balance to such account. If payment is not received by 5:00pm on the 25th of the month, a non-payment fee of $25 will be added to the account and water service may be cut off until the account balance is paid in full. If payment is not received by 5:00 pm on the 25th of the following month, this shall constitute a material breach of this

Agreement, and Valdese may terminate this Agreement as provided in Paragraph C.6. If the 25th falls on a Saturday, Sunday, or a holiday, the customer will be given until 5:00 pm, on the next working day to pay their bill before a penalty charge and/or non-payment fee is added.

B. LENOIR'S OBLIGATIONS:

1. (Rates and Payment Dates) See above A.4 for payment dates and penalties. The rate shall be $2.50 per thousand (1000) gallons of water purchased, up to 4,000,000 gallons. Valdese will bill by rounding up to the nearest thousand (1000) gallon. For example, if Lenoir uses 500,001 gallons, billing will be based on 501,000 gallons. Lenoir shall use its best efforts not to exceed 4,000,000 gallons per day without the advance written consent of Valdese. Above 4,000,000 gallons, rate per gallon of water purchased shall be as follows:

Gallons	Rate
4,000,001 to 6,000,000 gallons	Fiscal year base rate per 1000 gallons x 5%
6,000,001 or more	Fiscal year base rate per 1000 gallons x 10%

2. (Rate Increases) The rate per thousand (1000) gallons of water purchased may be increased on the first billing cycle applicable to each new fiscal year. The fiscal year rate increase may be no more equal to the percentage increase in the Consumer Price Index for All Urban Consumers (Water and Sewage Maintenance) U.S. City Average, as published by the U.S. Bureau of Labor Statistics. Rates will be adjusted using the “Unadjusted percent change” for the month of February average CPI compared to the preceding 12 months, or by 2%, whichever is greater.

3. (Minimum Usage) Lenoir agrees to purchase a minimum volume of 0.30 MGD (million gallons per day).

C. IT IS FURTHER AGREED BETWEEN VALDESE AND LENOIR AS FOLLOWS:

1. (Term of Agreement) This Agreement shall extend for a term of forty (40) years from the date of the initial delivery of water as shown by the first bill submitted by Valdese to Lenoir and, thereafter may be automatically renewed annually unless a six month written notice by either Valdese and Lenoir to modify or terminate the agreement.

2. (Emergency Services) Valdese and Lenoir shall endeavor to provide such quantities of water each to the other as may be needed in the case of emergency water needs, such as water source contamination, production facility failure, natural disaster, or other catastrophe. The cost of such water shall be at the rate described in Paragraph B. 1.

3. (Delivery of Water) Lenoir shall notify Valdese in writing of the date for the initial delivery of water.

4. (Failure to Deliver) Valdese will, at all times, operate and maintain its system in an efficient manner and will take such action as may be necessary to furnish Lenoir with quantities of water required under the terms of this Agreement by Lenoir. Temporary or partial failure to deliver water shall be remedied with all possible dispatch. Notwithstanding the foregoing, Valdese

retains the right to restrict the amount of water it furnishes under this Agreement, if it determines in its sole discretion that such restriction or cessation is necessary or prudent in order to safeguard Valdese’s ability to provide adequate water service to the retail customers of its own system.

5. (Modification of Agreement) The provisions of this Agreement may be modified or altered by mutual written agreement of the parties.

6. (Termination) This Agreement may be terminated, for cause, by the non-breaching party notifying the breaching party of a substantial failure to perform in accordance with the provisions of this Agreement and if the failure is not corrected within thirty (30) days of the receipt of the notification. Upon such termination, the parties shall be entitled to such additional rights and remedies as may be allowed by applicable law. Termination of this Agreement shall not form the basis of any claim for loss of anticipated profits by either party.

7. (Notices) Any notice required to be given hereunder by Valdese to Lenoir shall be made by Valdese in writing and mailed by first class mail or transmitted by email to the City Manager, City of Lenoir, at the following address: P.O. Box 958, Lenoir, NC 28645, or by email to the City Managers email address displayed on the City of Lenoir website. Notice shall be effective upon receipt. Any notices required to be given hereunder by Lenoir to Valdese shall be made by Lenoir in writing and mailed by first class mail or transmitted by email to the Town Manager, Town of Valdese, at the following address: P.O. Box 339, Valdese, NC 28690, or by email to the Town Managers email address displayed on the Town of Valdese website. Notice shall be effective upon receipt.

8. (Regulatory Agencies) This Agreement is subject to such rules, regulation, or laws as may be applicable to similar agreements in this State, and Valdese and Lenoir will collaborate in obtaining such permits, certificates, or the like, as may be required to comply therewith.

9. (Governing Laws) This Agreement shall be governed by and in accordance with the laws of the State of North Carolina. All actions relating in any way to this Agreement shall be brought in the General Court of Justice in the County of Burke and the State of North Carolina.

IN WITNESS WHEREOF, the parties hereto, acting under authority of their respective governing bodies, have caused this Agreement to be duly executed in duplicate counterparts, each of which shall constitute and original.

Signature Pages:

Bo Weichel, Assistant Town Manager / CFO

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

Timothy D. Swanson, Town Attorney

IN WITNESS WHEREOF, the Town of Valdese has executed this Agreement effective as of the date first written above.

(SEAL)

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

ATTEST: By:
Charles Watts, Mayor

Jessica Lail, Town Clerk

Donna Bean, Finance Director

Approved as to form on behalf of the City of Lenoir this day of , 2024.

Timothy J. Rohr, City Attorney

IN WITNESS WHEREOF, the City of Lenoir has executed this Agreement effective as of the date first written above.

(SEAL)

CITY OF LENOIR,
a North Carolina Municipal Corporation

ATTEST: By:
Joseph L. Gibbons, Mayor

Shirley M. Cannon, City Clerk

APPROVED INTERBASIN TRANSFER COST SHARING

REQUEST
Approve Valdese to participate and contribute in a regional cost sharing project that will provide valuable resources to combat the Charlotte Inter Basin Transfer (IBT) request.

BACKGROUND

Charlotte Water filed a notice of its intent to request an increase from 33 million gallons per day (MGD) to 63 MGD regarding the water it transfers from the Catawba River Basin to the Rocky River Basin, a tributary of the Yadkin/Pee Dee River.

The local governments in our region are concerned about the negative impacts of Charlotte's request to transfer additional water from the Catawba River Basin into the Rocky River which is part of the Yadkin River Basin. Like all rivers, the Catawba River is a limited resource that is vital to life and economic growth. IBTs of this magnitude subsidize growth in other areas using the limited resources of the Catawba River. The NC Environmental Management Commission approved a Charlotte requested IBT in 2002 for 33 million gallons per day and approved another IBT in 2007 for 10 million gallons per day for Concord and Kannapolis.

CONCERNS

A few years ago, we experienced severe drought conditions that depleted water levels to a point that nearly interrupted public drinking water supplies. This IBT will exacerbate that issue with the next drought.

Transferring water from the Catawba River Basin reduces future growth opportunities for local communities in our region by reducing the available water. Reducing the flow of the Catawba River potentially causes greater concentrations of pollutants in the river. IBTs of this magnitude subsidize growth in other areas using the limited resources of the Catawba River.

ANALYSIS

Charlotte should not increase its IBT for its growth needs over the next 30 years but should instead use that time to implement water infrastructure and policies to eliminate its current IBT certificate issued in 2002. An IBT should be a temporary measure to accommodate growth and not a permanent solution.

Our region should not be forced to give up its potential growth opportunities to subsidize Charlotte growth with our water resources.

At the request of local governments, the WPCOG is providing coordination of our region's discussions and response to the Charlotte IBT request. The next steps are to employ specialized attorneys, engineers, and lobbying services to navigate this process. Charlotte Water will be required to do an environmental impact statement (EIS), required by law. The Environmental Management Commission (EMC) will hold a public hearing on the EIS sometime after the EIS is submitted.

The cost sharing plan is based on the size of each local government utility system is attached. The WPCOG will serve as the contracting entity on behalf of the participating local governments

For Valdese to participate, our cost share is as follows:

- FY2024-25 = $6,890.56
- FY2025-26 = $5,418.22

APPROVED BUDGET AMENDMENT - INTERBASIN TRANSFER COST SHARING

Valdese Town Council Meeting — Monday, August 5, 2024

Budget Amendment # 2-10

Subject: Inter Basin Transfer cost sharing participation

Description: Participation allocation for FY24-25 to the WPCOG for their legal and lobbying work to prevent the City of Charlotte from being allowed to draw more water from the Catawba river basin

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, 2025:

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.		6,891
	Total	$0	$6,891

Amounts appropriated for expenditure are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
10.4200.530	Dues	6,891	
	Total	$6,891	$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 Lowman asked if the Council could have an explanation on the Valdese Bluff's easements. Planning Director Larry Johnson noted that he had received several questions regarding these easements and has been able to answer them. Mr. Johnson shared that these easements are basic utility easements granting the Town of Valdese the right to install water and sewer lines to an adjacent parcel next to the Draughn High School for potential housing development. Mr. Johnson said we are also proposing to put in a pump station.

Councilwoman Ward made a motion to approve the aforementioned items on the Consent Agenda with the exception of item 6 O, seconded by Councilman Mears. The vote was unanimous.

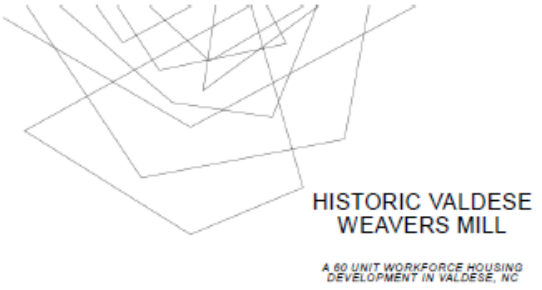
End Consent Agenda

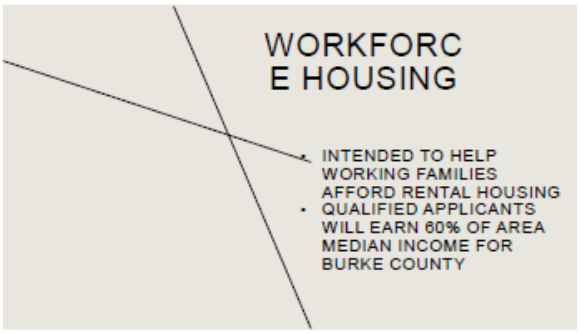
ITEMS REMOVED FROM CONSENT AGENDA: Councilman Harvey removed one item: 6 O, APPROVAL OF RESOLUTION AMENDING 2024 TOWN COUNCIL MEETINGS CALENDAR

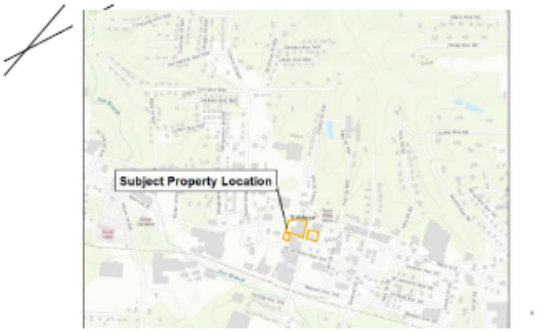
Councilman Mears made a motion to add an item under New Business, Appointment of an Interim Town Manager, seconded by Councilman Harvey. The vote was unanimous.

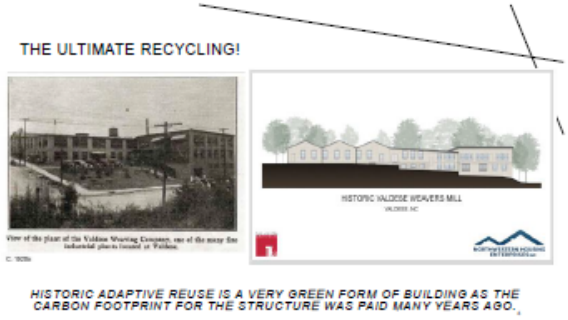
REMOVED - APPROVAL OF RESOLUTION AMENDING 2024 TOWN COUNCIL MEETINGS CALENDAR Councilman Harvey recommended no motion on this item. There was no motion from Council.

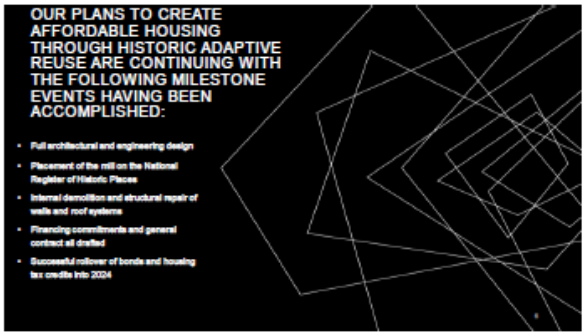
WEAVERS MILL HOUSING PROJECT Luke Fowler, with the Owner and Developer of the Mill project shared the following presentation:

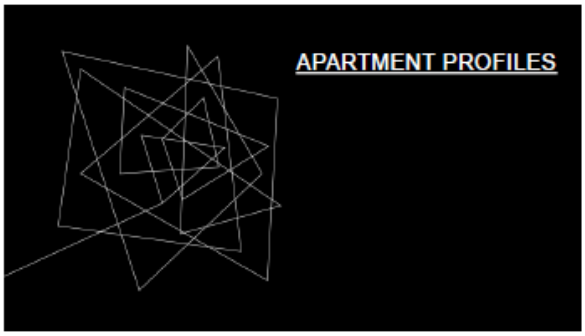


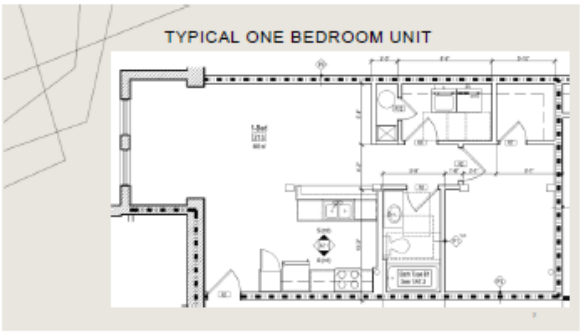


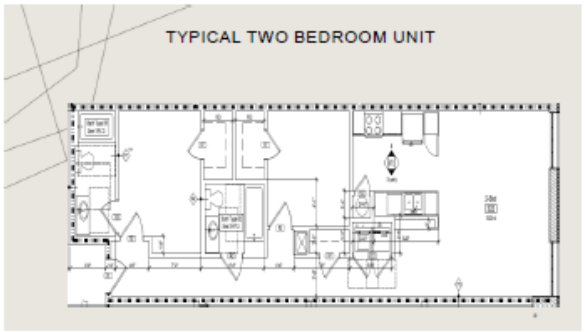




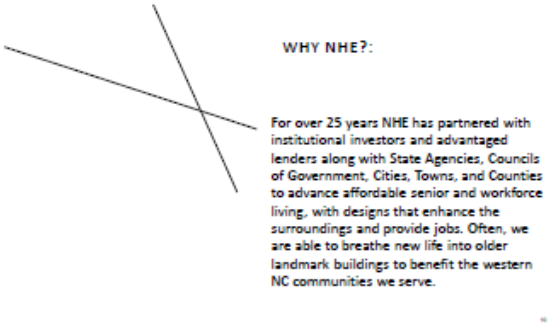














Mr. Fowler noted that the one bedroom is approximately $860.00, and the two bedrooms are $1,020.00 and include a utility allowance for water/sewer/trash pickup/parking. Councilman Harvey asked if the subsidized units were for all of them or half. Mr. Fowler said it would be for all of them. Councilman Harvey asked if they would pay property taxes, and Mr. Fowler said that would be exempt and that the water/sewer would be individually metered. Councilman Harvey noted that many of our Town employees and school teachers don't make a lot of money but make too much to qualify for these apartments and asked who is the served market. Mr. Fowler said that government regulations define this, and we have to comply for the funding. Mr. Fowler said it would be for welfare and social security income.

Kristen Kirby, Bond Counsel with McGuire Woods LLP, presented the following presentation:

McGUIREWOODS

TAX-EXEMPT MULTIFAMILY HOUSING REVENUE BONDS

Kristen Kirby
McGuireWoods LLP
501 Fayetteville Street, Suite 500
Raleigh, North Carolina 27601
(919) 755-6574
kkirby@mcguirewoods.com

What are multifamily housing revenue bonds?

- Bond (debt) issued by a governmental entity – state or local housing authority, county or city/town (the "Issuer")
- Under N.C.G.S. 160D-1311(b), the Town is authorized to exercise the powers of a housing authority, including acting as the Issuer of tax-exempt multifamily housing bonds
- Proceeds are loaned to private entity (the "Borrower")
- Borrower uses those dollars to acquire, construct and/or rehab and equip "multifamily residential rental housing"
- Bonds are "private activity bonds" under Section 142 of the Internal Revenue Code (the "Code")
- Town would be acting as a conduit issuer and has no financial obligation with respect to the bonds

Project must meet Income Restrictions

Either

20% of units must be set aside for individuals whose income is 50% or less of area median income ("AMI")

Or

40% of units must be set aside for individuals whose income is 60% or less of AMI

- Income limits based on HUD guidelines; subject to family size
- Income determination must be made at least annually
- Restrictions apply for the LONGER of 15 years or life of bonds

Who are the players in a bond deal?

- Issuer - governmental unit that issues bonds (in this instance the Town)
- Underwriter – investment banking firm that structures the deal and finds buyers
- Trustee
  - holds proceeds pending disbursement for construction costs
  - collects debt service payments from Borrower and pays to bondholders
- Bond counsel – oversees entire process and issues opinion that bonds are tax-exempt
- Issuer's counsel – looks out for issuer's interests
- Underwriter's counsel - prepares disclosure document to sell bonds to the market place - "Official Statement"
- Borrower's counsel - looks out for Borrower's interest; generally does real estate work and opinion

What are the Issuer's Responsibilities?

- Bonds are not a debt of the Town or a pledge of its faith and credit or taxing power and do not affect the Town's debt ratios or legal debt limit
- Town has no financial responsibility for the bonds; the Borrower is solely responsible for repayment of principal and interest on the bonds
- Issuers often receive a fee for serving as the bond issuer and the developer is responsible for paying all costs of issuance (including bond counsel and issuer's counsel)

What steps are required?

- Developer files application with North Carolina Housing Finance Agency (NCHFA) for approval of volume cap for bonds
- Inducement resolution – indicates the issuer's willingness to issue bonds if all approvals are obtained; not an approval for any other purpose (i.e. zoning, planning, construction approvals separate)
- Developer receives allocation of volume cap from NCHFA
- Town Council holds a public hearing (also called the TEFRA hearing) as required under the federal tax code and adopts a resolution approving in principle the issuance of the bonds
- Town Council adopts resolution approving documents and financing (usually done at the same time as findings resolution)
- Sign documents at closing
- Post issuance: receive monitoring reports regarding compliance with low-income requirements

QUESTIONS?

Kristen M. Kirby
McGuireWoods LLP
501 Fayetteville Street, Suite 500
Raleigh, North Carolina 27601
(919) 755-6574
kkirby@mcguirewoods.com

Councilman Harvey asked what the total amount of the bonds was for this. Ms. Kirby said it was around 10 million, and the total project cost would be around 19 million, but to qualify for the tax credits, at least half of the project cost has to be financed with bonds. Councilman Harvey understands the Town of Valdese would be the issuer with no obligations, but the issuer often will receive a fee for serving as the issuer and ask what that amount would be. Ms. Kirby said that it would typically be in the range of 1% of the bond amount. Ms. Kirby said that would be a negotiation with the developer. Mr. Fowler said that after 15 years, the property restrictions do not apply, and we would be very happy to sell to a market rate manager/owner. Planning Director Larry Johnson asked to clear up something with the utilities. Mr. Johnson said there would be 1 meter X 60 units, which is how it would be billed.

2023 NORTH CAROLINA DEPARTMENT OF LABOR SAFETY AWARDS Fire Chief/Safety Director Truman Walton presented Town Departments with 2023 safety awards.

TO: Bryan Steen, Town Manager
Valdese Town Council

FROM: Truman Walton, Safety Director

DATE: June 19, 2023

REF: 2023 North Carolina Department of Labor Safety Awards

The goal of the North Carolina Department of Labor Safety Awards Program is to recognize those entities that go the extra mile to promote safety in the workplace. For calendar year 2023, most of our Town departments received recognition for their efforts to prevent work place injuries and illnesses. These achievements are largely due to our department heads and employees working and training together to ensure that safe workplace practices are followed and that safety is the top priority of every Town of Valdese employee.

In order to qualify for a NCDOL Safety Achievement Silver Award the rate of days away from work must be at least 50% below the industry average. The following town departments received NCDOL Safety Achievement Silver Awards for calendar year 2023:

- Police Department (1st year)
- Public Works Department (2nd consecutive year)

In order to qualify for a NCDOL Safety Achievement Gold Award the rate of days away from work, job transfer or restriction must be at least 50% below the industry average. The following town departments received NCDOL Safety Achievement Gold Awards for calendar year 2023:

- Waste Water Department (1st year)
- Recreation Department (2nd consecutive year)
- Water Department (7th consecutive year)
- Community Affairs Department (13th consecutive year)
- Administrative Department (36th consecutive year)

The Administrative Department's 36th consecutive year of achievement is the 3rd longest active awards streak in the State of North Carolina according to NCDOL Commissioner Josh Dobson.

Particular attention should be paid to those departments receiving consecutive Safety Awards, especially those departments where accident rates are usually elevated due to the nature of their work.

APPROVED PUBLIC HEARING: REZONING MAP AMENDMENT 2-6-24 - B-1 CENTRAL BUSINESS DISTRICT TO B-2 GENERAL BUSINESS DISTRICT At 6:55 pm, Mayor Watts opened the public hearing. Planning Director Larry Johnson shared the following information for the Rezoning Map Amendment 2-6-24 - B-1 Central Business District to B-2 General Business District:

Rezoning Amendment 2-6-24

Recommended by

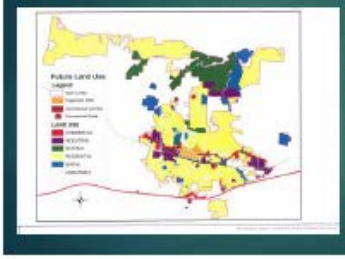
Town of Valdese Planning Board

HOW DID WE GET HERE?

The Valdese Vision - Land Use Action Plan for the Future

- Adopted by the Town Council in 2014, the Valdese Vision: A Land Use Plan established a vision for future growth and constitutes the legal basis for land-use decision-making.

The Future Land Use Map



Adopted in 2014 by Valdese Town Council, the land use map is a generalized map of where Valdese may develop in the future and the likely and desired land use type. *The Land Use Map serves as a guide for future development over the next 10 to 20 years.*

The Valdese Vision - Land Use Action Plan for the Future Major Components

- Future Land Use Map
- Implementation Strategies
- Action Plan/Matrix (Tool)



CD.1.13 Rezone properties in the downtown area to promote the expansion of the Central Business District into several blocks ***and*** *create a new Zoning District. (Priority-High, Timeframe-Immediate, Responsibility-PB/PZ/TC)*

Commercial Districts Expansion

- Rewrite of permitted uses and standards in the B-1 Central Business and B-2 General Business commercial zoning districts
- Create a new district, DBC-Downtown Business Corridor
- Expand the B-1 Central Business, and
- Expand the B-2 General Business District

Planning priority in The Valdese Vision: Land Use Action Plan adopted in 2014

Boundary and Zoning District Designations



B-1 Central Business to B-2 General Business



Expanded B-1 Business District



Downtown Business Corridor



Review of Rezoning Map Amendment 2-6-24

Recommended by the Valdese Planning Board

Requested Action: Rezone nineteen parcels from the current designation of B-1 Central Business District to B-2 General Business

B-2 General Business District

The B-2 General Business District is intended to encourage the establishment of areas of general business that do not require a central location. Uses in the B-2 General Business District are generally located along major radial highways leading out of town, providing retail goods and services to the traveling public and residents.

REVIEW CRITERIA (1-5):

1. Existing Land Uses of the nineteen parcels are residential, personal service establishments, automotive sales, medical and professional services, community parks, parking lots, restaurants, Business Office type (Insurance), clubs and lodges, and a convenience store.

















To the extent to which the rezoning will detrimentally affect the nineteen properties, the requested ***B-2 General Business District permits all (residential with a CUP) of the aforementioned uses.***

1a. Neighboring Land Uses of the nineteen parcels are residential, manufacturing, manufacturing parking lot, retail, sales and services, and church.

SURROUNDING LAND USES

NORTH




South




South




East




West




The rezoning of the nineteen parcels to B-2 General Business District ***will not*** *detrimentally affect the neighboring properties.*

Review Criteria Cont.

2. Traffic - No traffic study was conducted. However, the NCDOT traffic volume website reveals an Annual Average Daily Traffic count (AADT) of 8700 vehicles along Main Street East

(No traffic volume increase is anticipated from rezoning the nineteen parcels to B-2 General Business District.)

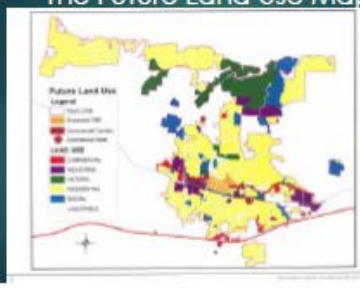
3. Public Services include public water and sewer infrastructure, police, and fire protection.

(The extent to which the proposed amendment (zoning map) will cause public services to fall below acceptable levels, public services are in place and serve the parcels. These include public water, sewer infrastructure, and police and fire protection.

4. Consistency with the Valdese Vision: A Land Use Action Plan for the Future.

(The general area is classified as commercial by the land use plan. This rezoning petition is ***consistent*** *with The Valdese Vision: Land Use Action Plan.)*

The Future Land Use Map



5. "Spot" Zoning.

(The total acreage of the Properties is sufficient not to be construed as "spot" zoning.)

Review

1. The Valdese Planning Board recommended a zoning map amendment in June 2024 to rezone nineteen parcels with zoning designations of B-1 Central Business District to B-2 General Business District.
2. The parcels' land uses are residential, personal service establishments, automotive sales, medical and professional services, community parks, parking lots, restaurants, Business Office type (Insurance), clubs and lodges, and a convenience store.
3. The B-2 General Business District permits the aforementioned uses, including residential uses with a Conditional Use Permit.

4. The rezoning petition is consistent with The Valdese Vision: Land Use Action Plan. The Land Use Action Plan identifies the parcels for commercial development, consistent with the proposed B-2 General Business designation.
5. The total acreage of the nineteen parcels is sufficient not to be construed as "spot" zoning.

North Carolina General Statute 160D-605(a) provides, in part, as follows :

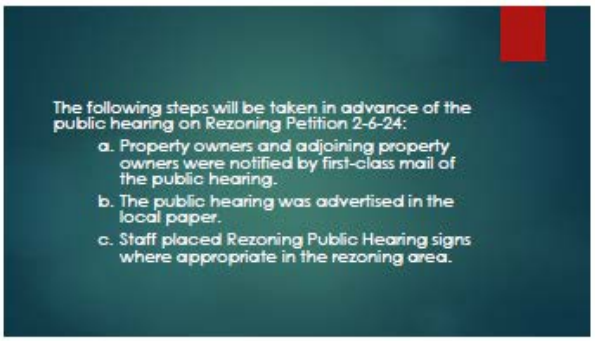
When adopting or rejecting any zoning text or map amendment, the governing board shall approve a brief statement describing whether its action is **consistent or inconsistent** with an adopted comprehensive or land-use plan. The requirement for a plan consistency, the governing board was aware of and considered the Planning Board's recommendations and any relevant portions of an adopted comprehensive or land-use plan.

North Carolina General Statute 160D-605(b) provides, in part, as follows :

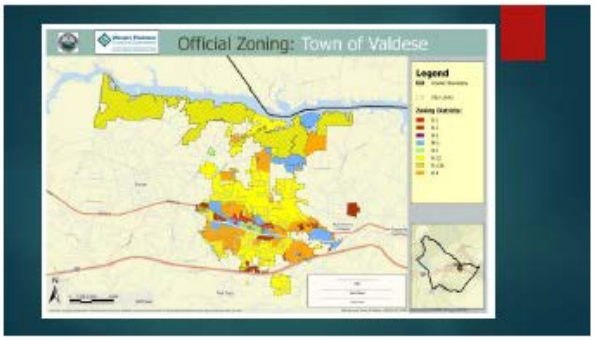
When adopting or rejecting any petition for a zoning map amendment, a statement analyzing the **reasonableness** of the proposed rezoning shall be approved by the governing board. Among other factors, (i) the size, and physical conditions, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest.

Recommended action

1. The Valdese Town Council approves Map Amendment 2-6-24 and
2. The Valdese Town Council adopts a Consistency and Reasonableness Statement under North Carolina General Statute 160D-605(a)(b) affirming that the rezoning is reasonable and consistent with the Valdese Vision: A Land Use Action Plan for the Future.







Property Location: 405-636 Main Street East, 161 Laurel Street NE, 454 Laurel Street NE, 725 Eldred Street SE

Parcel ID Numbers: 2743149654, 2743144676, 2743148636, 2743142677, 2743145991 2743140771, 2743142885, 2743157022, 2743143886, 2743144883, 2743049773, 2743140817, 2743146604, 2743144607, 2743141676, 2743142855, 2743143806, 2743142805, 2743144995

Requested Action: Rezone nineteen parcels from the current designation of B-1 Central Business District to B-2 General Business

BACKGROUND: The Town of Valdese adopted the Valdese Vision: A Land Use Action Plan in January 2014. This development plan was created to establish a vision for the Town's future, help ensure that planning is done in a manner that best serves the public interest, be an adopted policy document that can help guide appointed and elected officials in matters related to the Town's physical growth and development and help constitute the legal basis for the Town's land use decision-making process.

The action matrix of the Valdese Vision identifies action/policy, types of action, responsibility, resource allocation, time, and prioritization. The Downtown/Commercial Development section of the Valdese Vision Land Use Plan prioritizes the rezoning of properties in the downtown area to promote the expansion of the Central Business District and the creation of a new zoning district. This process is part of the proposed rezoning of the B-1 Central Business parcels to B-2 General Business.

The current zoning designation of the nineteen parcels is B-1 Central Business District. The current uses are retail, sales and services, medical or professional services, a public park, automotive sales, a restaurant, a personal care establishment, a convenience store, and residential, all of which are allowed in the B-2 General Business District.

REVIEW CRITERIA:

1. Existing land uses in the general vicinity of the nineteen properties are residential, manufacturing parking, manufacturing, commercial, and medical and professional services.

    - **North:** Manufacturing (parking lot), residential,

- **South:** Medical or professional, manufacturing, and residential.
- **East:** Commercial (animal hospital), automotive sales and service, and church.
- **West:** Manufacturing and manufacturing parking.

To the extent to which zoning will detrimentally affect properties in the general vicinity of the applicant's properties, the requested B-2 General Business District permits the zoning uses of the B-1 Central Business District.

2. Traffic
The Town of Valdese conducted no traffic study. However, the NCDOT traffic volume website reveals an Annual Average Daily Traffic count (AADT) of 8000 vehicles, according to the latest from NCDOT.

No anticipated traffic volume increase is generated from rezoning the nineteen parcels to B-2 General Business District.

3. Public Services

The extent to which the proposed amendment (zoning map) will cause public services to fall below acceptable levels, public services are in place and serve the parcels. These include public water, sewer infrastructure, and police and fire protection.

4. Consistency of the proposed zoning with the Valdese Vision: A Land Use Action Plan for the Future

*The general area is classified as commercial by the land use plan adopted by the Valdese Town Council. This rezoning petition is **consistent** with The Valdese Vision: Land Use Action Plan.*

5. "Spot" Zoning

The total acreage of the nineteen parcels is sufficient not to be construed as "spot" zoning.

REVIEW:

The Valdese Planning Board finds Rezoning Petition 2-6-24 (Zoning Map Amendment) ***consistent*** with the Valdese Vision: A Land Use Action Plan for the Future. In so finding, the Planning Board provides the following review:

1. Staff recommended to the Planning Board a zoning map amendment in June 2024 to rezone nineteen parcels with zoning designations of B-1 Central Business District to B-2 General Business District.
2. The parcels' land uses are retail, sales and services, medical or professional services, public parks, restaurants, personal care establishments, convenience stores, automotive sales, and residential.
3. The B-2 General Business District permits retail, sales and services, medical or professional services, public parks, restaurants, personal care establishments, convenience stores, automotive sales, and residential uses.
4. The rezoning petition is reasonable and consistent with The Valdese Vision: Land Use Action Plan. The Land Use Action Plan identifies the parcels for commercial development, consistent with the proposed B-2 General Business designation.

RECOMMENDED ACTION:

Valdese Planning Board recommends the following:

1. The Valdese Town Council adopts a Consistency and Reasonableness Statement under North Carolina General Statute 160D-605(a)(b) affirming that the rezoning is reasonable and consistent with the Valdese Vision: A Land Use Action Plan for the Future.

PUBLIC NOTICE

The following steps were taken in advance of the public hearing on Rezoning Petition 2-6-24:

a. Adjoining property owners will receive first-class mail notifications.
b. The Notice of Public Hearing was advertised in the local paper.
c. Staff placed rezoning public hearing signs where appropriate in the proposed rezoning area.

VALDESE TOWN COUNCIL ZONING MAP AMENDMENT
CONSISTENCY AND REASONABLENESS STATEMENT

On August 5, 2024, the Valdese Town Council met to consider Rezoning Petition 2-6-24 and received a recommendation from the Valdese Planning Board. After considering the Plan (defined below), ordinances, maps, recommendations, and other materials presented, the Valdese Town Council makes the following findings and conclusions:

1. In 2014, the Town of Valdese adopted a comprehensive land use plan entitled "The Valdese Vision: A Land Use Action Plan for the Future" (hereinafter the "Plan"). The Plan identifies the type of community that Valdese wants to become in the future and the strategies that the Town will use to guide development and land use activities.

2. The Town of Valdese submitted a Rezoning Petition recommended by the Town of Valdese Planning Board requesting to rezone the following nineteen properties (the "Properties") from B-1 Central Business District to B-2 General Business District:

   405-636 Main Street East, 161 Laurel Street NE, 454 Laurel Street NE, 725 Eldred Street SE and further identified by parcel ID numbers: 2743149654, 2743144676, 2743148636, 2743142677, 2743145991, 2743140771, 2743142885, 2743157022, 2743143886, 2743144883, 2743049773, 2743140817, 2743146604, 2743144607, 2743141676, 2743142855, 2743143806, 2743142805, 2743144995.

3. The purpose of Central Business District (B-1) is to accommodate and encourage further expansion and renewal in the historic/business core of the Town of Valdese. A variety of business, retail, professional, financial, cultural, and other related services are encouraged in an effort to provide the mix of activities necessary to shoppers.

4. The General Business District (B-2) is to encourage the establishment of areas for general business that do not require a central location. Businesses in this district are generally located along major radial highways leading out of town, providing retail goods and services to the traveling public and local residents.

5. The Properties are comprised of retail, sales and services, medical or professional services, a public park, a restaurant, a personal care establishment, a convenience store, and residential, all of which are allowed in the B-2 General Business District.

6. Rezoning Petition 2-6-24 is intended to appropriately zone B-2-related uses to the periphery of the Downtown corridor to accommodate and encourage further expansion providing retailing goods and services to the traveling public and local residents and the renewal of the historic/business core of the Town of Valdese.

7. North Carolina General Statute 160D-605(a) provides, in pertinent part, as follows:

   > When adopting or rejecting any zoning text or map amendment, the governing board shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive or land-use plan. The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the governing board that at the time of action on the amendment, the governing board was aware of and considered the Planning Board's recommendations and any relevant portions of an adopted comprehensive or land-use plan. If a zoning map amendment is adopted and the action was deemed inconsistent with the adopted plan, the zoning amendment has the effect of also amending any future land-use map in the approved plan, and no additional request or

application for a plan amendment is required. A plan amendment and a zoning amendment may be considered concurrently.

8. Text Amendment 2-6-24 is consistent with and supports several Plan priorities, including, but not limited to, the following:

    (a) To ensure that the scale and design of commercial development is consistent with the unique small town character of Valdese;

    (b) Rezoning properties in the downtown area to promote expansion of the Central Business District into several additional blocks and create a relevant new zoning district.

    (c) Evaluate the Town's existing zoning ordinance to determine where amendments are necessary to encourage and enable more compact, mixed-use development.

9. The Town of Valdese's request for amendment was duly considered at a meeting of the Town of Valdese Planning Board. The Planning Board found the Town of Valdese's request to amend the Town's Zoning Map around the Properties from their designated zoning to B-2 General Business District *consistent* with the Plan.

10. The Planning Board, at their June 17, 2024 meeting, voted five to zero to recommend that the Town Council amend the Town's Zoning Map regarding the Properties from B-1 Central Business District to B-2 General Business District.

11. The Valdese Town Council hereby finds Rezoning Petition 2-6-24 regarding rezoning the Properties from their currently designated zoning to B-2 General Business District to be *consistent* with the Plan.

12. North Carolina General Statute 160D-605(b) provides, in pertinent part, as follows:

> When adopting or rejecting any petition for a zoning map amendment, a statement analyzing the reasonableness of the proposed rezoning shall be approved by the governing board. This statement of reasonableness may consider, among other factors, (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment.

13. The Town Council finds that the zoning amendment is reasonable and in the public interest based on the following:

    a. The total acreage of the Properties is sufficient not to be construed as "spot" zoning.

    b. The surrounding zoning designations are industrial, residential, and commercial properties to the north (animal hospital). The properties to the South are medical or professional and residential. The properties to the East are commercial and church. The properties to the West are manufacturing and manufacturing parking

    c. To the extent to which zoning will detrimentally affect properties in the general vicinity of the nineteen properties, the requested B-2 General Business District permits the zoning uses of the B-1 Central Business District.

    d. The B-2 General Business District is intended to encourage the establishment of areas of general business that do not require a central location. Uses in the B-2 General Business

District are generally located along major radial highways leading out of town, providing retail goods and services to the traveling public and residents.

e. The extent to which the proposed amendment (zoning map) will cause public services to fall below acceptable levels, public services are in place and serve the parcels. These include public water, sewer infrastructure, and police and fire protection.

Based upon the recommendation of the Valdese Planning Board and the findings from the public hearing, the Valdese Town Council, having found Rezoning Petition 2-6-24 in regards to rezoning the Properties from B-1 Central Business District to B-2 General Business District to be **consistent** with the Plan and approves Rezoning Petition 2-6-24 and the recommendation from the Valdese Planning Board to amend the Town's Zoning Map regarding the Properties from B-1 Central Business District to B-2 General Business District.

Based on those above and the findings from the public hearing, the Valdese Town Council further finds Rezoning Petition 2-6-24 reasonable and approves Rezoning Petition 2-6-24.

The Town Council, therefore, approves Rezoning Petition 2-6-24.

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:

/s/ Town Clerk

Mayor Watts asked if anyone wished to speak either for or against the public hearing. Hearing none, Mayor Watts closed the public hearing at 7:08 pm.

Councilman Mears made a motion to approve the Rezoning Map Amendment 2-6-24 - B-1 Central Business District to B-2 General Business District, seconded by Councilwoman Lowman. The vote was unanimous.

Councilman Harvey made a motion to adopt the Consistency and Reasonableness Statement under NCGS 160D-605(a)(b) affirming that the rezoning is reasonable and consistent with the Valdese Vision: A Land Use Action Plan for the Future, seconded by Councilwoman Lowman. The vote was unanimous.

DRUG AND HOMELESSNESS TASK FORCE REPORT Police Chief Marc Sharpe made the following presentation:

"Since being hired on March 25th, and attending my first Homeless/Drug Task Force meeting the very next day, We have come together for (5) five meetings. Now let's discuss what has occurred and come from those meetings and what is being accomplished.

Early on their seemed to be some confusion as to whether we had a homelessness issue in our community or not. We can now provide you some real numbers as our officers working hand in hand with the Western Piedmont Council of Governments Homeless Response Team have hit the streets to locate, identify, and offer resources to those identified as homeless. In two ride along sessions conducted with the COG (18) eighteen individuals have reached out to and been identified within our community. Of that (18), two have been placed in situations where they are now staying in a home and (1) one has been placed in a job.
It is estimated that we are closer to having about (40) forty homeless in our community so we are thinking we have made COG contact with almost half of our homeless population.

The COG continues to reach out to those identified to offer help and services on a constant basis. That has to be done through cell phone contact and follow up meetings pre-planned with COG members. Some of our homeless do not have a cell phone and are unable to keep up with dates and times which makes these follow up meetings problematic at times.

Councilman Ward has been working to provide a safe zone meeting place and time at "Jethros" on Church Street where many of the contacts are taking place. In order for us to have more success stories for this outreach we have to have a way to create contact between our homeless population and the COG. Our

police officers are communicating these things verbally as they interact with these individuals and attempting to create follow up contact on a day to day basis but it has to be arranged due to the COG having a limited supply of workers, around (5) who remember are covering several counties and multiple towns and cities.

Next we have expanded our efforts of outreach for providing services and resources for the homeless by reaching out and developing a relationship with the Burke United Christian Ministries Homeless Outreach. They have created a fantastic facility in Morganton which provides daily laundry services, showers, meals, and contacts for services for veterans, rehab, and counseling services to name a few. They have programs Monday thru Friday from 7:00 a.m. to 3:00 p.m. These resources are available to our homeless population but we have to get them to the facility where they sometimes agree to go but are in fear of being left there. This issue is being addressed by once again working to create a weekly bus stop at "Jethros" with a ride to and from the services provided by a church in our community. The planning of this is ongoing and continues to be developed as recent as this morning.

The Police Department has also been teaming up with BUCM's street level teams making introductions, delivering food and hygiene packets at a street level creating trust and inviting those individuals to obtain the resources that are available to them.

Lastly, our enforcement statistics, since taking office our officers have produced 190 criminal charges in the Town of Valdese. Of those 190 criminal charges 83 of the charges were taken out on Homeless individuals. That is 44% of our criminal charges during that time period. This is arrestable or chargeable offenses not just reportable incidents as many times we do not have identified offenders or even suspects with some of those statistics.

The charges in the offenses we are discussing include larceny and possession of stolen goods, property damage, communicating threats, assault, and possession of illegal drugs. The most prevalent is larceny which is theft from citizens or some theft from retailers in our community. Many of the chargeable offenses are repeat offenders where the same homeless individual is released from jail and repeats an offense. Therefore, all of our homeless are not committing these offenses but the same homeless individuals are committing multiple offenses or are repeat offenders which is much like the statistics of our normal crime rate. Many of the same individuals or regular customers of the police department are responsible for our community's crime.

VPD has partnered with our citizens, landowners, our code enforcement, and the Burke County Sheriff's Office to shut down identified vacant properties which have been taken over without permission for drug use and other criminal offenses. Two homes identified as problematic are in the process of changing ownership and another 100 feet outside of our city limits has been boarded up and secured.

Sgt. Beck with VPD has been instrumental in continuing to grow our Neighborhood Watch Program. An oldie, but goodie, where we partner with neighborhoods within our town scheduling monthly meeting with citizens to identify our problems in those neighborhoods needing police assistance. Our goal is to have enough neighborhood watch programs within our town that each and every officer has their own neighborhood watch program to coordinate as part of their assigned duties.

From a drug standpoint, we have future plans to team up with Harbour Programs who has street medicine teams which provide opportunities to receive NARCAN to cut down on our overdose issue. Our officers have already partnered with Harbour Programs and Western Piedmont Community College where every officer has recently received documented training to dispense NARCAN on overdose calls as they are many times the first to arrive. We dispense the same dosage our EMT or paramedics would dispense and have also been provided NARCAN free of charge which officers carry on duty to be dispensed when and as needed. In these situations, seconds can be the difference in life and death. Since NARCAN was issued and training was received we have had two calls were an officer has dispensed NARCAN.

Chief Sharpe has also been asked to set on an overdose task force within Burke County assisting in providing statistics, ideas, and solutions. We are all working together to form follow-up procedures for those individuals who have overdosed to offer additional resources and where to find those resources. This is part of the efforts where our county is spending opioid settlement monies to combat the nationwide opioid addiction epidemic.

From an enforcement effort our officers have doubled our chargeable drug offenses from last year efforts during this same time period and the most notable possession has been methamphetamine in our community recently.

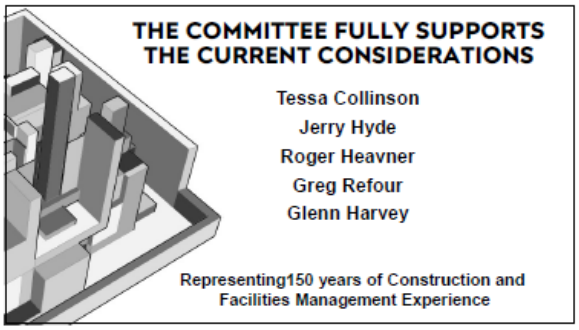
As you can see, as stated in a previous council meeting these are multifaceted problems that need to be addressed from many angles and as you can see we are developing partnerships to work hand in hand with the PD to combat these issues. We are providing resources to assist our homeless with opportunities at assisting them in finding jobs and a place to live which requires follow up on their part. We are creating prevention opportunities with the drug problem in preventing and responding to overdose. We are also holding everyone accountable by enforcing our laws and ordinances associated with the crime associated with each of the problem areas.

The Homelessness Drug Task Force will continue to meet, learn, and come up with additional ways to create contact, resources, enforcement action, and solutions, utilizing partnerships with the outside agencies along with the Valdese Police Department who will be there to do their part."

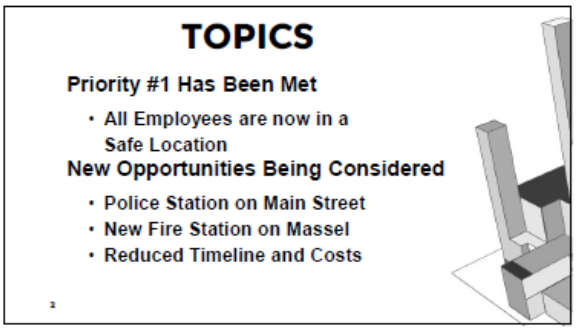
FACILITIES REVIEW COMMITTEE REPORT Facilities Review Committee Co-chair Roger Heavner shared the following presentation:



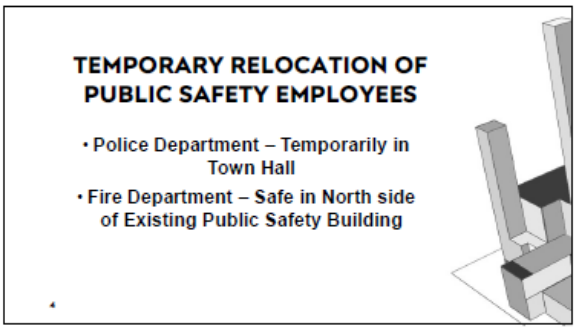
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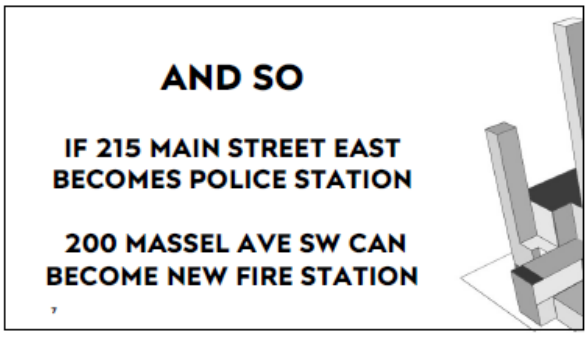
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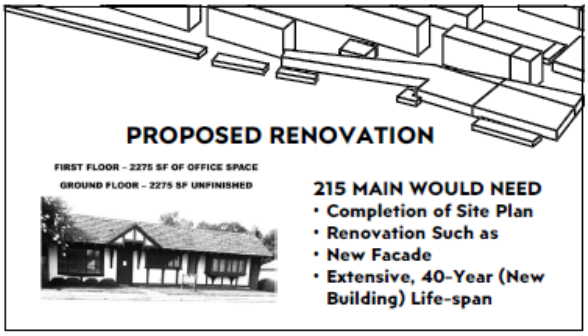
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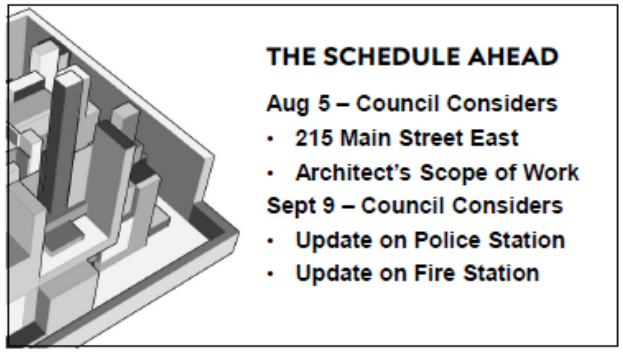
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Councilwoman Lowman asked where the Fire Department had been moved to in the building. Fire Chief Truman Walton said the Fire Department has not moved. Chief Walton noted that a few months ago, it was brought up to potentially move the FD, and he sent an email on everything that would need to be done to

move and the feedback was that sounds like a good idea, but that is all. Chief Walton said they are still under the same roof structure that the Police were under. Chief Walton recommended staying where they are until they get a new facility. Councilman Harvey said that the architectural firm recommended specifically that these offices be relocated within 30 days and that we are exposing the Town to issues. Mayor Watts asked if Chief Walton and the Manager would work on a plan tomorrow.

APPROVED AGREEMENT FOR PURCHASE AND SALE OF IMPROVED REAL PROPERTY AND ADDITIONAL PROVISIONS ADDENDUM Assistant Town Manager/CFO Bo Weichel shared that the property is located at 215 East Main Street, Valdese, at a purchase price of $360,000.00.

Councilman Harvey made a motion to approve the agreement for the purchase of 215 East Main Street, Valdese for $360,000.00, seconded by Councilwoman Lowman. The vote was unanimous.

(A copy of the agreement can be obtained in the Clerk's office.)

APPROVED AIA DOCUMENT B101-2017 STANDARD FORM AGREEMENT BETWEEN OWNER AND ARCHITECT WITH TALLEY & SMITH ARCHITECTURE, INC. Assistant Town Manager/CFO Bo Weichel shared that the scope of work in this agreement is to renovate 215 East Main Street. The scope of work is to bring this building up to code and renovate it for police use. The total amount would be $174,755.00, plus up to $4,000.00 of reimbursable expenses.

Councilwoman Lowman made a motion to approve the document as presented, seconded by Councilman Mears. The vote was unanimous.

(A copy of the contract can be obtained in the Clerk's office.)

APPROVED AIA DOCUMENT B104-2017 STANDARD FORM AGREEMENT BETWEEN OWNER AND ARCHITECT (TALLEY & SMITH ARCHITECTURE, INC. PUBLIC SAFETY FACILITY STUDY) Assistant Town Manager/CFO Bo Weichel shared that this goes back to the original Talley Smith agreement approved a few months ago. Mr. Weichel shared that we have a clearer direction on where we are going, and this is a revision to the original contract. Mr. Weichel noted that it would take the agreement from $36,000.00 to $23,400.00.

TALLEY & SMITH
ARCHITECTURE, INC.

P.O. BOX 518 (28151) 409 E. MARION ST. (28150) SHELBY, NC 704-487-7082 FAX 704-482-5596 TALLEYSMITHARCH.COM

July 29, 2024

Mr. Bryan Steen, Interim Town Manager
Town of Valdese
102 Massel Ave SW
Valdese, NC 28690

email: bsteen@valdesenc.gov

Re: Revised Scope for Public Safety Facility Study
Town of Valdese, NC

Dear Mr. Steen:

As the services for the Facility Study project have progressed, the scope of the options that were originally under consideration have evolved. Due to these changes, the Town has requested that we modify the original Agreement dated April 30, 2024 to better reflect the A/E services being provided.

For reference purposes, the study had three components that were listed as:

- Option 1: Total renovation of existing public safety facility.
- Option 2: Relocation of PD and FD to a new combination facility.
- Option 3: Separation of PD and FD facilities.

Study option 1 was to explore the condition of the existing Public Safety Facility and the possibility of renovating that building. The result of our initial investigation of the building structure and review of the related documentation led us to conclude that the structural issues were too significant to make renovation a viable, cost-effective option.

Study option 2 was the exploration of a new single building for both the Police Department and Fire Department. Instead of a new combined services facility, the Town is now pursuing relocating the Police Department into an existing building.

Study option 3 was to explore the possibility of relocating the Police Department and Fire Department to separate new or renovated facilities. This study option is the primary focus of the remaining A/E services to be provided.

Thus, the study services completed or underway are:

- Option 1: The investigation of the existing Public Safety Building has been completed. This is about half of the option 1 services.
- Option 2: This option is not being pursued.
- Option 3, Police Department: The study for moving the Police Department into an existing building is nearly complete. The remaining deliverables are a

schematic floor plan demonstrating that the existing building is an acceptable location for the Police Department and the preparation of a construction cost estimate for the building renovation. Further A/E services for the Police Department Project will be Phase II services as referenced in the original Agreement with the Town. A new Agreement for the Police Department Project A/E design and construction phase services has been submitted to the Town.

- Option 3, Fire Department: The services for this option are underway. The next step is to finalize the building program listing each building area and each area's ideal square footage. After that we will investigate the general size, configuration and location of a new building on the Massel Avenue site. The final deliverables for this phase will be a schematic site plan, showing the building footprint, parking and drives, and a construction cost estimate. Further A/E services for the Fire Department Project will be Phase II services as referenced in the original Agreement. These services can be established with a written amendment to the current Agreement or by issuing a new Agreement.

The Phase I study fee stated in the April 30, 2024 Agreement is: $36,000

Due to the change in the scope of services as described herein, the Phase I study fee can be reduced.

Reduced Phase I study fee: $23,400

If you have any questions, please contact me.

Sincerely,

TALLEY & SMITH ARCHITECTURE, INC.

Robert L. Smith, III, AIA, LEED AP

Councilman Harvey made a motion to accept the amendment to the original architect's contract, seconded by Councilman Ogle. The vote was unanimous.

APPROVED CAPITAL PROJECT ORDINANCE AMENDMENT – PUBLIC SAFETY BUILDING Assistant Town Manager/CFO Bo Weichel shared that this is a project amendment to include the last three items approved.

Valdese Town Council Meeting — Monday, August 5, 2024

Capital Project Ordinance Amendment # 12-35

Subject: Public Safety Building

Description: This amendment to the project budget is for two transactions:
1. Purchase of existing building on Main St.
2. A&E contract with Talley & Smith for the Main St building
This does not affect General fund balance, it uses the savings already in the project budget fund #35.

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
35.3480.000	Town Contribution		9,983
35.3480.001	ABC Distributions		52,304
35.3480.004	Sale of Properties		52,500
35.3480.001	ABC Distributions		363,810
	Total	$0	$478,597

Amounts appropriated for capital projects are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
35.5300.040	A&E		63,968
35.5100.040	PD A&E Services	174,755	
35.5100.050	PD A&E Reimbursable Allowance	4,000	
35.5100.150	PD Building Purchase	363,810	
	Total	$542,565	$63,968

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.

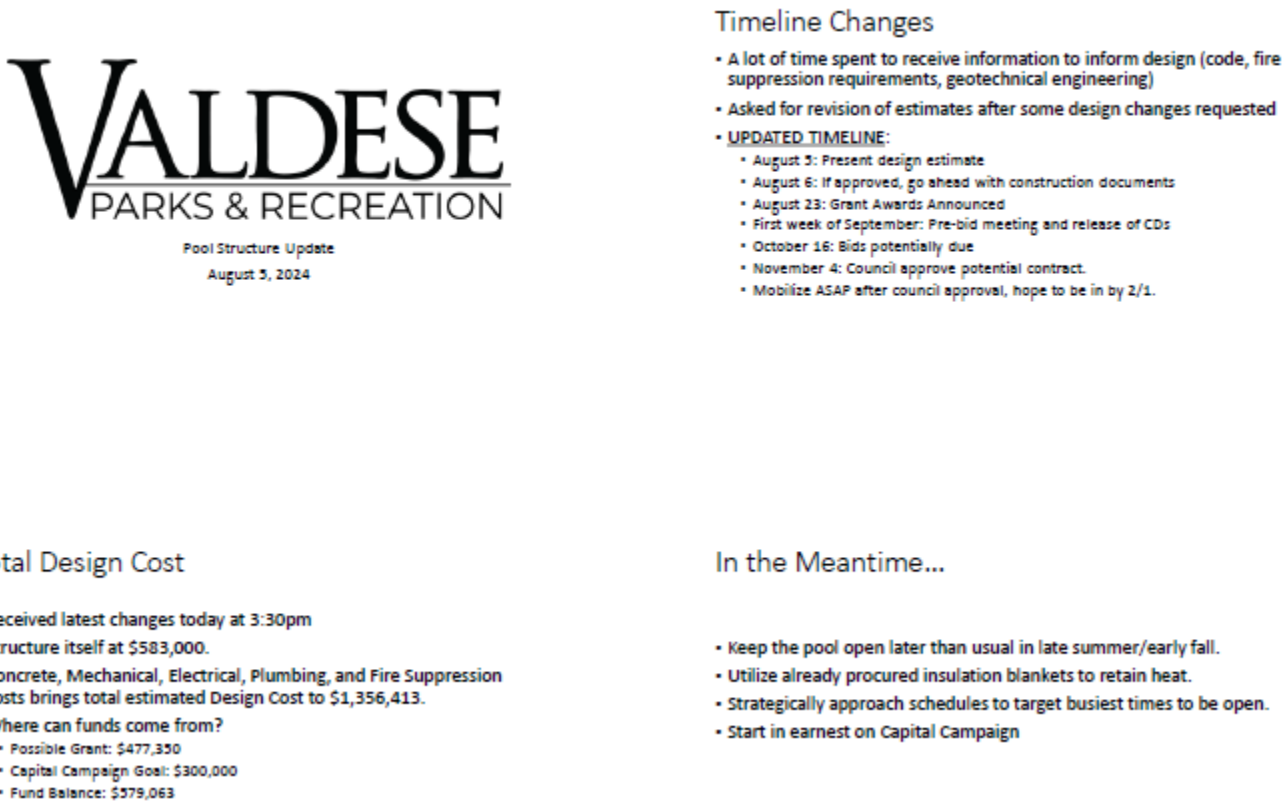
Councilman Harvey made a motion to approve the budgetary amendments, seconded by Councilman Ogle. The vote was unanimous.

STREET RESURFACING STATUS REPORT Public Works Director Allen Hudson shared that on July 15, 2024, he met with the DOT on the street-paving project. They are in the process of negotiating agreements with the contractors and hopes we will have estimates by the end of August. Mr. Hudson said it could take 18-24 months for all the streets to be paved and completed.

DOT ESTIMATES - JULY 2, 2024

		miles	Ft. wide	At $224,500/Mi
1	Anthony St	0.17	18	$ 38,165
2	Bellview Ave Ne (Laurel to Walnut Ave)	0.16	14	$ 35,920
3	Bellview to Clyde	0.22	18	$ 49,390
4	Berry Ave	0.24	18	$ 53,880
5	Bonous St Nw	0.25	18	$ 56,125
6	Campbell Ave(bottom of hill top end)	0.18	26	$ 40,410
7	Carter St Ne	0.19	18	$ 42,655
8	Cline St Sw (Bertis St to Hoyle St)	0.15	36	$ 33,675
9	Club Circle Ne	0.31	18	$ 69,595
10	Dixie Ave Nw	0.4	20	$ 89,800
11	Eagle Nest Lane Nw	0.12	20	$ 26,940
12	Eldred St Ne (Main to Laurel St)	0.22	20	$ 49,390
13	Flora Lane Ne (Gravel Portion)	0.11	14	$ 24,695
14	Forest Ave Ne	0.25	20	$ 56,125
15	Forest Dr Ne	0.33	20	$ 74,085
16	Griffin Ave Nw	0.19	20	$ 42,655
17	***Harris NOTE-EXTRAPOLATED***	***0.35***	***18***	***$ 78,575***
18	Hickory Ave Nw	0.1	18	$ 22,450
19	Jaubert Ave Se	0.18	18	$ 40,410
20	Katherine St Se (next to the creek)	0.21	20	$ 47,145
21	Laurel St Ne to Gardiol Ave Ne	0.37	20	$ 83,065
22	Louise ave Ne (Italty to end)	0.21	18	$ 47,145
23	Morganton St Nw	0.36	18	$ 80,820
24	Nellie St Nw	0.07	18	$ 15,715
25	Pineburr Ave Sw (Orchard St to Hoyle St	0.17	18	$ 38,165
26	Pineburr Ave Sw (Carolina to Faet St)	0.36	20	$ 80,820
27	Pineridge St SW	0.2	22	$ 44,900
28	Tarheel Ave Ne	0.17	18	$ 38,165
29	Tarvia Ave Ne	0.23	16	$ 51,635
30	***Tron Ave NOTE-EXTRAPOLATED***	***0.67***	***18***	***$ 150,415***
31	Vinay Ave Nw	0.14	18	$ 31,430
32	White St Ne	0.08	18	$ 17,960
	TOTALS - with average width	7.36	18.75	$ 1,652,320
	TOTALS - without Harris & Tron			***1,423,330***

PERMANENT POOL STRUCTURE UPDATE Parks & Recreation Director David Andersen shared the following update presentation:



Councilwoman Lowman asked if our swim teams could use the pool this winter. Mr. Andersen said the High Schools would be in a place where it would be difficult for them to compete or host competitions; however, there are teams around the state the practice year around. Mr. Andersen said it would also depend on if construction would begin in November. Councilman Harvey asked, based on the number, if we were $800,000.00 short of what we needed to do this. Mr. Andersen said yes and he just received this information today. Mr. Andersen noted that the fire suppression and the mechanic side are driving the numbers up.

WALDENSIAN FESTIVAL PLANS – AUGUST 9 AND 10, 2024 Community Affairs Director Morrissa Angi gave Council an overview of the 49th Annual Waldensian Festival plans.

OLD ROCK SCHOOL RENOVATION FUNDRAISING DISCLOSURE Town Attorney Tim Swanson noted that this item has been addressed, and it was a no-action item.

APPROVED APPOINTMENTS TO THE MERCHANTS ADVISORY COMMITTEE Councilman Harvey said six merchants applied to be on this committee, and Councilwoman Ward, representing the council, was the seventh member.

Councilman Harvey made a motion to approve Otter Browning, Manager of Highlands Butchery; Kevin Farris, Owner/Manager of Farris Insurance; Sandy Walker, Owner/Manager of the Doll Shop; Eddie Jolly, Owner/Manager of WSVM Radio Station; Brian Thompson, Owner of 100 Main; Danny Glenn, Co-Owner of Twin Brothers Pizza; Councilwoman Ward, seconded by Councilman Ogle. The vote was unanimous.

ADDED – APPROVED APPOINTMENT OF INTERIM TOWN MANAGER Councilman Mears made a motion to appoint, Bo Weichel, Assistant Town Manager/CFO, as Interim Town Manager for the Town of Valdese and as the Town's representative on the Valdese ABC Board, Burke Development Incorporated Board, and Valdese Economic Investment Corporation Board effective August 23, 2024 at 5:01 pm until such time as a permanent Town Manager has been appointed by Council and starts work and that we authorize Mr. Steen and the Mayor to negotiate and execute all documents required to effectuate Mr. Weichel's appointment. Seconded by Councilwoman Lowman. The vote was unanimous.

INTERIM MANAGER'S REPORT:

Old Colony Players Presents: From This Day Forward, July 12 through August 10, Fridays and Saturdays, 8:00 p.m. at the Fred B. Cranford Amphitheatre

49th Annual Waldensian Festival and Footrace – August 9 & 10, 2024

Family Friday Nights Summer Concert Series Finale is scheduled for Friday, August 30, 2024, at 7:00 p.m.

Town Offices Closed on Monday, September 2, 2024 in Observance of Labor Day

Next Agenda Review Council meeting is scheduled for Wednesday, September 4, 2024, 6:00 p.m., Council Chambers, Valdese Town Hall

Next Regular Council meeting scheduled for Monday, September 9, 2024, 6:00 p.m., Council Chambers, Valdese Town Hall

MAYOR AND COUNCIL COMMENTS No comments

CLOSED SESSION Mayor Watts called for a motion to recess into Closed Session for:

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

At 7:57 p.m., Councilman Harvey made a motion to go into closed session, seconded by Councilwoman Ward. The vote was unanimous.

At 8:07 p.m., Councilwoman Ward made a motion to return to open session, seconded by Councilman Mears. The vote was unanimous.

ADJOURNMENT: At 8:08 p.m., there being no further business to come before Council, Councilman Mears made a motion to adjourn, seconded by Councilwoman Lowman. The vote was unanimous.

_____ _____

Town Clerk Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL SPECIAL CALLED MEETING
AUGUST 5, 2024

The Town of Valdese Town Council met on Monday, August 5, 2024, at 8:00 a.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilman Glenn Harvey, and Councilman Paul Mears. Also present were: Interim Town Manager Bryan Steen and Town Clerk Jessica Lail

Absent:

A quorum was present.

Councilman Mears made a motion to recess the meeting until 10:00 a.m., seconded by Councilwoman Lowman. The vote was unanimous.

At 10:00 a.m., Councilwoman Ward made a motion to recess into:

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

Closed Session under NC General Statute 143-318.11(a)(3) to consult with an attorney retained by the Town in order to preserve the attorney-client privilege between the Town attorney and the Town Council, which privilege is hereby acknowledged**.**

Seconded by Councilman Mears. The vote was unanimous.

At 12:25 p.m., Councilwoman Lowman made a motion to return to open session, seconded by Councilman Ogle. The vote was unanimous.

ADJOURNMENT: At 12:26 p.m., there being no further business to come before Council, Councilman Ogle made a motion to adjourn, seconded by Councilwoman Lowman. The vote was unanimous.

_____ _____

Town Clerk Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL SPECIAL CALLED MEETING
AUGUST 26, 2024

The Town of Valdese Town Council met on Monday, August 26, 2024, at 8:00 a.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilman Glenn Harvey, and Councilman Paul Mears. Also present were: Interim Town Manager Bo Weichel, Town Attorney Tim Swanson, Town Clerk Jessica Lail, and various Department Heads.

Absent:

A quorum was present.

At 8:00 a.m., Councilwoman Ward made a motion to recess into:

Closed Session Pursuant to NC General Statute 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee, and, **Closed Session under NC General Statute 143-318.11(a)(3)** to consult with an attorney retained by the Town in order to preserve the attorney-client privilege between the Town attorney and the Town Council, which privilege is hereby acknowledged**.**

Seconded by Councilwoman Lowman. The vote was unanimous.

At 8:49 a.m., Councilman Mears made a motion to return to open session, seconded by Councilwoman Ward. The vote was unanimous.

PINEBURR AVE PROPERTY REAL ESTATE LISTING AGREEMENT Councilman Harvey made a motion to authorize the listing agent to change the listing price to $395,000, seconded by Councilman Mears. The vote was unanimous.

POOL COVER OPTIONS Councilman Harvey made a motion to defer this item to the September meeting, seconded by Councilwoman Ward.

Discussion: Councilman Harvey shared that the Town received the $500,000 grant, which requires a 20% offset and we have an anonymous contribution pledge of $100,000, which changes the total cost dynamics. Councilman Harvey noted that this grant provides ADA access to the Recreation Center. Councilwoman Lowman asked how long the permanent structure would last. Parks & Recreation Director David Andersen said that the frame should last a long time, and the covers that go over the frame have a seven-year warranty. Councilwoman Lowman asked how long a new bubble would last. Mr. Andersen said it has a lifespan of roughly ten years and a coating with a 25-year warranty. Mr. Andersen said the last bubble we had lasted 24 years. Councilman Harvey asked what the grant included with ADA. Mr. Andersen said there are three elements in the grant application that would need to be completed. 1. Ramp to the front of the building from the ground. 2. Tennis court ramp. 3. The remaining funds would go towards the structure. Mr. Andersen said there would need to be fire suppression. Fire Chief Truman Walton addressed the regulations. Councilman Harvey noted that the fire suppression cost is about the same as the ADA adjustments that need to be made. Assistant Town Manager Bo Weichel pointed out that they met with the Burke County building inspector to look at every loophole they could, but either way, we would need fire suppression if we choose a permanent structure or a bubble. Councilwoman Lowman would like to know if we would have to add the cost of a fire suppression system for a bubble. Mr. Weichel will double-check with the BC building inspector. Councilman Harvey wants to know what citizens think about a permanent structure versus a bubble. Councilman Mears asked if we had solar blankets for the pool to heat this winter. Mr. Andersen said yes. Councilman Harvey would like to see more data before the September meeting.

The vote was unanimous.

STREET RESURFACING Councilman Harvey made a motion to defer this to the September meeting, seconded by Councilwoman Lowman. The vote was unanimous.

ADJOURNMENT: At 9:15 a.m., there being no further business to come before Council, Councilwoman Lowman made a motion to adjourn, seconded by Councilman Harvey. The vote was unanimous.

_____ _____

Town Clerk Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL REGULAR MEETING
SEPTEMBER 9, 2024

The Town of Valdese Town Council met on Monday, September 9, 2024, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The Council meeting was live-streamed on YouTube @townofvaldese. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilman Glenn Harvey, and Councilman Paul Mears. Also present were: Interim Town Manager Bo Weichel, Town Attorney Tim Swanson, Town Clerk Jessica Lail, and various Department Heads.

Absent:

A quorum was present.

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

Rev. Dr. Josh Lail, pastor of the Valdese First Baptist Church offered the invocation. Following the invocation, Mayor Watts led in the Pledge of Allegiance to the Flag.

OPEN FORUM/PUBLIC COMMENT:

WALDENSIAN HERITAGE MUSEUM 50TH BIRTHDAY CELEBRATION: Gretchen Costner invited everyone to the Waldensian Heritage Museum 50th Birthday Celebration on Saturday, September 21, 2024, at 3:00 pm. Ms. Costner shared the museum is the oldest museum in Burke County.

RECOGNITION OF THE VALDESE POLICE DEPARTMENT: Police Chief Marc Sharpe recognized the following Police Officers:
"On Monday, August 19th, 2024 at approximately 12:19 p.m., Sgt. Tyler Angley & Officer Tyler Watson documented a report under Case # 2024-0424 regarding a felonious larceny of items from a construction site located in the Settings, where property had been taken by barge to the Castle Bridge area and stolen. Officer Watson followed up his report with a self-initiated investigation working alongside Burke and Caldwell County Detectives and Deputies. The multi-agency teamwork conducted in this case recovered approximately $20,000.00 (twenty thousand dollars) in stolen property from multiple crime scenes, much of which has been returned to victims. One arrest has been made in this case and outstanding warrants exist on a suspect now wanted in three separate states. Officer Watson's efforts was supported throughout by his supervision, Sergeant. Angley who worked alongside Watson throughout the investigation insuring its completion. Sergeant Angley obtained additional assistance from our Public Work's Department to transport recovered property. Another example of our town departments working together to accomplish a task. The success of this case is directly related to Officer Watson's and Sgt. Angley's extra effort, attention to detail, and teamwork existing between agencies. My sincerest thanks for the professionalism and perseverance provided by Officer Tyler Watson and Sergeant Tyler Angley to the citizens of Valdese and their dedication toward self-initiated investigative activity. Thank you both for a job well done!"

Chief Sharpe also recognized Code Enforcement Officer Michael Hicks who has completed all his law enforcement training to back up the Officers as his secondary job.

POOL – NANCY TUCKER, 210 FOREST DRIVE NE, VALDESE: Ms. Tucker made the following comments:

SEPTEMBER 9, 2024, MB#32

Good evening mayor and council members. I am here tonight to speak publicly about the need for the permanent pool structure to be approved as soon as possible. I did email each of you on September 3, 2024 to express my concerns about your discussions in a previous meeting about putting up another bubble. And thank you to the ones who responded.

Maybe you had some constituents saying they liked the old bubble, but they may not know all the pros and cons of the permanent structure such as there will be an area for sunbathing, the roof is an architectural fabric that lets light in. A permanent structure requires a lower amount of chemicals and thus a lower cost to operate. The walls that can be removed in warm weather. Also, there will be no need to close the pool 3 to 4 times a year to put the bubble up and down which requires paying people to do that job or taking Valdese personal from their jobs to assist and taking them away from the jobs they are supposed to be doing. And paying for a truck to transport the bubble back and forth from storage. You also are losing the income and participation of pool patrons during the closures. Another part is with a bubble, you can't use the $500,000 grant, the anonymous donor is not participating, and the town of Valdese will have to pay for the ADA accessibility construction to the gym and tennis courts.

I understand we are waiting for construction bids now. When you look at the bottom line, just remember all the positive aspects of a permanent structure and plans for the years ahead, not just this years budget. If a recommendation from the council is that there needs to be a fund raiser to off set some of the costs for a permanent pool structure, I pledge my support to that effort. The improvements with a permanent pool structure would entice additional memberships in our recreation center and Valdese can be viewed as a town that cares about its citizens and enhancing their quality of life. And I invite each of you to come and enjoy all the offerings at the Valdese Parks and Recreation Center and see what a fine facility and staff we have. It is a great facility and we are just trying to make it better.

TOWN MANAGER SEARCH – BRADY LINKOUS, 301 ST GERMAIN AVE SE, VALDESE: Mr. Linkous shared that on December 18, 2024, the Council discussed hiring a Town Manager and who to use for a search firm. Mr. Linkous shared that Councilman Harvey recommended Baker Tilly in February, which was a higher price of $17,000. Mr. Linkous said the timeline for having someone in place was June or July, and we have not heard anything. Mr. Linkous would like to hear how it is going, particularly since the Council went with a higher-priced firm. Mr. Linkous asked several questions: How many qualified applicants has the firm produced, how many interviews have been conducted, have you made any offers, and what is the plan going forward? Is the search firm still engaged, and have we paid them? Mr. Linkous would like to know what the problem is and is concerned that our Department Heads have answered to four different individuals in the last ten months, which is not fair and good for the operation of our Town.

POOL – JEAN-MARIE COLE, 705 BERTIS ST, VALDESE: Ms. Cole said that 30 years ago, they bought a house in Valdese and, since then, have been pool users. Ms. Cole was hoping for a permanent structure over the pool and believes that one has been found that is affordable for our Town. Ms. Cole said the advantage is that it never has to be removed, and you do not have to worry about the fog and weather. Ms. Cole said you do not have to worry about storage, will not have to close the pool as much, and will save money on purchasing chlorine. Ms. Cole said that going with the permanent structure would give us money for ADA. Ms. Cole also likes that it will provide pool users shade.

WATER RATE INCREASE – CHASE JACKSON, 1615 NEW EASTWOOD CIRCLE, MORGANTON: Mr. Jackson is from the Triple Community and is concerned with the increase in his water bill. Mr. Jackson has not received any information about why it has increased by $19.00. Mr. Jackson would like to know if it is permanent.

CONSENT AGENDA: (enacted by one motion) Councilman Harvey requested to remove one item: 6 M, **APPROVAL OF AMENDING ORDINANCE 2-2003: RESIDENCE QUALIFICATIONS OF TOWN MANAGER**

APPROVED AGENDA REVIEW MEETING MINUTES OF JULY 29, 2024

APPROVED SPECIAL MEETING MINUTES OF AUGUST 5, 2024

APPROVED SPECIAL MEETING CLOSED SESSION MINUTES OF AUGUST 5, 2024

APPROVED REGULAR MEETING MINUTES OF AUGUST 5, 2024

APPROVED REGULAR MEETING CLOSED SESSION MINUTES OF AUGUST 5, 2024

APPROVED SPECIAL MEETING MINUTES OF AUGUST 26, 2024

APPROVED SPECIAL MEETING CLOSED SESSION MINUTES OF AUGUST 26, 2024

APPROVED LEASE AGREEMENT AT OLD ROCK SCHOOL WITH TRANQUILITY DAY SPA Lease agreement for rental space at the Old Rock School. The Tranquility Day Spa Lease is in the amount of $368.00 per month.

APPROVED LEASE AGREEMENT AT OLD ROCK SCHOOL WITH P&W RAILROAD CLUB Lease agreement for rental space at the Old Rock School. The P&W Railroad Club Lease is in the amount of $230.00 per month.

APPROVED RESOLUTION OF SALE OF TOWN-OWNED PROPERTY – 342 TRON AVE

RESOLUTION AUTHORIZING SALE OF REAL PROPERTY

Sale of 0.46 +/- Acre Tract at 342 Tron Ave NW, Valdese, NC (REID: 41732)

WHEREAS, the Town of Valdese (the "Town") is the owner of that certain tract or parcel of real property (the "Property") situated in Lovelady Township, Valdese, North Carolina commonly known as 342 Tron Ave NW, Valdese, North Carolina, PIN: 2733874604, REID: 41732; and

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

WHEREAS, on or about July 12, 2024, the Town received an offer to purchase the Property from Timothy Norman/T.L. Norman Land Company, LLC (hereinafter collectively, "Norman") for $10,000.00; and

WHEREAS, Norman has deposited five percent (5%) of its bid with the town clerk; and

WHEREAS, at its _____, 2024 regular meeting, Town Council adopted a Resolution Authorizing Upset Bid Process authorizing the sale of the Property through the upset bid procedure of North Carolina General Statute § 160A-269; and

WHEREAS, as required by N.C.G.S. § 160A-269, the Town Council directed Town representatives to publish notice of the Town's intent to accept the offer and notice that persons could raise the bid, and that notice was published; and

WHEREAS, the offer of Norman for $10,000.00 is the last and highest bid for the Property; and

WHEREAS, the Town does not need the Property, and the Town therefore desires to accept the offer made by Norman and sell the Property to Norman upon the terms hereafter set forth; and

WHEREAS, Norman will be responsible for all legal fees associated with preparing the closing documents and all closing costs necessary to transfer ownership from the Town to Norman.

IT IS THEREFORE RESOLVED that, pursuant to N.C.G.S. § 160A-269, the sale of the Property to Norman for the purchase price of $10,000.00 is approved and the Town Manager is hereby authorized and directed to deliver to Norman 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 Norman pay all legal fees associated with preparation of the closing documents and all closing costs necessary to transfer ownership from the Town to Norman.

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

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:

/s/ Town Clerk

APPROVED RESOLUTION OF SALE OF TOWN-OWNED PROPERTY – 338 TRON AVE

RESOLUTION AUTHORIZING SALE OF REAL PROPERTY

Sale of 0.46 +/- Acre Tract at 338 Tron Ave NW, Valdese, NC (REID: 41733)

WHEREAS, the Town of Valdese (the "Town") is the owner of that certain tract or parcel of real property (the "Property") situated in Lovelady Township, Valdese, North Carolina commonly known as 338 Tron Ave NW, Valdese, North Carolina, PIN: 2733875604, REID: 41733; and

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

WHEREAS, on or about July 12, 2024, the Town received an offer to purchase the Property from Timothy Norman/T.L. Norman Land Company, LLC (hereinafter collectively, "Norman") for $10,000.00; and

WHEREAS, Norman has deposited five percent (5%) of its bid with the town clerk; and

WHEREAS, at its _____, 2024 regular meeting, Town Council adopted a Resolution Authorizing Upset Bid Process authorizing the sale of the Property through the upset bid procedure of North Carolina General Statute § 160A-269; and

WHEREAS, as required by N.C.G.S. § 160A-269, the Town Council directed Town representatives to publish notice of the Town's intent to accept the offer and notice that persons could raise the bid, and that notice was published; and

WHEREAS, the offer of Norman for $10,000.00 is the last and highest bid for the Property; and

WHEREAS, the Town does not need the Property, and the Town therefore desires to accept the offer made by Norman and sell the Property to Norman upon the terms hereafter set forth; and

WHEREAS, Norman will be responsible for all legal fees associated with preparing the closing documents and all closing costs necessary to transfer ownership from the Town to Norman.

IT IS THEREFORE RESOLVED that, pursuant to N.C.G.S. § 160A-269, the sale of the Property to Norman for the purchase price of $10,000.00 is approved and the Town Manager is hereby authorized and directed to deliver to Norman 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 Norman pay all legal fees associated with preparation of the closing documents and all closing costs necessary to transfer ownership from the Town to Norman.

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

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:

/s/ Town Clerk

APPROVED RESOLTUION ACCEPTING DIRECTED PROJECT GRANTS – WATER PLANT UPGRADES

RESOLUTION BY VALDESE, TOWN COUNCIL

WHEREAS, the Town of Valdese has received a Directed Projects grant from the 2023 Appropriations Act, Session Law 2023-134, administered through the Drinking Water Reserve and Wastewater Reserve to assist eligible units of government with meeting their water/wastewater infrastructure needs, and

WHEREAS, the North Carolina Department of Environmental Quality has offered 2023 Appropriations Act funding in the amount of $6,895,000 to perform work detailed in the submitted application, and

WHEREAS, the Town of Valdese intends to perform said project in accordance with the agreed scope of work,

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

That the Town of Valdese does hereby accept the 2023 Appropriations Act Directed Projects Grant offer of $6,895,000.

That the Town of Valdese does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.

That Mr. Charles Watts, Valdese Mayor, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

Adopted the 9th day of September 2024.

/s/ Charles Watts, Mayor

ATTEST:

/s/ Town Clerk

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WATER INFRASTRUCTURE

Funding Offer and Acceptance

Legal Name and Address of Award Recipient

Town of Valdese
PO Box 339
Valdese, NC 28690

Project Number(s): SRP-D-134-0038

Assistance Listing Number: N/A
Unique Entity ID Number: V67AJH87ABS5

Funding Program

		Additional Amount for Funding Increases	Previous Total	Total Offered
Drinking Water ☒ / **Stormwater** ☐ / **Wastewater** ☐				
State Revolving Fund Repayable Loan	☐			
State Revolving Fund Principal Forgiveness	☐			
State Reserve Loan	☐			
State Reserve Grant	☐			
State Reserve Earmark (S.L. 2023-134)*	☒			$6,895,000
American Rescue Plan Act	☐			

Project Description:

Water Treatment Plant Upgrades

Total Financial Assistance Offer: $6,895,000
Total Project Cost: $7,000,000
Estimated Closing Fee:** $ 0
For Loans
Interest Rate: -- Per Annum
Maximum Loan Term: -- Years

** Federal conditions and requirements will also apply to S.L. 2023-134 projects to be funded with federal funds.*
*** Estimated closing fee calculated based on grant and loan amount.*

Pursuant to North Carolina General Statute 159G:

- The applicant is eligible under Federal and State law,
- The project is eligible under Federal and State law, and
- The project has been approved by the Department of Environmental Quality as having sufficient priority to receive financial assistance.

The Department of Environmental Quality, acting on behalf of the State of North Carolina, hereby offers the financial assistance described in this document. Signed on behalf of:

For The State of North Carolina: **Shadi Eskaf, Director, Division of Water Infrastructure**
North Carolina Department of Environmental Quality

Kavitha Amirkadevi — 7/29/2024
Signature — Date

On Behalf of*: Town of Valdese
Name of Representative in Resolution*:
Title (Type or Print):

I, the undersigned, being duly authorized to take such action, as evidenced by the attached CERTIFIED COPY OF AUTHORIZATION BY THE APPLICANT'S GOVERNING BODY, do hereby accept this Financial Award Offer and will comply with the attached Assurances and the Standard Conditions

Signature — Date

Councilwoman Ward made a motion to approve the aforementioned items on the Consent Agenda with the exception of item 6 M, seconded by Councilman Harvey. The vote was unanimous.

End Consent Agenda

ITEMS REMOVED FROM CONSENT AGENDA:

APPROVED AMENDING ORDINANCE 2-2003: RESIDENCE QUALIFICATIONS OF TOWN MANAGER

AN ORDINANCE OF THE TOWN OF VALDESE AMENDING THE RESIDENCE QUALIFICATIONS PROVISION OF THE TOWN OF VALDESE CODE OF ORDINANCES

WHEREAS, Town Council has determined that it is necessary and will serve the public interest to amend the residence qualifications provision of the Town of Valdese Code of Ordinances.

NOW, THEREFORE, BE IT HEREBY ORDAINED, BY TOWN COUNCIL OF THE TOWN OF VALDESE, NORTH CAROLINA, THAT:

1. Section 2-2003 of the Town of Valdese Code of Ordinances shall be amended to read as follows:

Section 2-2003 Residence qualifications of manager.

At the time of the town manager's appointment, the manager need not be a resident of the town or the State. During the manager's tenure of office, the manager shall reside within the town; provided, however, after a town manager has been appointed, the town council in its discretion may waive this residency requirement upon such terms and conditions as the town council may determine.

2. This Ordinance shall become effective upon adoption.

ORDAINED BY Town Council for the Town of Valdese, North Carolina, this ____ day of _____, 2024.

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:

/s/ Town Clerk

Councilman Harvey made a motion to approve the Resolution amending Ordinance 2-2003: Residence Qualifications of Town Manager as presented, seconded by Councilwoman Lowman.

Councilman Harvey shared that he removed this item because he felt there should be some discussion when an Ordinance is amended. Councilman Harvey believes that living in the Town is desired but in reviewing 109 applicants and interviewing several of them, we discussed the desire to live near the Town of Valdese by at least 20 miles. Councilman Harvey said that we have made an offer but are still continuing the search. Councilman Harvey noted that we hope the Town Manager will live in the Town, as well as Department Heads and Police Officers.

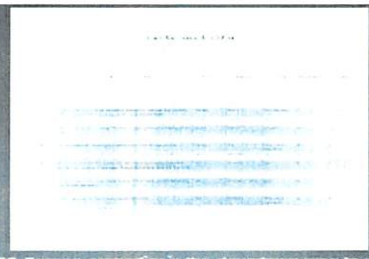
The vote was unanimous.

PUBLIC HEARING: REZONING MAP AMENDMENT #3-7-24 (B-1 EXPANSION) At 6:31 pm, Mayor Watts opened the public hearing. Planning Director Larry Johnson shared the following information for the rezoning of forty-four parcels from the current designations of O-I Office Institutional District and R-12A Residential District to B-1 Central Business District:

Rezoning Amendment 3-7-24

Recommended by the

Valdese Planning Board



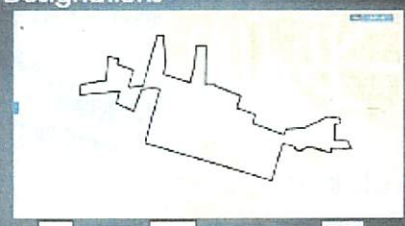
CD.1.13 Rezone properties in the downtown area to promote the expansion of the Central Business District into several blocks and create a new Zoning District. *(Priority-High, Timeframe-Immediate, Responsibility-PB/PZ/RC)*

Commercial Districts Expansion

- Rewrite of permitted uses and standards in the B-1 Central Business and B-2 General Business commercial zoning districts
- Create a new district, DBC-Downtown Business Corridor
- Expand the B-1 Central Business, and
- Expand the B-2 General Business District

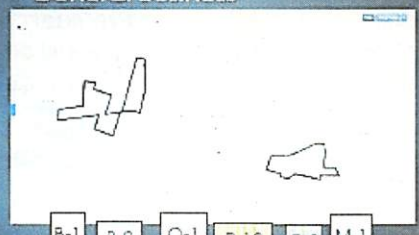
Planning priority in the Valdese Vision Land Use Action Plan adopted in 2014

Boundary and Zoning District Designations



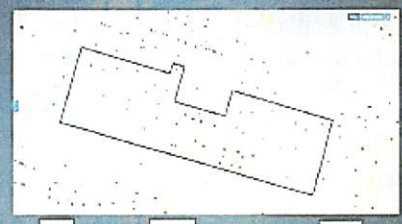
B-1 B-2 O-1 R-12 R-8 M-1

B-1 Central Business to B-2 General Business



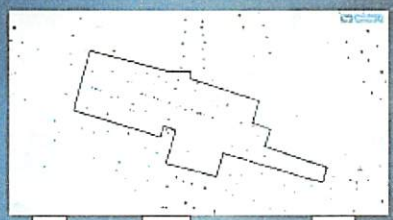
B-1 B-2 O-1 R-12 R-8 M-1

Expanded B-1 Business District



B-1 B-2 O-1 R-12 R-8 M-1

Downtown Business Corridor

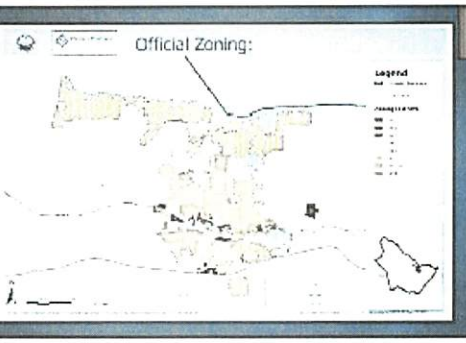


B-1 B-2 O-1 R-12 R-8 M-1

Review of Rezoning Map Amendment

3-7-24

Requested Action: Rezone forty-four parcels from the current zoning designations of O-I Office Institutional (28) and R-12A Residential (16) to B-1 Central Business District





B-1 Central Business District

The purpose of the B-1 Central Business is to accommodate and encourage further expansion and renewal in the historic/business core of the Town of Valdese. A variety of business, retail, professional, financial, cultural, and other related services are encouraged to provide the mix of activities necessary for shoppers.

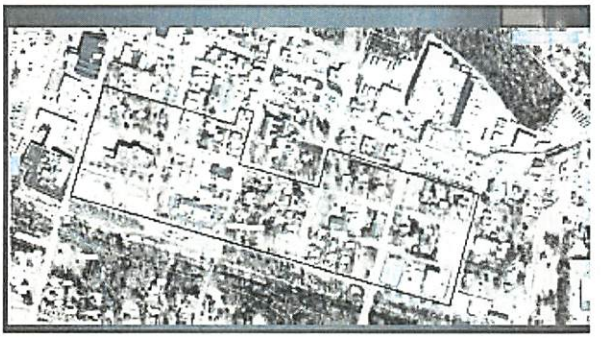
The Future Land Use Map



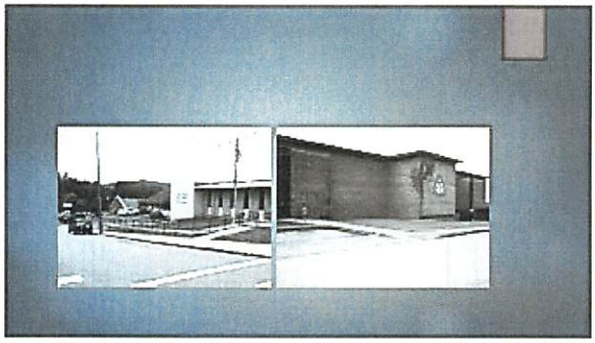
Adopted in 2014 by Valdese Town Council, the land use map is a generalized map of where Valdese may develop in the future and the likely and desired land use type. *The Land Use Map serves as a guide for future development over the next 10 to 20 years.*

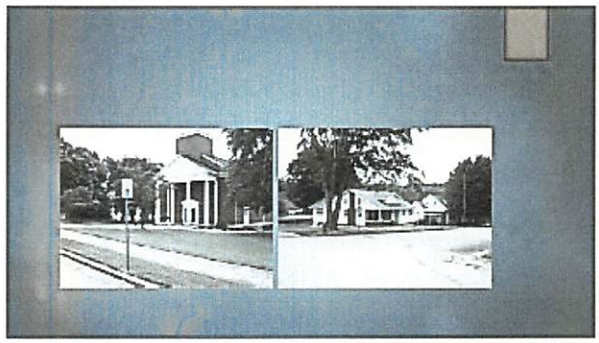
REVIEW CRITERIA (1-5):

1. Existing Land Uses of the forty-four parcels are primarily single-family homes, with approximately 9 parcels comprised of a business-office type (insurance, administrative), governmental (town hall, post office, library), community center, church, and museum, all of which are allowed in the B-1 Central Business.









1a. Neighboring Land Uses of the forty-four parcels are M-1 Manufacturing, B-1 Central Business, and O-I Office Institutional.

The uses to the north are retail, sales, services, church, and business office-type. The use to the South is railroad right of way. To the West, the use is manufacturing. The uses to the East are dental, residential, club/lodge, residential, and recreational.



WEST



NORTH



NORTH



EAST



SOUTH





The rezoning of the forty-four parcels to B-1 Central Business District will not detrimentally affect the neighboring properties.

Review Criteria Cont.

2. Traffic - No traffic study was conducted

(No traffic volume increase is anticipated from rezoning these forty-four parcels to B-1 Central Business District.)

3. Public Services include public water and sewer infrastructure, police, and fire protection.

(The proposed amendment (zoning map) will not cause public services to fall below acceptable levels. Public services that are in place and serve the parcels include public water, sewer infrastructure, and police and fire protection.

4. Consistency with the Valdese Vision: A Land Use Action Plan for the Future.

(This area is classified as commercial by the Land Use Plan. Therefore this rezoning petition is consistent with The Valdese Vision: Land Use Action Plan.)



The Future Land Use Map

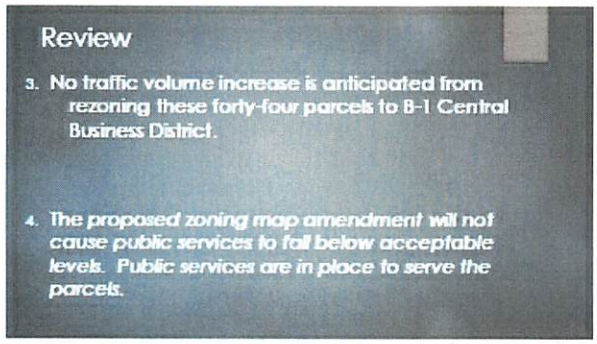
5. "Spot" Zoning.

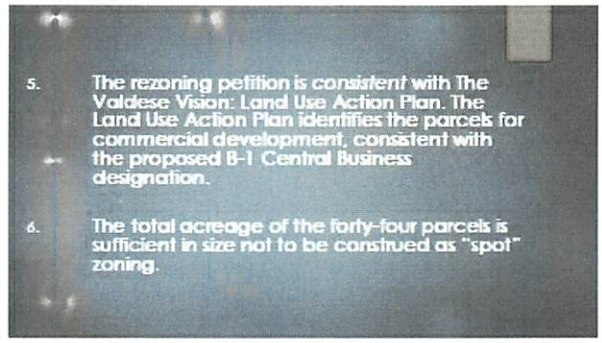
(The total acreage of the forty-four Properties (approximately 31.2 acres) is sufficient not to be construed as "spot" zoning.)

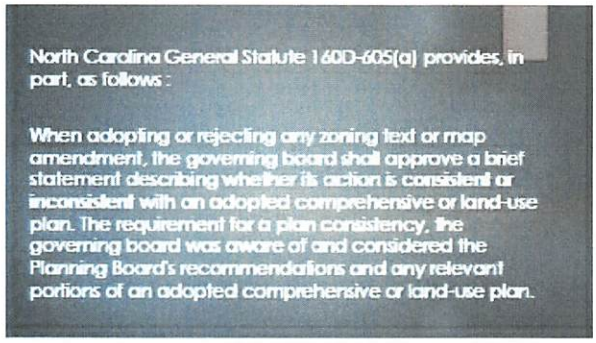
Review

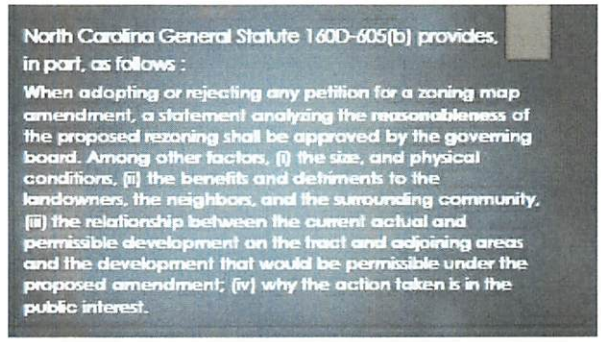
1. The Valdese Planning Board recommends a zoning map amendment during the August 2024 meeting to rezone forty-four parcels with zoning designations of O-I Office Institutional District and R-12A Residential District to B-1 Central Business District.

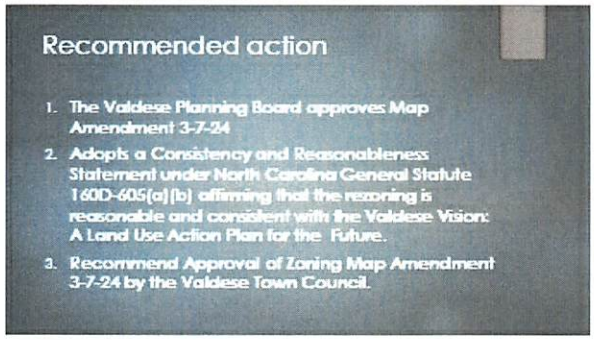
2. The forty-four parcels are primarily single-family homes, with approximately 9 parcels comprised of business-office type (insurance, administrative), governmental (town hall, post office, library), community center, church, and museum, all of which are allowed in the B-1 Central Business District

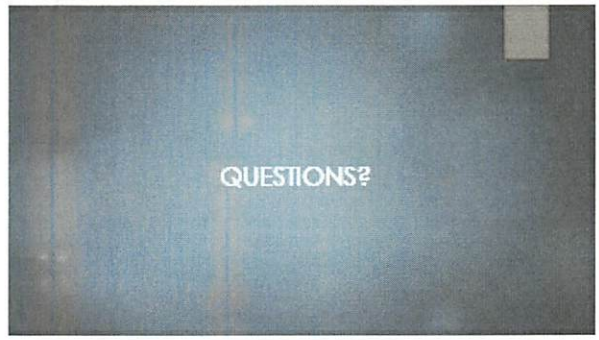


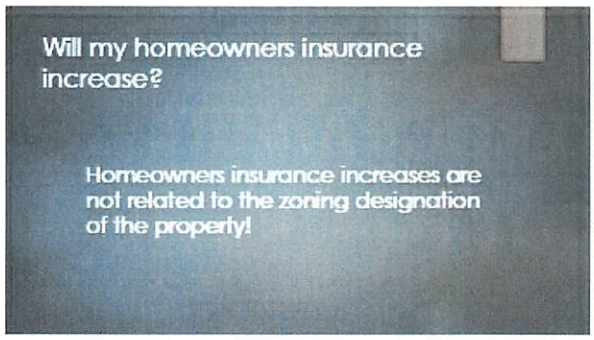


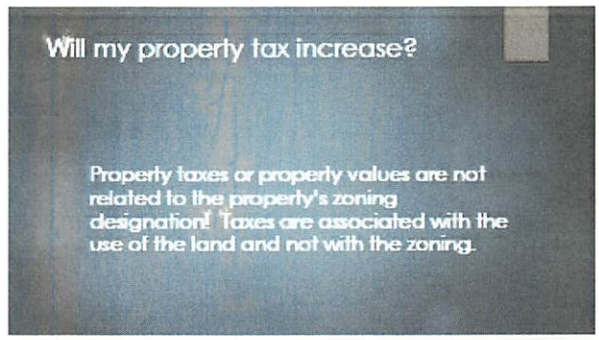












Requested Action: Rezone forty-four parcels from the current designations of O-I Office Institutional District and R-12A Residential District to B-1 Central Business District

BACKGROUND: The Town of Valdese adopted the Valdese Vision: A Land Use Action Plan in January 2014. This development plan was created to establish a vision for the Town's future, help ensure that planning is done in a manner that best serves the public interest, be an adopted policy document that can help guide appointed and elected officials in matters related to the Town's physical

growth and development and help constitute the legal basis for the Town's land use decision-making process.

The action matrix of the Valdese Vision identifies action/policy, types of action, responsibility, resource allocation, time, and prioritization. The Downtown/Commercial Development section of the Valdese Vision Land Use Plan prioritizes rezoning properties in the downtown area to promote the expansion of the Central Business District.

Property Location: Forty-four Parcels between Janavel Avenue South, Praley Street Southwest, and Laurel Street Southeast, north of railroad tracks.

CRITERIA TO CONSIDER:

a. Surrounding land uses: The uses to the north are parking, residential, sales, services, church, and business office-type. The use to the South is railroad right of way. To the West, the use is manufacturing. The uses to the East are dental, residential, club/lodge, residential, and recreational.

b. Existing land uses: The primary uses of the properties are currently residential with business-office type (insurance), governmental (town hall, post office, library), community center, church, and museum,

The proposed map amendment would not be detrimental to the owners, adjacent neighbors, and surrounding community as it meets a number of goals identified in the Plan. All existing land uses are allowed in the B-1 Central Business District.

c. Traffic: No traffic study was conducted. *No traffic volume increase is anticipated from rezoning the forty-four parcels to O-I Office Institutional and R-12A Residential to B-1 Central Business District.*

d. Public Services: Public services include public water, sewers, police, and fire protection. *The proposed amendment (zoning map) will not cause public services to fall below acceptable levels. Public services are in place to serve the parcels. These include public water, sewer infrastructure, and police and fire protection.*

e. Consistency with the Valdese Vision: A Land Use Action Plan for the Future: *The area is classified as commercial by the land use plan adopted by the Valdese Town Council. Therefore, this rezoning petition is consistent with The Valdese Vision: Land Use Action Plan.*

f. "Spot" Zoning: The total acreage of the forty-four Properties (approximately 31.2 acres) is sufficient not to be construed as "spot" zoning

After reviewing the criteria, the Valdese Planning Board found Rezoning Petition 3-7-24 *reasonable and consistent* with the Valdese Vision: A Land Use Action Plan for the Future. In so finding, the Board provides the following recommendation:

1. The Valdese Town Council approves Map Amendment 3-7-24
2. Adopts a Consistency and Reasonableness Statement under North Carolina General Statute 160D-605(a)(b) affirming that the rezoning is reasonable and consistent with the Valdese Vision: A Land Use Action Plan for the Future.

Please note that any decision regarding an amendment shall be per North Carolina General Statute 160D-605, (a) and (b).

In part, the North Carolina General Statute 160D (a) states, "When adopting or rejecting any zoning text or map amendment, the governing board shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive or land-use plan... the governing board was

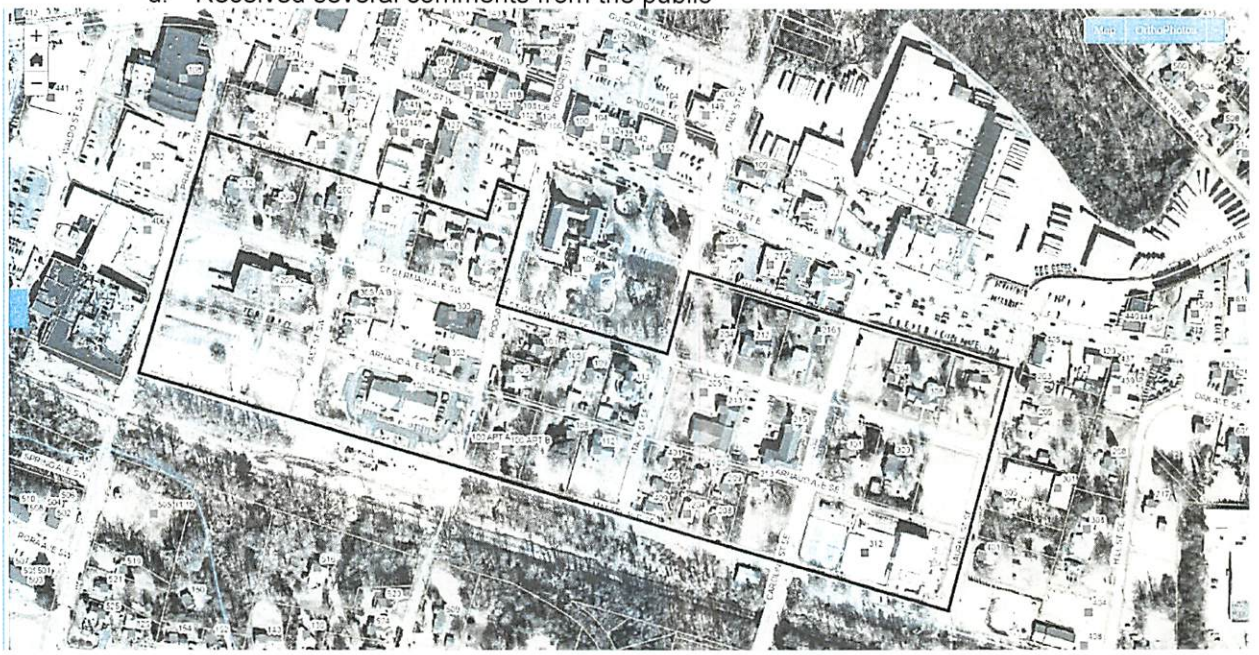
aware of and considered the Planning Board's recommendations and any relevant portions of an adopted comprehensive or land-use plan."

160D (b) in part states, "When adopting or rejecting any petition for a zoning map amendment, a statement analyzing the reasonableness of the proposed rezoning shall be approved by the governing board. This statement of reasonableness may consider, among other factors, (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community…the development would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment.

PUBLIC NOTICE

The following steps were taken in advance of the public hearing on Rezoning Petition 2-6-24:

a. adjoining property owners will receive first-class mail notifications.
b. The Town Clerk advertised the public hearing in the local paper.
c. Staff placed Rezoning Public Hearing signs where appropriate in the rezoning area.
d. Received several comments from the public



VALDESE TOWN COUNCIL ZONING MAP AMENDMENT
CONSISTENCY AND REASONABLENESS STATEMENT

On September 9, 2024, the Valdese Town Council met to consider Rezoning Petition 3-7-24, which was unanimously approved and recommended by the Valdese Planning Board. After considering the Plan (defined below), ordinances, maps, recommendations, and other materials presented, the Valdese Town Council makes the following findings and conclusions:

1. In 2014, the Town of Valdese adopted a comprehensive land use plan entitled "The Valdese Vision: A Land Use Action Plan for the Future" (hereinafter the "Plan").

2. The Town of Valdese submitted a Rezoning Petition recommended by the Town of Valdese Planning Board requesting to rezone the following forty-four properties from O-I Office Institutional District and R-12 Residential District to B-1 Central Business District and further identified by parcel ID numbers: (the 2743047663, 2743047555, 2743046597, 2743045720, 2743047309, 2743045473, 2743044447, 2743045213, 2743042533, 2743040549, 2743043726, 2743042709, 2743040873, 2733954061, 2733953150, 2733953056, 2733950133, 2733859117, 2733857270, 2733848934, 2733941869, 2733941831, 2733942749, 2733943732, 2733943873, 2733847746, 2733849730, 2733942612, 2733945797, 2733945668, 2733946770, 2733947648, 2733948635,

2733945523, 2733946449, 2733947475, 2733949456, 2733949430, 2733949324, 2743040313, 2743040431, 2743041410, 2743040381, 2743042302 "Properties")

3. The Plan seeks to encourage commercial development and recruit and establish more basic and family-oriented businesses to attract more residents and shoppers to downtown.

4. The primary uses of the Properties are currently residential with business-office type (insurance), governmental (town hall, post office, library), community center, church, and museum, all of which are allowed in the B-1 Central Business District.

5. North Carolina General Statute 160D-605(a) provides, in pertinent part, as follows:

When adopting or rejecting any zoning text or map amendment, the governing board shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive or land-use plan. The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the governing board that at the time of action on the amendment, the governing board was aware of and considered the Planning Board's recommendations and any relevant portions of an adopted comprehensive or land-use plan. If a zoning map amendment is adopted and the action was deemed inconsistent with the adopted plan, the zoning amendment has the effect of also amending any future land-use map in the approved plan, and no additional request or application for a plan amendment is required. A plan amendment and a zoning amendment may be considered concurrently.

6. The request for amendment was duly considered at a meeting of the Town of Valdese Planning Board. The Planning Board found the request to amend the Town's Zoning Map around the Properties from their designated zoning of O-I Office Institution and R-12A Residential to B-1 Central Business District *consistent* with the Plan.

7. The Planning Board, at their August 19, 2024 meeting, voted unanimously to recommend that the Town Council amend the Town's Zoning Map regarding the Properties from O-I Office Institutional District and R-12A Residential District to B-1 Central Business District.

8. The Valdese Town Council hereby finds Rezoning Petition 3-7-24 regarding rezoning the Properties from O-I Office Institutional District and R-12A Residential District to B-1 Central Business District to be *consistent* with the Plan.

9. North Carolina General Statute 160D-605(b) provides, in pertinent part, as follows:

When adopting or rejecting any petition for a zoning map amendment, a statement analyzing the reasonableness of the proposed rezoning shall be approved by the governing board. This statement of reasonableness may consider, among other factors, (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment.

10. The Town Council finds that the zoning amendment is reasonable and in the public interest based on the following:

    a. The total acreage of the Properties is sufficient not to be construed as "spot" zoning.

    b. The Plan seeks to encourage commercial development and recruit and establish more basic and family oriented businesses to attract more residents and shoppers to downtown.

    c. The purpose of the B-1 Central Business District is to accommodate and encourage further expansion and renewal in the historic/business core of the Town of Valdese. A variety of business, retail, professional, financial, cultural, and other related services are encouraged to provide the mix of activities necessary to shoppers.

d. The surrounding zoning designations are M-1 Manufacturing, B-1 Central Business, and O-I Office Institutional. The uses to the north are retail, sales, services, church, parking, and business office-type. The use to the South is railroad right of way. To the West, the use is manufacturing. The uses to the East are dental, residential, club/lodge, residential, and recreational. The proposed map amendment would not be detrimental to the owners, adjacent neighbors, and surrounding community as it meets a number of goals identified in the Plan.

e. To the extent the proposed zoning may detrimentally affect properties in the general vicinity of the Properties, both the former zoning designation and proposed zoning designation permit the existing zoning uses.

f. The extent to which the proposed amendment (zoning map) will cause public services to fall below acceptable levels, public services are in place and serve the parcels. These include public water, sewer infrastructure, and police and fire protection.

Based upon the recommendation of the Valdese Planning Board and the findings from the public hearing, the Valdese Town Council, having found Rezoning Petition 3-7-24 in regards to rezoning the Properties from their currently designated zoning to B-1 Central Business District to be *consistent* with the Plan and approves Rezoning Petition 3-7-24 and the recommendation from the Valdese Planning Board to amend the Town's Zoning Map regarding the Properties from O-I Office Institutional District and R-12A Residential District to B-1 Central Business District.

Based on those above and the findings from the public hearing, the Valdese Town Council further finds Rezoning Petition 3-7-24 reasonable and approves Rezoning Petition 3-7-24.

Read, approved and adopted this _____ day of _____, 2024.

THE TOWN OF VALDESE,

/s/ Charles Watts, Mayor

ATTEST:

/s/ Town Clerk

John Bridgers, Burke County's tax administrator, assured the Council that Burke County could not tax you based on the zoning, so it would not affect tax values.

Councilwoman Lowman asked if the adoption of this plan changed anything about a home in this area. Mr. Johnson said no; it just determines the use of the property.

Councilman Mears asked if Mr. Johnson had received any questions from the public. Mr. Johnson said that over 70 letters were sent out, six calls/emails were received, and all the questions were answered. Councilman Mears shared that he owns a rental home and a business in this district and does not have any concerns with this.

Mayor Watts asked if anyone wished to speak either for or against the public hearing.

TONYA STEVENS, 101 ST. GERMAIN AVE, VALDESE: Ms. Stevens does not feel we were given adequate time to respond to this and is concerned about the other changes that will occur in a few months.

Mr. Johnson said that changes that would occur would be reducing the list of permitted uses in B1. Mr. Johnson said we followed the General Statutes requirement for the Public Hearing.

RICK MCCLURD, 408 GARROU AVE SE, VALDESE: Mr. McClurd said he served on the Burke County Planning Board, and this seems straightforward. Mr. McClurd noted that Valdese does have a Board of Adjustments where you can ask for adjustments on your property if needed, and they work in your favor.

Mayor Watts closed the public hearing at 6:53 pm.

Councilman Mears made a motion to approve the Zoning Map Amendment 3-7-24 and adopt the Consistency and Reasonableness Statement under NCGS 160D-605(a)(b) affirming that the rezoning is

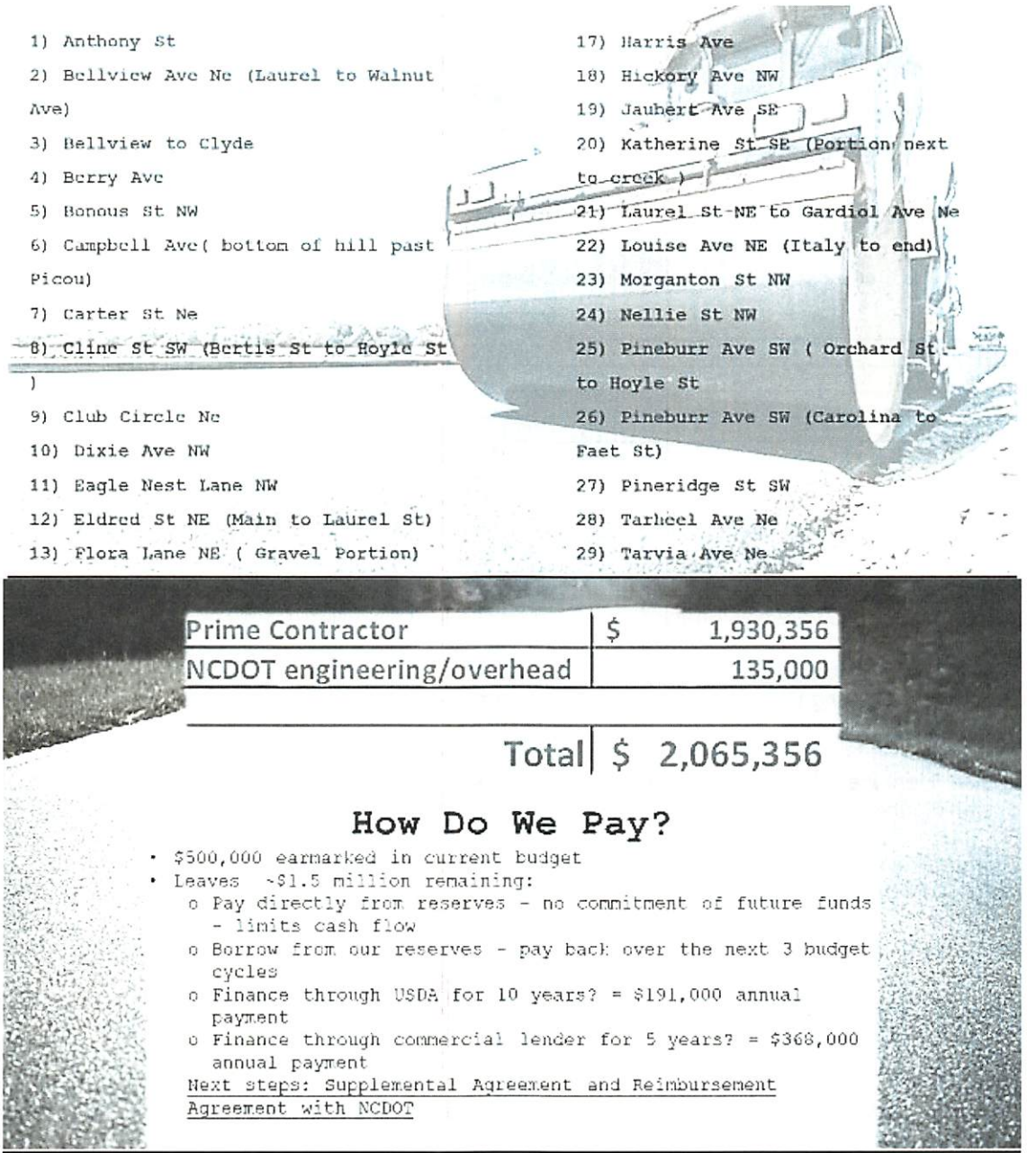
reasonable and consistent with the Valdese Vision: A Land Use Action Plan for the Future, seconded by Councilwoman Lowman.

Councilman Mears noted that Larry Johnson is working hard to update the UDO plan to improve the downtown area, and anyone is welcome to attend a Planning Board meeting.

The vote was unanimous.

FIRE DEPARTMENT BUILDING REVIEW Interim Town Manager Bo Weichel said that in lieu of reviewing this item tonight, Council is going to hold a workshop that he will announce during the Manager's report.

STREET RESURFACING Interim Town Manager Bo Weichel said that DOT has given us a cost to pave in the amount of $2,065,356, and they are working on agreements now and hope they will be ready by the October meeting. Mr. Weichel noted that the contractor will have through 2026 to complete the project, and it would not happen all at one time. Councilwoman Lowman would like homeowners to get a notice when they will begin paving, if possible. The council discussed financing options.



BUDGET AMENDMENT – FIRE DEPARTMENT RELOCATION Interim Town Manager Bo Weichel presented the following budget amendment for the relocation costs of the Fire Department:

Valdese Town Council Meeting — Monday, September 9, 2024

Budget Amendment # 3-10

Subject. Fire Department relocation costs

Description. Costs associated with moving Fire personnel out of the offices in a mobile jobsite trailer that is stationed on site with their equipment. Costs include trailer delivery, rental through June 2025, electrical hookup to code, and IT cabling / network setup.

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, 2025.

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.		23,942
	Total	$0	$23,942

Amounts appropriated for expenditure are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
10.5300.450	Contracted Services	23,942	
	Total	$23,942	$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 Lowman made a motion to approve the budget amendment as presented, seconded by Councilman Ogle. The vote was unanimous.

INTERIM MANAGER'S REPORT:

Fire Department Building Workshop, Thursday, September 19, 2024, 2:00 p.m. – 5:00 p.m., Valdese Town Hall

Waldensian Heritage Museum 50th Birthday Celebration, Saturday, September 21, 2024, 3:00 p.m., Waldensian Heritage Museum

Next Agenda Review Council meeting is scheduled for Monday, September 30, 2024, 6:00 p.m., Council Chambers, Valdese Town Hall

Old Rock School Rededication Celebration – Saturday, October 5, 2024, 6:00 p.m., ORS Auditorium

Next Regular Council meeting scheduled for Monday, October 7, 2024, 6:00 p.m., Council Chambers, Valdese Town Hall

MAYOR AND COUNCIL COMMENTS:

Councilwoman Lowman was excited to hear that we made the Old Rock School fundraising goal for the auditorium seating.

Councilman Mears thinks it is wonderful that local pastors and ministers cover the invocation before our meetings.

Mayor Watts announced that the Draughn High School Homecoming Parade would be held on September 24, 2024. If any members of the Council would like to ride in that, they need to meet at the Fire Department at 5:45 p.m.

Mayor Watts recommended moving the November 25, 2024, pre-agenda meeting to November 18, 2024, due to the Thanksgiving holiday and people being on vacation.

Councilman Harvey made a motion to change the Pre-agenda date to November 18, 2024, seconded by Councilwoman Lowman. The vote was unanimous.

ADJOURNMENT: At 7:16 p.m., there being no further business to come before Council, Councilman Mears made a motion to adjourn, seconded by Councilwoman Ward. The vote was unanimous.

Jessica Laird
Town Clerk

Charles Watts
Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL FIRE DEPARTMENT BUILDING WORKSHOP
SEPTEMBER 19, 2024

The Town of Valdese Town Council met on Thursday, September 19, 2024, at 2:00 p.m., in the Community Room at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilman Glenn Harvey, and Councilman Paul Mears. Also present were: Interim Town Manager Bo Weichel, Town Clerk Jessica Lail, Fire Chief Truman Walton, Police Chief Marc Sharpe, Bob Smith and Heath Roberts with Talley & Smith Architecture.

Absent: None

A quorum was present.

Mayor Watts called the meeting to order at 2:00 p.m. at the proposed Fire Department site located at 200 Massel Ave SE, Valdese.

SITE WALK-THROUGH OF THE PROPOSED FIRE DEPARTMENT LOCATION During a site visit to the proposed location for the proposed new Fire Department, Council members reviewed potential orientations for the building. Bob Smith, Architect with Talley & Smith Architecture, presented two layout options. In Layout A, fire trucks would need to back into the station, though Mr. Smith noted that, space permitting, he could adjust the design to allow for a pull-through option. Layout B offered a more feasible solution for a drive-through design. Councilwoman Lowman inquired about the possibility of preserving the trees on the property. Mr. Smith explained that this would depend on the final placement of the building, as the root systems could be compromised, making it likely that some trees would need to be removed.

(The council members reconvened the meeting at the Valdese Town Hall, in the Community Room, located at 102 Massel Ave SW.)

Councilman Harvey made a motion to add the Police Department Building to the agenda, seconded by Councilwoman Lowman. The vote was unanimous.

POLICE DEPARTMENT BUILDING Mr. Smith presented the building program for the Police Department (PD), covering the square footage and estimated costs. He noted that the only missing feature, which would need to be added, is a Sally Port. The mid-range cost estimate is $325 per square foot, totaling $2,368,000. Mr. Smith also reviewed the drawings for the proposed PD. Council members and Police Chief Marc Sharpe discussed the pros and cons of a single-car versus a double-car Sally Port. Additionally, Mr. Smith pointed out that he had incorporated a breakroom, requiring new construction, into the schematic design. Chief Sharpe shared that Mr. Mitchell, previous owner of the building, left all of the furniture so they should not have to purchase much.

VALDESE POLICE DEPARTMENT

Building Program: Square Feet and Estimated Cost

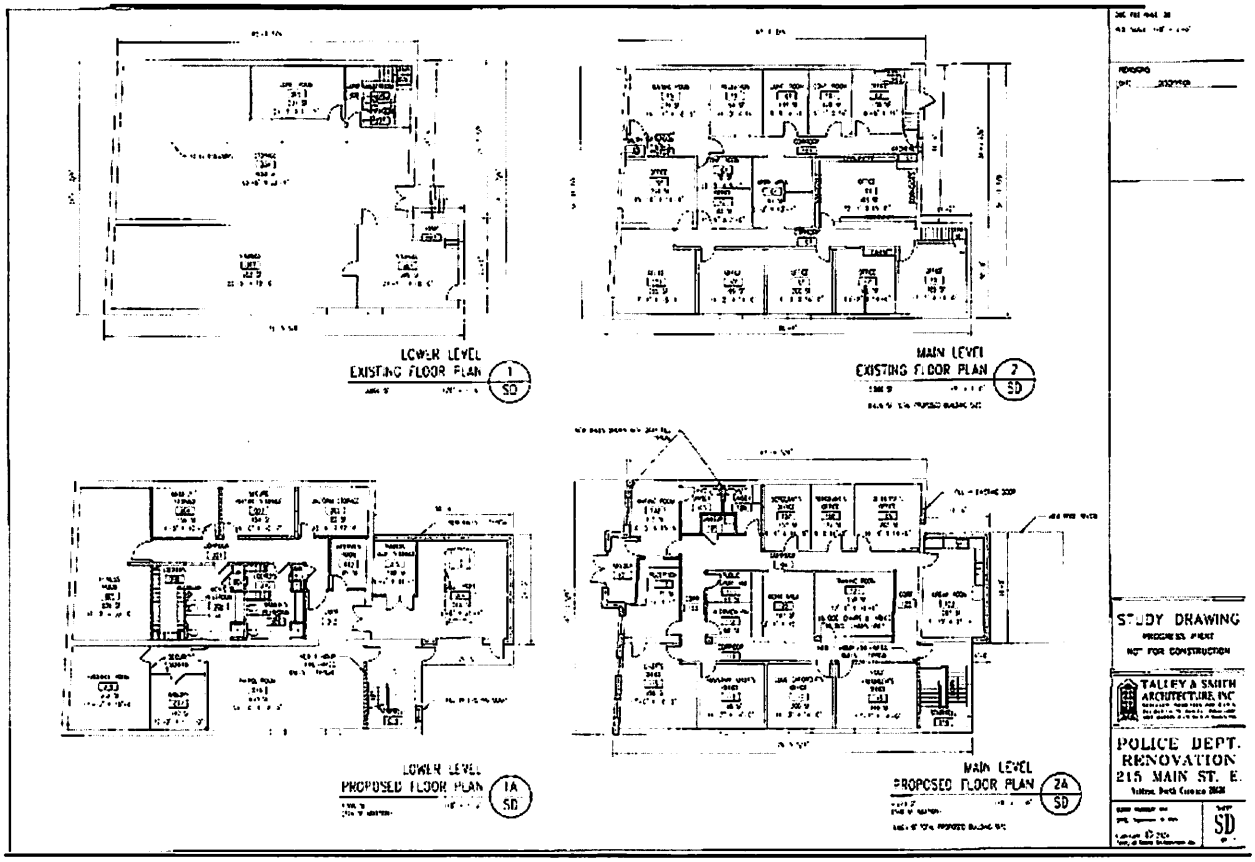
Thursday, September 19, 2024

BUILDING AREAS	Sq.Ft.
Entrance Lobby	200
Public Unisex Restroom	68
Police Chief's Office, with area for table and 4 chairs	320
Assistant Chief's Office	224
Task Force Office	100
Administrative Assistant/Records Manager	168
Receptionist	144
Work Room with Office Supplies Storage	120
Records Storage/Archive - suitable for a movable file storage system	300
Secure Records Room	50
Detective's Office	100
Secure Interview Room	80
Patrol Sergeants' Offices (4 at 100 each)	400
Patrol Room (open office for 6 officers)	266
Patrol Storage	50
Evidence Room	500
Found Property (NIC Bicycles)	100
Storage - Armory	150
Storage - Quartermaster	100
Storage - Programs	40
Conference/Training Room (for 20 people)	400
Training Equipment Storage	40
Table/Chair Storage	40
Exercise/Fitness Room	400
Male Toilet Room (2 fixtures, 1 shower)	170
Male Locker Room (20 lockers)	260
Female Toilet Room (1 fixture, 1 shower)	100
Female Locker Room (6 lockers)	100
Breakroom	170
Janitors Closet	100
IT Server/Telephone Room	120
Mechanical Room	144
Electrical Room	80
SUBTOTAL	5,604
Corridors/Mechanical Rooms/Wall Thicknesses (30%)	1,681
TOTAL GROSS BUILDING AREA SQUARE FEET	**7,285**

VALDESE POLICE DEPARTMENT COST ESTIMATE

ESTIMATED PROJECT AND CONSTRUCTION COSTS	
Low Range at $300/sf	$ 2,186,000
Mid Range at $325/sf	**$ 2,368,000**
High Range at $350/sf	$ 2,550,000

9/19/2024



FIRE DEPARTMENT BUILDING REVIEW OF SCHEMATIC DESIGN Mr. Smith presented the building program for the Fire Department (FD), explaining that the number of bedrooms had been reduced from four to two based on feedback from Council members after visiting other fire departments. Councilwoman Lowman questioned why this change was made before the workshop without input from the entire Council. Mayor Watts said that two bedrooms and three bays would not work. Council discussed the amount of bays and fleet that the FD has and what we need. Mayor Watts mentioned that he is looking into relocating the antique fire truck to the museum. Councilman Mears feels it would be great to put it in the museum and get it off our hands. The mid-range cost estimate for the building alone is $325 per square foot, totaling $4,252,690, while the total project cost is estimated at $409 per square foot, amounting to $6,066,306. Mr. Smith also shared cost comparisons from various fire station projects. Councilman Ogle inquired whether it would be possible to replicate the Waco fire station in Valdese. Councilwoman Lowman suggested exploring the option of a Design-Build approach, similar to Waco's project, and suggested talking to the contractor, Keith Gabriel. Mr. Weichel then outlined the process for transitioning to a Design-Build model.

BUILDING PROGRAM FOR VALDESE FIRE DEPARTMENT REVISED for 09/19/2024 MEETING

Tuesday, September 17, 2024

PROGRAM OF SPACES

	Areas	Description	Quantity	L. x W	Square feet
1	Entry Foyer			8 x 8	64
2	Training Room	(50 People)		25 x 30	750
3	Unisex Public Restrooms	(2 Restrooms)	2	8 x 8	128
4	Duty Office/Report Room			12 x 12	144
5	Chief's Office			12 x 12	144
6	Assistant Chief's Office			10 x 12	120
7	Captian's Office			10 x 12	120
8	Office/Conference Room	(8 to 10 People)		18 x 12	216
9	Uniform Storage			5 x 8	40
10	File Archive	(at least 2 file cabinets)		5 x 8	40
11	I.T. Room			6 x 8	48
12	Storage Room			5 x 8	40
13	Men's Bathroom/Locker Room	(1 ur, 2 toils, 2 shwrs, 16 lockers)		20 x 20	400
14	Women's Bathroom/Locker Room	(2 toils, 1 shwr, 15 lckrs)		20 x 15	300
15	Residential Laundry			8 x 8	64
16	Fitness Room			25 x 20	500
17	Residential Kitchen	(w/ 10 Person Table)		10 x 20	200
18	Day Room			24 x 24	576
19	Pantry			4 x 6	24
20	Bedrooms	(2 Bedrooms, 2 people each)	2	14 x 14	392
21	Apparatus Room	(3 bays)		68 x 80	5,440
22	Gear Laundry*			12 x 12	144
23	Decon Bathroom*			12 x 8	96
24	Hose Storage*			12 x 12	144
25	Turn-Out Gear Locker Room*	(30 Gear Lockers)		12 x 20	240
26	Workshop*	SCBA comp, air comp, ice mach		12 x 16	192
27	Transitory Space	(Corridors & Mech.)		LS	2,113
M1	Storage Room (Note 1)	(mezzanine in Apparatus Rm)		72 x 12	-
TOTAL ESTIMATED BUILDING SQUARE FOOTAGE					**12,679**
28	Display Rm for Antique Fire Truck Truck is 7' wide X 22' long add 3' buffer area around truck			14 x 29	406
TOTAL ESTIMATED BUILDING SQUARE FOOTAGE					**13,085**

Note 1: Item M1 Storage mezzanine area over Gear Laundry, Gear Storage, Hose Storage, Decon & Workshop.

COST ESTIMATE
VALDESE FIRE DEPARTMENT
09/19/2024 MEETING

BUDGET PLANNING COST ESTIMATE

SQUARE FEET of BUILDING AREA			13,085 sf
$300 per sq.ft. =	$	3,925,560	low end of range
$325 per sq.ft. =	**$**	**4,252,690**	**Estimated Cost**
$350 per sq.ft. =	$	4,579,820	high end of range

Total Estimated Project Cost

Building Cost	$	4,252,690	[1]	
Sitework/Parking/Drives	$	1,100,000	[2]	$409psf
Civil Engineer & Surveyor	$	26,000	[3]	
Soil & Materials Testing	$	20,000	[4]	
Architectural Design Fee (7%)	$	374,688	[5]	
Architectural C.A. (1.2%)	$	78,820	[6]	
Const. Contingency (4%)	$	214,108	[7]	
ESTIMATED PROJECT COST	**$**	**6,066,306**		
Furnishings (4%)	$	170,108		

[1] Estimated construction cost for new construction.
[2] Estimated cost based on recently completed projects and current market conditions.
[3] Estimated cost for civil engineering (not including topographical survey).
[4] Estimated geotechnical investigation and special inspections testing.
[5] Architectural Design fee is a % of construction costs (building and site).
[6] Architectural Construction Administration estimated cost during construction. Applied as a monthly fee; final amount depends on length of construction peroid.
[7] Construction Contingency is included as a budgeting line item to cover minor unexpected construction expenses or small project changes during construction.

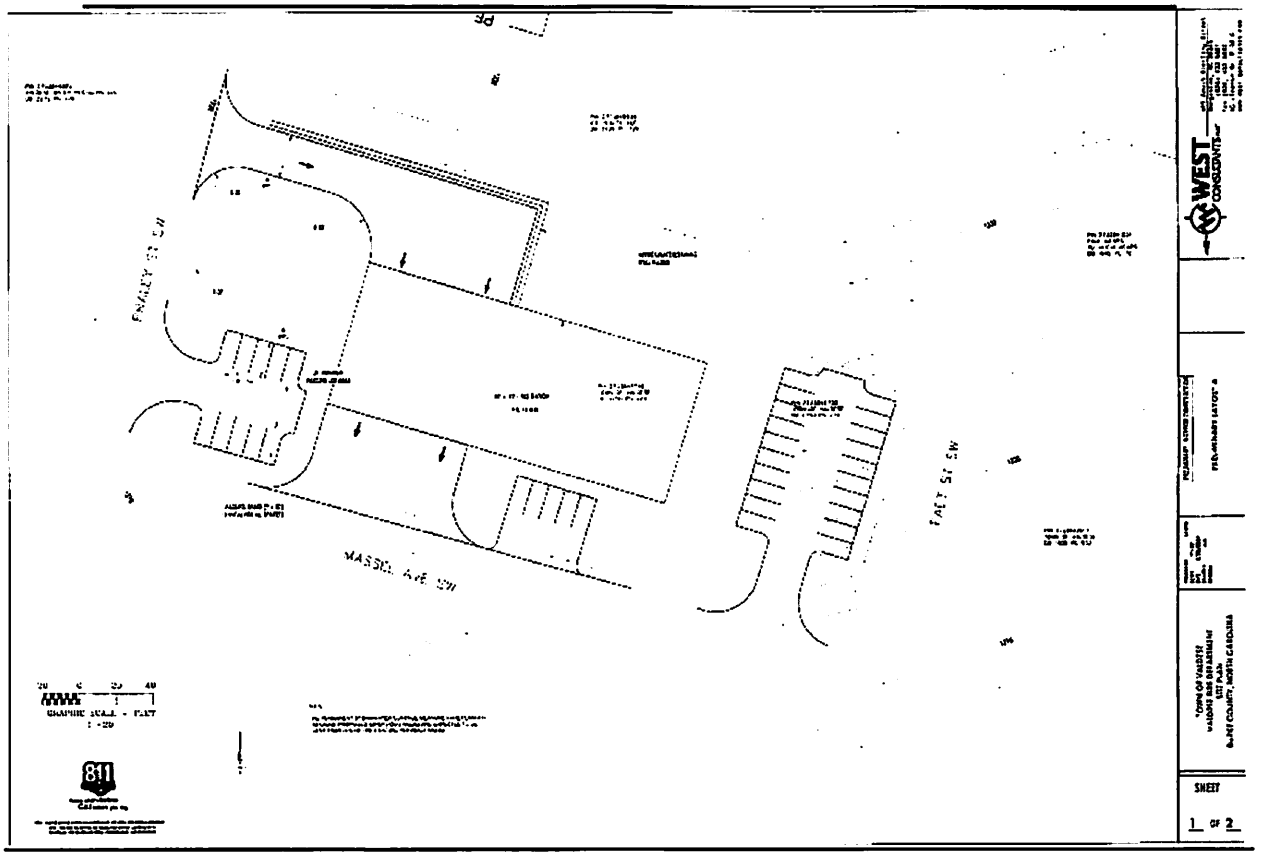
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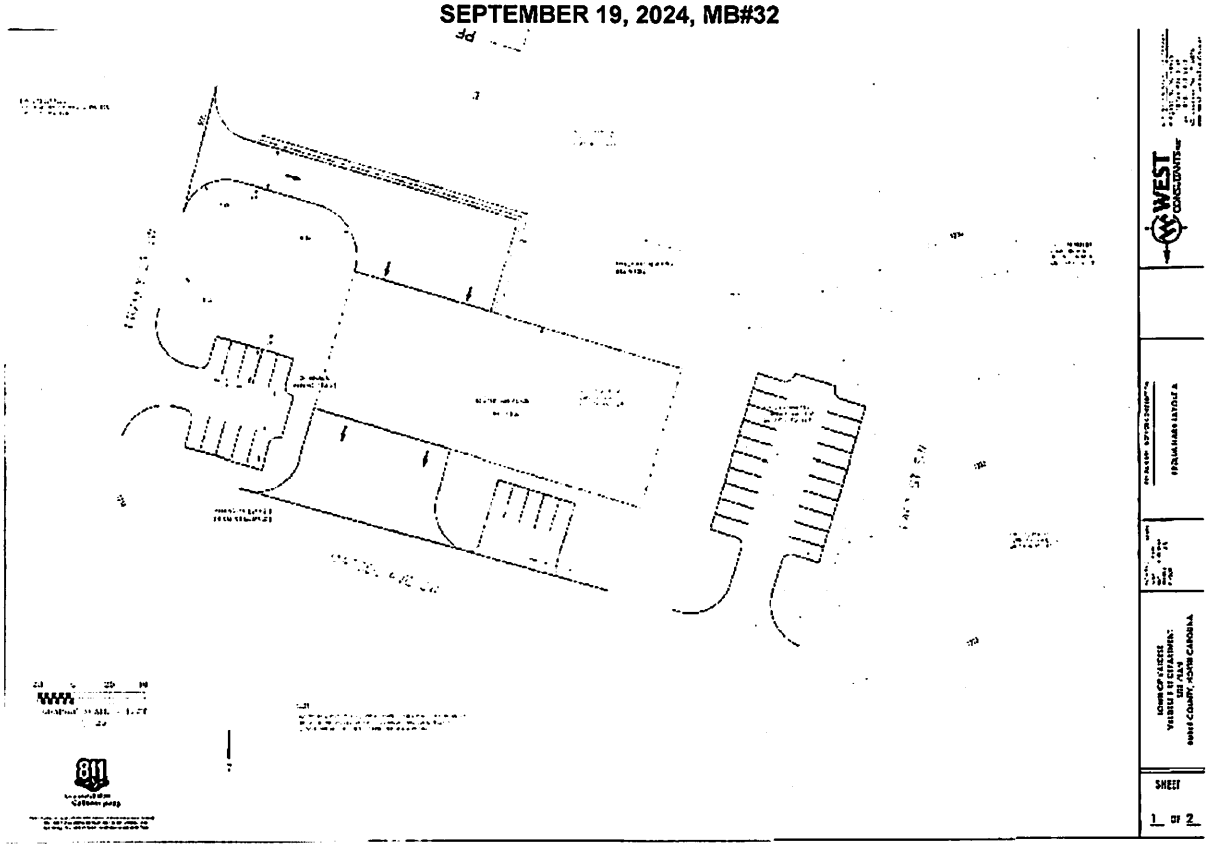
CONSTRUCTION COSTS
VARIOUS FIRE STATION PROJECTS
9/19/2024

Elk Park VFD	8,921sf	$	3,737,439	$	419 per/sf	bid
BS Fire & Rescue	11,140sf	$	5,569,000	$	499 per/sf	bid
BS Fire & Res. VE	11,316sf	$	4,708,000	$	416 per/sf	value engineered
Shanghai VFD	13,914sf	$	4,530,826	$	325 per/sf	estimate

Project information on similar projects. Main difference from proposed Valdese Fire Department.

1. Elk Park, 3 new bays, 3 existing bays, new station areas, admin, sleeping, training. Has stone veneer.
2. Boiling Springs Fire & Rescue (as bid), existing 4 truck bays, new station, admin, sleeping, training, two story with brick veneer.
3. Boiling Springs Fire & Rescue after value engineering. Deleted all work to existing building, cheaper finishes, modified some structural elements and site work.
4. Shanghai is very similar to proposed Valdese Fire Station. 3 existing truck bays, 3 new truck bays, new station areas, admin, sleeping, training.





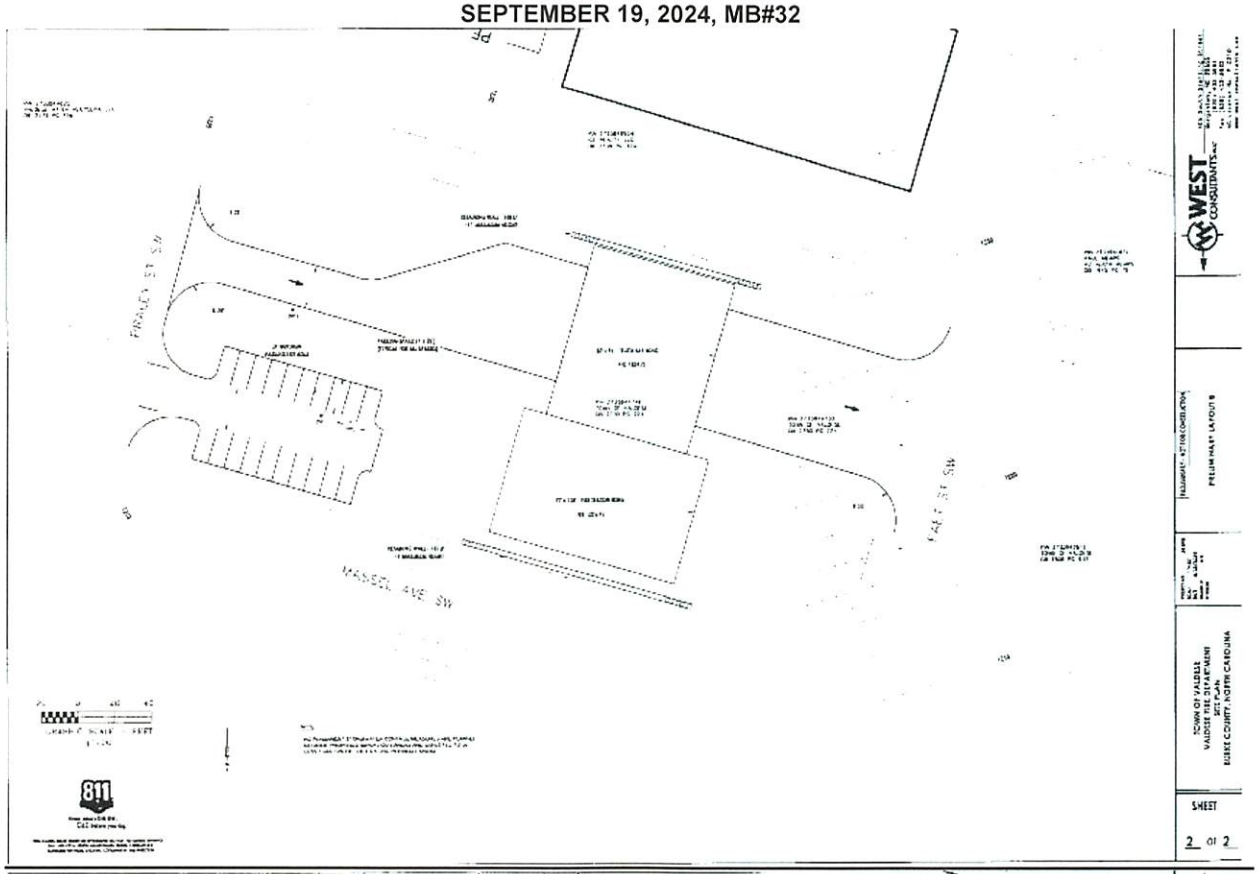
ESTIMATED SITE WORK COSTS

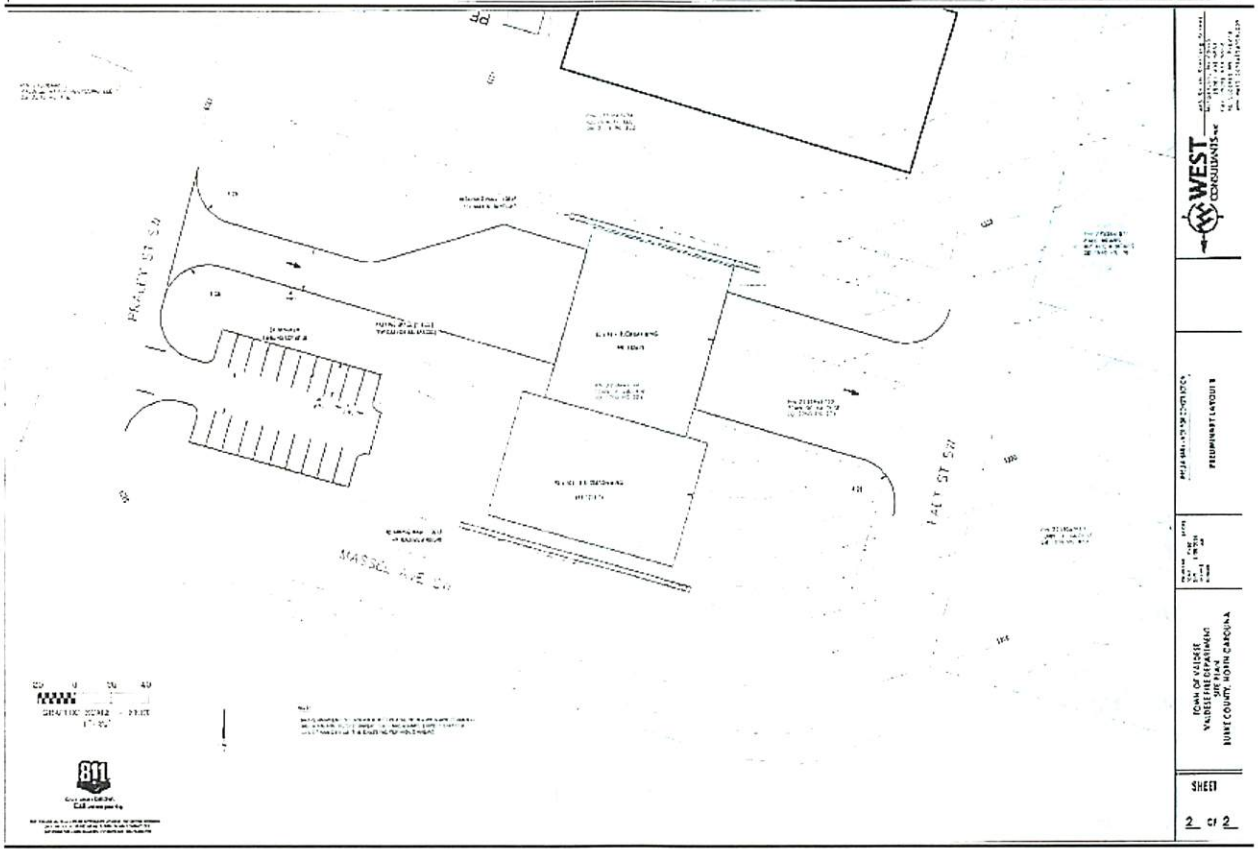
Town of Valdese -Valdese Fire Department

Layout A

Preliminary Cost Opinion - September 3, 2024

	Item	Quantity	Unit	Unit Price	Total Cost
1.	Demolish Existing Asphalt	4100	SY	$10	$41,000
2.	On-Site Grading	1000	CY	$20	$20,000
3.	Haul-Off Grading	6000	CY	$30	$180,000
4.	ABC Stone (6" for cars, 8" for trucks)	1500	TN	$50	$75,000
5.	Asphalt Paving (2" for cars, 3" for trucks)	400	TN	$250	$100,000
6.	Asphalt Striping	1	LS	$2,000	$2,000
7.	Retaining Wall	3000	SF	$65	$195,000
8.	Street Repairs	1	LS	$10,000	$10,000
9.	Mass Rock Excavation	500	CY	$100	$50,000
10.	2" Domestic Waterline	50	LF	$50	$2,500
11.	2" Domestic Tap	1	LS	$6,500	$6,500
12.	6" Fire Protection Waterline	50	LF	$75	$3,750
13.	6" Fire Protection Tap	1	LS	$10,000	$10,000
14.	6" RPZ	1	LS	$10,000	$10,000
15.	4" Gravity Sewer	50	LF	$70	$3,500
16.	4" Gravity Sewer Tap	1	LS	$2,000	$2,000
17.	Fire Hydrant Assembly	1	EA	$10,000	$10,000
18.	Concrete Sidewalk	167	SY	$100	$16,700
19.	Concrete Curb and Gutter	1430	LF	$35	$50,050
20.	Catch Basin	6	EA	$3,000	$18,000
21.	12" to 18" Storm Drainage Pipe	300	LF	$50	$15,000
22.	Storm Drainage Connection @ Massel Ave	1	LS	$5,000	$5,000
23	Landscaping	1	LS	$25,000	$25,000
24.	Seeding and Erosion Control	1	LS	$50,000	$50,000
25	Bonds and Mobilization (max 3%)	1	LS	$27,030	$27,030
				Sub-Total	$928,030
				Engineering (10%)	$92,803
				Contingency	$92,803
				Construction Administration (Hourly but estimated at 5%)	$46,402
				Total	$1,160,038


PEAVY ST SW
MASSEL AVE SW
KAY ST SW
WEST CONSULTANTS
PRELIMINARY LAYOUT
TOWN OF VALDESE
VALDESE FIRE DEPARTMENT
SITE PLAN
BURKE COUNTY, NORTH CAROLINA
SHEET
2 OF 2


PEAVY ST SW
MASSEL AVE SW
KAY ST SW
WEST CONSULTANTS
PRELIMINARY LAYOUT
TOWN OF VALDESE
VALDESE FIRE DEPARTMENT
SITE PLAN
BURKE COUNTY, NORTH CAROLINA
SHEET
2 OF 2

ESTIMATED SITE WORK COSTS

Town of Valdese -Valdese Fire Department

Layout B

Preliminary Cost Opinion - September 3, 2024

	Item	Quantity	Unit	Unit Price	Total Cost
1.	Demolish Existing Asphalt	4100	SY	$10	$41,000
2.	On-Site Grading	4000	CY	$20	$80,000
3.	Haul Off Grading	1500	CY	$30	$45,000
4.	ABC Stone (6" for cars, 8" for trucks)	1500	TN	$50	$75,000
5.	Asphalt Paving (2" for cars, 3" for trucks)	400	TN	$250	$100,000
6.	Asphalt Striping	1	LS	$2,000	$2,000
7.	Retaining Wall	2100	SF	$65	$136,500
8.	Street Repairs	1	LS	$10,000	$10,000
9.	Mass Rock Excavation	500	CY	$100	$50,000
10.	2" Domestic Waterline	50	LF	$50	$2,500
11.	2" Domestic Tap	1	LS	$6,500	$6,500
12.	6" Fire Protection Waterline	50	LF	$75	$3,750
13.	6" Fire Protection Tap	1	LS	$10,000	$10,000
14.	6" RPZ	1	LS	$10,000	$10,000
15.	4" Gravity Sewer	50	LF	$70	$3,500
16.	4" Gravity Sewer Tap	1	LS	$2,000	$2,000
17.	Fire Hydrant Assembly	1	EA	$10,000	$10,000
18.	Concrete Sidewalk	167	SY	$100	$16,700
19.	Concrete Curb and Gutter	1430	LF	$35	$50,050
20.	Catch Basin	6	EA	$3,000	$18,000
21.	12" to 18" Storm Drainage Pipe	300	LF	$50	$15,000
22.	Storm Drainage Connection @ Mussel Ave	1	LS	$5,000	$5,000
23.	Landscaping	1	LS	$25,000	$25,000
24.	Seeding and Erosion Control	1	LS	$50,000	$50,000
25.	Bonds and Mobilization (max. 3%)	1	LS	$23,025	$23,025
				Sub-Total	$767,500
				Engineering (10%)	$76,750
				Contingency	$76,750
				Construction Administration (Hourly but estimated at 5%)	$38,375
				Total	$959,375

COUNCIL DISCUSSION Councilman Harvey does not feel comfortable with the costs of both buildings. Mr. Weichel asked whether the Council wanted to move forward with the Police Department building and explore a Design-Build approach for the Fire Department. Councilman Mears expressed his support for proceeding with the Police Department project. Councilwoman Lowman inquired about the total amount of funds set aside for the Public Safety Building. Mr. Weichel will verify the exact amount but estimates it to be around $500,000. Councilman Harvey informed the group that he had been in contact with Representative Hugh Blackwell regarding potential state funding, but noted that they would not have any dollar information until the middle of next year. Councilwoman Lowman asked how long we can go with where were are now with the temporary location of the Police and Fire Department. Councilman Harvey said we need to move on the Police Department. Fire Chief Truman Walton added that the Fire Department is fully functional. Mayor Watts summarized the discussion, stating that the consensus is to proceed with the Police Department project while continuing to gather more information on the Fire Department. Mr. Weichel asked whether the Facilities Review Committee should be involved in the planning process. Councilman Harvey reiterated his suggestion to bring in the Waco Fire Chief/Manager as a consultant for a day or two to provide input on the Design-Build option. In the meantime, Mr. Smith will continue advancing the design for the Police Department.

ADJOURNMENT At 3:35 p.m., there being no further business to come before Council, Councilman Harvey made a motion to adjourn, seconded by Councilman Mears. The vote was unanimous.

Jessica Lail
Town Clerk

Charles Watts
Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL REGULAR MEETING
OCTOBER 7, 2024

The Town of Valdese Town Council met on Monday, October 7, 2024, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The Council meeting was live-streamed on YouTube @townofvaldese. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, and Councilman Glenn Harvey. Also present were: Interim Town Manager Bo Weichel, Town Attorney Tim Swanson, Town Clerk Jessica Lail, and various Department Heads.

Absent: Ward 2 Vacant Seat

A quorum was present.

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

Rev. Dr. Josh Lail, pastor of the Valdese First Baptist Church offered the invocation. Following the invocation, Mayor Watts led in the Pledge of Allegiance to the Flag.

OPEN FORUM/PUBLIC COMMENT:

HURRICANE AND PHONE NUMBERS – SUSAN BOTTAFUOCO, 605 CAROLINA ST, VALDESE: Ms. Bottafuoco expressed her gratitude to the Valdese Fire Department and Fire Chief Walton for their prompt response when a power line exploded, causing a fire near her home. She also extended her thanks to Officer Jason Xaysana, who patrolled the neighborhood, checking in on her and her neighbors to ensure their well-being. Ms. Bottafuoco commended the Town for their efforts in handling the situation. However, she raised concerns about unsolicited text messages she began receiving in August from a company called Dynata, asking her to participate in a survey. She demanded to know who shared her personal information with this company without her consent and requested a response within 48 hours.

HURRICANE – JEAN-MARIE COLE, 705 BERTIS ST, VALDESE: Ms. Cole expressed her heartfelt appreciation for all the Town workers who contributed to the recovery efforts following Hurricane Helena. She gave special thanks to the Public Works, Water, Police, and Fire Departments, as well as the Recreation Center for providing essential services like showers to those in need.

Councilwoman Ward voiced her pride in the citizens and local churches for coming together to support one another in the aftermath of the hurricane. She encouraged everyone to continue offering help in any way they can, emphasizing the importance of community solidarity during challenging times.

SPEEDING – PLY WHITINER, 413 CLINE AVE., VALDESE: Mr. Whitiner expressed concern about the frequent speeding on Cline Avenue, noting that he has witnessed numerous cars speeding through the area. He emphasized his worry that this could lead to someone getting hurt and asked what actions could be taken to address the issue. Mayor Watts assured Mr. Whitiner that he would have the Police Chief reach out to him to discuss potential solutions.

CONSENT AGENDA: (enacted by one motion)

APPROVED AGENDA REVIEW MEETING MINUTES OF SEPTEMBER 4, 2024

APPROVED REGULAR MEETING MINUTES OF SEPTEMBER 9, 2024

APPROVED FIRE DEPARTMENT BUILDING WORKSHOP MINUTES OF SEPTEMBER 19, 2024

APPROVED NEW LEASE AGREEMENT AT OLD ROCK SCHOOL WITH VEDIC Lease agreement for rental space at the Old Rock School. The VEDIC Lease is in the amount of $368.00 per month.

Councilman Harvey made a motion to approve the aforementioned items on the Consent Agenda, seconded by Councilwoman Ward. The vote was unanimous.

End Consent Agenda

ITEMS REMOVED FROM CONSENT AGENDA: None

PUBLIC HEARING: COMMUNITY DEVELOPMENT BLOCK GRANT NEIGHBORHOOD REVITALIZATION (CDBG-NR) – FUNDING FOR BERRYTOWN WATERLINE PROJECT Mayor Watts announced that the Council would be holding two Public Hearings that evening. He explained that the first Public Hearing had been postponed due to Hurricane Helena, but would take place during tonight's meeting.

At 6:17 p.m., Mayor Watts officially opened the first Public Hearing.

Sherry Griffin, Special Projects Manager with WPCOG presented the CDBG first Public Hearing for Public Input:

Ms. Griffin said that the state of North Carolina receives approximately $48 million in Community Development Block Grant funding annually from the Department of Housing and Urban Development. Ms. Griffin noted that there are numerous activities that can be done with CDBG funding including: Housing Rehabilitation, Neighborhood Revitalization, Economic Development, Infrastructure, Disaster Recovery and Demolition of publically owned dilapidated buildings in order to create re-usable industrial sites. Ms. Griffin said the Town would have to market the site for economic development purposes. The local governments can apply for up to $950,000 in the Neighborhood Revitalization funding category. Approximately $12.29 million is available this cycle. This first public hearing is to assist the Town in the development of CDBG projects for the coming year.

Mayor Watts asked if anyone wished to speak either for or against the public hearing.

Hearing none, Mayor Watts closed the public hearing at 6:19 pm.

At 6:19 pm, Mayor Watts opened the second Public Hearing for the potential Community Development Block Grant Neighborhood Revitalization application.

Sherry Griffin, Special Projects Manager with WPCOG presented second Public Hearing for the potential Community Development Block Grant Neighborhood Revitalization application:

Ms. Griffin said in spring of 2024, the Town of Valdese applied to the NC Department Environmental Quality for $3,000,000 to upgrade the 2" waterline to a 6" waterline to serve the citizens of the Berrytown community. Also included in the request was funds for fire hydrants and new connections to the houses from the main waterline. On July 26, 2024, the Town received notification of funding for the project in the amount of $2,236,775, which is less than what was requested. In order to keep the project the same as originally proposed, my staff began seeking funding from other sources. The NC Department of Commerce Rural Economic Development Division CDBG- NR program was determined to be a nice match the program and is why we are here tonight to discuss the potential application. Ms. Griffin said the Department of Commerce suggested This $800,000 CDBG-NR application proposes to upgrade waterlines and service connections to approximately fifty (50) low and moderate income households located along Berry School Avenue, Berrytown Avenue, Berrytown Street, Bost Johnson Avenue, Bost Johnson Avenue Extension, and CV Johnson Drive. 100% of the CDBG-NR funds will benefit low and moderate-income persons.

The following documents were presented to Council in their agenda packet:

RESOLUTION
TOWN OF VALDESE
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION
BERRYTOWN WATERLINE CONNECTION PROJECT

WHEREAS, the Valdese Town Council has previously indicated its desire to assist in community development efforts; and,

WHEREAS, the Valdese Town Council has held two public hearings concerning the proposed application for Community Development Block Grant funding to benefit low and moderate income residents of the Berrytown community; and,

WHEREAS, the Valdese Town Council wishes the Town to pursue a formal application for Community Development Block Grant funding to benefit residents of Berry School Ave, Berrytown Ave, Berrytown Street, Bost Johnson Ave, Bost Johnson Ave Extension, and CV Johnson Drive.

WHEREAS, the Valdese Town Council certifies it will meet all federal regulatory and statutory requirements of the Small Cities Community Development Block Grant Program,

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

That Bo Weichel, Interim Town Manager, and successors so titled, is hereby authorized to execute and file an application on behalf of the Town of Valdese with The NC Department of Commerce Rural Economic Development Division for approval of a Community Development Block Neighborhood Revitalization Grant for Community Development to benefit the residents of Berry School Ave, Berrytown Ave, Berrytown Street, Bost Johnson Ave, Bost Johnson Ave Extension, and CV Johnson Drive.

That Bo Weichel, Interim Town Manager, and successors so titled, is hereby authorized and directed to furnish such information as The NC Department of Commerce Rural Economic Development Division may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the Town of Valdese has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to the grants pertaining thereto.

Adopted this the _____ day of _____, 2024 at Valdese, North Carolina.

/s/ Charles Watts, Mayor

ATTEST:

/s/ Town Clerk

TOWN OF VALDESE
CITIZEN PARTICIPATION PLAN

This plan describes how the Town of Valdese will involve citizens in the planning, implementation, assessment and close out of the Community Development Block Grant (CDBG) program. The funds must be used for projects which benefit low and moderate-income persons and aids in the elimination and prevention of slums and blight. The program is intended to assist governments in understanding neighborhood improvement programs. The regulations give ultimate responsibility for the design and implementation of the program to local elected officials and require that citizens be given an opportunity to serve in a key advisory role to these elected officials.

SCOPE OF CITIZEN PARTICIPATION

Citizens will be involved in all stages of the CDBG program, including program implementation, assessment of performance, design of changes and close out in the Citizen Participation Plan. There will be three (3) general mechanisms for their involvement:

1. To serve as an advisory committee to the project;
2. To attend or hold public hearings or community meetings; and
3. To provide individual citizen efforts in the form of comments, complaints or inquiries submitted directly to the Program Administrators or designated Town official.

PROGRAM IMPLEMENTATION

Citizen participation in program implementation will occur primarily through consultation with the Town of Valdese. The town will be asked to review and comment on specific guidelines for approved projects. They will also meet to review any program amendments, budget revisions and program modifications. All such

changes will be discussed with the town and their comments considered prior to taking action. If program amendments require approval from the North Carolina Department of Commerce, a public hearing shall be held specifically on the amendment. Citizens may also be involved in implementation of projects specifically requiring citizen participation, such as self-help projects. Their roles will be defined as the project develops. Technical assistance will be available as needed.

PROGRAM ASSESSMENT

Program assessment activities by citizens will occur in a variety of ways. A performance hearing will be held thirty to sixty (30 to 60) days prior to the start of planning for the next program year. The Program Amendment will be asked to provide citizen commentary for the Grantee Performance Report.

As a part of the orientation to the program offered at the public hearing, citizens will be invited to submit comments on all aspects of program performance through the program year. Comments should be submitted in writing to Larry Johnson, Planning Director and also others so titled. A written response will be provided within ten (10) days. If the response is unsatisfactory, the complainant should write directly to the Mayor. He shall respond within ten (10) days.

If the citizen is still dissatisfied, he/she should write to the NC Department of Commerce, Rural Economic Development Division/State CDBG Program, 4346 Mail Service Center, Raleigh, NC 27699-4346, Attention: Citizen Participation Matter. Program staff will also be available during normal business hours to respond to any citizen inquiries or complaints at 919-814-4663

The Citizen Participation Plan will be subject to annual review and proposed revision, to occur in the period between the performance hearing and the public hearing on the subsequent year's application.

TECHNICAL ASSISTANCE

Technical Assistance will be provided to citizen organizations and groups of low/moderate income persons or target area residents upon request to the Town of Valdese. Such assistance will support citizen efforts to develop proposals, define policy and organize for the implementation of the program. It is expected that such assistance will be provided directly to the town in response to their request. Assistance could be provided in the form of local presentations, informational handouts, research of a specific issue or other short-term efforts.

PUBLIC INFORMATION

The Town of Valdese will also undertake public information efforts to promote citizen participation. These efforts will include the following:

1. Public Notice of all Public Hearings will be published in the non-legal section of the local

   Newspaper, Observer News Enterprise at least ten (10) days before the scheduled hearing. These notices will indicate the date, time, location and topics to be considered. These notices will also be made available in the form of press releases, as a public service announcement to local radio stations and will be provided to churches within the target area of distribution.

2. Orientation Information will be provided at the first public hearing. The Program

   Administrator(s) will make a presentation which covers: (a) the total amount of CDBG funds available and the competitive basis for award; (b) the range of eligible activities; (c) the planning process and the schedule of meetings and hearings; (d) the role of citizens in the program and (e) a summary of other program requirements, such as the environmental policies, fair housing provisions and contracting procedures.

3. A Public File containing program documentation will be available for review at Valdese Town Hall during normal business hours. Included will be copies of the Application, Environmental Review Record, the Citizen Participation Plan and the Annual Performance Report. Other program documents are also available for citizen review on request at the Valdese Town Hall consistent with applicable State and local laws regarding personal privacy and obligations of confidentiality.

4. Public Hearings an interpreter will be provided for all non-English speaking individuals and/or deaf individuals.

ADOPTED, this the 7th day of October, 2024.

/s/ Charles Watts, Mayor

ATTEST:

/s/ Town Clerk

RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN
TOWN OF VALDESE

This Residential Anti-displacement and Relocation Assistance Plan is prepared by the Town of Valdese in accordance with the Housing and Community Development Act of 1974, as amended; and HUD regulations at 24 CFR 42.325 and is applicable to the Town's CDBG projects.

Minimize Displacement

Consistent with the goals and objectives of activities assisted under the Act, the Town of Valdese will take the following steps to minimize the direct and indirect displacement of persons from their homes:

□□Coordinate code enforcement with rehabilitation and housing assistance programs.

□□Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent undue financial burden on established owners and tenants.

□□Stage rehabilitation of apartment units to allow tenants to remain in the building/complex during and after the rehabilitation, working with empty units first.

□□Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.

□□Adopt policies to identify and mitigate displacement resulting from intensive public investment in neighborhoods.

□□Adopt policies which provide reasonable protections for tenants faced with conversion to a condominium or cooperative.

□□Adopt tax assessment policies, such as deferred tax payment plans, to reduce impact of increasing property tax assessments on lower income owner-occupants or tenants in revitalizing areas.

□□Establish counseling centers to provide homeowners and tenants with information on assistance available to help them remain in their neighborhood in the face of revitalization pressures.

□□Where feasible, give priority to rehabilitation of housing, as opposed to demolition, to avoid displacement.

□□If feasible, demolish or convert only dwelling units that are not occupied or vacant occupiable dwelling units (especially those units which are "lower-income dwelling units" (as defined in 24 CFR 42.305).

□□Target only those properties deemed essential to the need or success of the project.

A. Relocation Assistance to Displaced Persons

The Town of Valdese will provide relocation assistance for lower-income tenants who, in connection with an activity assisted under the CDBG Program[s], move permanently or move personal property from real property as a direct result of the demolition of any dwelling unit or the conversion of a lower-income dwelling unit in accordance with the requirements of 24 CFR 42.350. A displaced person who is not a lower-income

tenant, will be provided relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR Part 24.

B. One-for-One Replacement of Lower-Income Dwelling Units

Town of Valdese will replace all occupied and vacant occupiable lower-income dwelling units demolished or converted to a use other than lower-income housing in connection with a project assisted with funds provided under the CDBG Program[s] in accordance with 24 CFR 42.375.

Before entering into a contract committing the Town of Valdese to provide funds for a project that will directly result in demolition or conversion of lower-income dwelling units. The Town of Valdese will make public by placing an ad in The News Herald and submit to State CDBG Program(s) North Carolina Department of Environment and Natural Resources (NC DEQ) the following information in writing:

1. A description of the proposed assisted project;

2. The address, number of bedrooms, and location on a map of lower-income dwelling units that will be demolished or converted to a use other than as lower- income dwelling units as a result of an assisted project;

3. A time schedule for the commencement and completion of the demolition or conversion;

4. To the extent known, the address, number of lower-income dwelling units by size (number of bedrooms) and location on a map of the replacement lower-income housing that has been or will be provided. *NOTE: See also 24 CFR 42.375(d).*

5. The source of funding and a time schedule for the provision of the replacement dwelling units;

6. The basis for concluding that each replacement dwelling unit will remain a lower-income dwelling unit for at least 10 years from the date of initial occupancy; and

7. Information demonstrating that any proposed replacement of lower-income dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom units), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the HUD-approved Consolidated Plan and 24 CFR 42.375(b).

To the extent that the specific location of the replacement dwelling units and other data in items 4 through 7 are not available at the time of the general submission, the Town of Valdese will identify the general location of such dwelling units on a map and complete the disclosure and submission requirements as soon as the specific data is available.

C. Replacement not Required Based on Unit Availability

Under 24 CFR 42.375(d), the Town of Valdese may submit a request to the State (NC Dept. of Commerce) for a determination that the one-for-one replacement requirement does not apply based on objective data that there is an adequate supply of vacant lower-income dwelling units in standard condition available on a non-discriminatory basis within the area.

D. Contacts

Sherry Griffin, Project Administrator (828-485-4251) is responsible for tracking the replacement of lower income dwelling units and ensuring that they are provided within the required period. Sherry Griffin, Project Administrator (828-485-4251) is responsible for providing relocation payments and other relocation assistance to any lower-income person displaced by the demolition of any dwelling unit or the conversion of lower-income dwelling units to another use.

Adopted this 7th day of October, 2024.

/s/ Charles Watts, Mayor

ATTEST:

/s/ Town Clerk

APPLICATION SUMMARY – 2024 *CDBG Neighborhood Revitalization Program*

1. Applicant's name	Town of Valdese	**2. Date**
a. Mailing Address	PO Box 339	
b. City and Zip Code	Valdese NC 28690	X **Original** **dated:** 10/07/2024
c. County	Burke	
d. Contact Person	Bo Weichel	
e. Telephone Number	(828)879-2124	□ **Amendment**
f. Fax Number	n/a	**dated:** ____/____/____
g. e-mail address	BWeichel@valdesenc.gov	
h. UEI Number	V67AJH87ABS5	
3. Preparer's Name	Sherry Long Griffin	**c. Telephone Number**
a. Firm's Name	Western Piedmont Council of Governments	(828)485-4251
b. Mailing Address	PO Box 9026	
c. City and Zip Code	Hickory, NC 28602	**f. Fax Number**
d. e-mail address	sherry.griffin@wpcog.org	(828)322-5991
4. Developer's Name		**c. Telephone Number**
a. Mailing Address		
b. City and Zip Code		**a. Fax Number**
5. Development Name		
a. Street Address		
b. City and Zip Code		
c. Ownership Entity		

6. Program Category	**7. Project Number**	**8. Project Name**	**9. CDBG Funds Requested**
C	1	Berrytown Waterline Connection Project	$800,000.00
Rural Community Development Only	1		$

10. Certification by the Chief Elected Official

a) I certify that to the best of my knowledge and belief:

1. Data in this application is true and correct,
2. Opportunities have been provided for citizen participation and access to information concerning the proposed activities,
3. This document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached certifications and state standards if the assistance is approved.

b) I acknowledge that, if funded, this application is part of the Grant Agreement.

a. Typed Name and e-mail Address of Chief Elected Official ➢	Charles Watts
b. Typed Title ➢	Mayor
c. Signature ➢	
d. Typed Date ➢	October 7, 2024

For REDD Use Only

Date Received: **Application Number:**

Councilman Harvey inquired whether the waterlines in question were located within the Town limits of Valdese. Ms. Griffin clarified that, while the waterlines are not within the Town limits, they are part of the Triple Community waterlines, which Valdese is responsible for servicing.

Mayor Watts asked if anyone wished to speak either for or against the public hearing.

Hearing none, Mayor Watts closed the public hearing at 6:23 pm.

Councilwoman Lowman made a motion to approve the application to be submitted to the NC Department of Commerce Rural Economic Development Division and adopt the Resolution, Citizen Participation Plan,

Anti-Displacement Plan, and authorize the Mayor to sign the application so it can be submitted later this month, seconded by Councilman Ogle. The vote was unanimous.

PUBLIC SAFETY FACILITIES

1st Motion: Councilman Harvey made a motion that the renovation of 215 Main St E office building as the permanent police station be given the highest priority of all of Valdese's planned and in-progress construction projects; that the Interim Manager advertise a "Request for Qualifications" seeking proposals from NC General Contactors for a "Design-Build" approach to the renovation at a cost not to exceed $1 million with work to be completed no later than six months form acceptance of a proposal; and that the Agreement, AIA document B101-2017, approved August 5, 2024, be terminated without cause, seconded by Councilwoman Ward.

Discussion: Councilman Harvey acknowledged that the Town has been facing multiple deferred needs for several years and stressed the importance of prioritizing funds to address them. He mentioned that the architect's estimated cost to renovate the building was three times higher than the Facilities Review Committee's initial projection. Due to this, Councilman Harvey noted that the Facilities Review Committee strongly recommends adopting a design-build approach for the project. He clarified that no costs were incurred with the contract approved on August 5, and its cancellation did not result in any expenses. He emphasized that completing this project remains a high priority.

Councilwoman Lowman then asked the Mayor if Police Chief Marc Sharpe could address a few questions. She agreed that the project should be a top priority and asked the Chief to share his vision for the building, as well as any thoughts or concerns he has as Police Chief regarding the renovation of the Mitchell building.

Chief Sharpe said, "I want to start this by saying "Thank you" for asking me to speak on this issue as I have not been heard. The things I am about to say will cause a number of thoughts, some of you want care, some of you will be angry, and some may be pleased, but what I am saying is the Ugly Truth.

When hired as the new Police Chief of Valdese I was assigned a number of issues to immediately deal with and to start to repair. A homelessness, and drug issue, as well as a retention of employee problem was identified as immediate needs for me to address. We have been working on homelessness and drug issue with extreme urgency through identifying and obtaining resources and developing partnerships with outside agencies and citizens, enforcement of laws and a trespassing program which has shut down 4 suspected drug houses and helped to curtail some of the drug problem, as well as additional training and education and for our officers and citizens on these subjects to improve our community.

Employee retention, training, and morale within the Valdese Police Department was the next issue. Like the other issues immediately we addressed some long neglected issues within the department like communication, updating uniforms, weapons updates, training updates. Those things have been addressed with no additional cost and creative thinking as well as a citizen donation directly targeted and requested at one of those needs. However, the department is lacking across the board in multiple other areas which have been neglected and ignored over time. Such as software updates and a quality reporting system. A $ 20,000.00 dollar cut out of our budget this year. I'm working on things like policy to improve issues for us all like taking warning shots out of a use of force policy, ask Attorney Swanson how long ago police departments stopped that practice. The officers now have a use of force continuum to follow in a new policy with their updated weapons systems. Firearms scores have improved drastically across the board which provides a safer community for us all and will save lives if or when they are used. Additional Taser equipment consisting of in date duty Taser cartridges and systems have been provided to me by a fellow department away from Burke County for our use at no cost because their department upgraded. I have already had two employees trained to conduct training in house in some of these areas and we are moving in the right direction. Officers are being assigned training dates at WPCC in neglected and ignored areas across the board. I have worked at changing a culture within the department to become more community based and involved. We have added a Chaplains Program to care for our citizens and officers. While I know I can't fix all of these issues overnight I am working night and day to greatly improve your police department and I need your help. Let us look at some issues that directly affect retention.

SLIDE 1

Turnover for Valdese Police Department: The Ugly Truth
Last Ten Years: Thirty three officers
Last Two Years: Seven officers (four of the seven lost for better pay)
Last Seven Months: Two reserves have left (one better pay, one wasn't working)

SLIDE 2

The Ugly Truth: Valdese vs. the Competition

Agency:	Starting Salary:		Experience Incentive:	Reserve Hourly Rate:
Valdese:	**$ 40,708.00**	**No experience**	**No experience incentive**	**$ 17.00 an hour**
Burke Co:	**$ 50,920.00**	**No experience**	**$ ½ percent per year**	**$ 24.00 an hour**
Maiden:	**$ 51,635.00**	**No experience**	**$ 54,217.00 experience**	**$ 25.00 an hour**
Hickory:	**$ 61,000.00**	**No experience**	**$ 75,566.00 experience**	**No Program**
Morganton:	**$ 52,968.00**	**No experience**	**$ 55,652.00 experience**	**$ 25.00 an hour, g 28**
Longview:	**$ 43,000.00**	**No experience**	**$ 47,500.00 experience**	**$ 20.00 an hour**
Avery Co:	**$ 46,822.00**	**No experience**	**$ 52,000.00 experience**	**$ 20.00 an hour**
Caldwell Co:	**$ 45,000.00**	**No experience**	**$ 60,000.00 experience**	**$ 20.00 an hour**
Drexel PD:	**$ 47,000.00**	**No experience**	**(None) Working on**	**$ 16.00 an hour**

Remember all of these officers attended the same Basic Law Enforcement Training without a special circumstance where would you go to work if given a choice.

That is what we are competing against to hire and retain employees in just salary alone. Our facilities our outdated and inadequate to do our jobs to today's standards. We need upgrades across the board as we are 25 to 50 years behind in much of our layout, technology, software, and abilities to provide the services to this community that it deserves.

I continue to recruit, sale, and offer our town and our department to those wanting to serve as a law enforcement officer but the ugly truth is: We are struggling to promote ourselves. We need facilities, (The backbone and Foundation of a Quality Police Department, we need to be updated with current facilities to catch up and come out of the darkness into the light. We need to be updated to compete for the quality employees you want to serve your town. Facilities is the foundation of which all those things start.

This has been an on-going issue in Valdese for some time and we have looked at so many options. We have moved the goal post all over the playing field but not once have we attempted the field goal. We can't continue to look in the past about what has not been done we need to look into the future about what needs to be done and come up with a solution that is not duct taped together. I think we are the close to finally making a move to fix a long endured problem and I beg of you as the council, and our citizens, help me protect and serve you by providing facilities that I can use to create, recruit, and maintain the Police Department you want within our town to protect and serve you the citizens.

Comparing apples to apples, as I started to approach this issue for our PD as my tenure began, I reached out to a town similar to Valdese because I heard comments like they want a Taj Mahaul, or my goodness this is not Charlotte. To respond to those statements, I tell you this:

SLIDE 3

Facts:

- **No we are not Charlotte but unfortunately we respond to the same type of calls just less of them because our population is less. The calls and circumstances do not change as we all face similar issues we just have less calls because we are less populated. We also have less manpower.**
- **Maiden has a population of 3,796 Valdese has a population of 4,687**
- **Maiden has 5.6 square miles of patrol area, Valdese has 7.86 of patrol area.**
- **Maiden has 21 sworn police officers, Valdese has 13 sworn Police Officers.**
- **Maiden faced facility issues in 2018 almost identical to ours, the department was literally falling in and they assessed their needs and built a 2.2 million dollar police facility through payments from tax revenues and are currently working on new fire facilities.**
- **Maiden facility at today's prices would cost just over 4 million dollars to build according to their Chief who I spoke with. According to Talley and Smith, they estimated a refurbished**

facility on Main Street to cost 2.5 million and said in the workshop if we built the same facility new it would cost just over 4 million dollars. From a common sense approach we don't sound that far off and it appears we are saving money.

I recently toured the Town of Maiden's Police Facilities this past week. I would like to share some slides and my findings.

Again, newly constructed in 2018 for approximately 2.2 million dollars. Why Maiden, again I am trying to compare apples to apples. Maiden is a town similar to Valdese with around 1000 less in population. Maiden has double the number of officers of Valdese has which also points out another ugly truth our staffing problem. Their facility has everything we have already paid an architect firm to design that as your Chief I assessed we needed from your hand-picked architect including a two car sally port utilized just the way our design has proposed without me even looking or knowing about their design prior to this tour last week.

Speaking with Maiden's Chief I learned to complete the building today they completed in 2018 which was all totally new and at today's cost in 2024 it is estimated that it would cost just over 4 million dollars. I am not an architect and I do not run a construction company but is the architect really that far off. He told us 2.5 to renovate our building and he estimated if you built new what he had designed without the existing building it would cost over 4 million dollars. It sounds like we are in fact already saving money.

Why do we need these facilities? Because we are currently,

Outdated and inadequate.

Keeping up with technology changes, law changes, enhanced security and evidence responsibilities while also trying to sale Valdese.

Let us look at and discuss a few of those:

Interview audio video recording requirements (Statutory requirement from the state of North Carolina) requires Mirandized audio video recording with specifics from arrestees for all custodial questioning on the majority of offenses. (The need for a sally port) This covers an arrestee entrance to the department for custodial questioning. Our architect designed a two car sally port which is utilized for security of those arrested to bring into a building safely and securely protecting the officer, the individual, and citizens from the things that can occur during those events and maintaining those events in a secure videoed environment. The sally port is designed to securely bring in an arrestee and conduct audio video recordings of suspects in a secure environment according to state mandated law on many criminal offenses. Since January of this year the Valdese Police Department has made arrest where this process would have been followed. We currently bring suspects into an unsecured area and attempt interviews on body cams which are and should be primarily used for citizen contacts not at length custodial interviews.

An upstairs interview room in the police department would be designed for non-custodial interviews and report taking for officers from individuals coming in to the police department who are not in custody which is also a regular practice of the police department. The two processes I have discussed are two separate processes that need and should be done in separate areas. Not to mention, new legislation has passed which also now requires

The additional space in the sally port has been requested as a need for evidentiary purposes. Items such as cars, motorcycles, or other larger items such as a mattress, couch, chair, or other item which needs to be secured for further trace evidence testing in cases such as homicides, hit and runs, sexual assaults, and rape which are seized and need to be maintained and secured for later court proceeding for at times indefinite time periods. It is also necessary for vehicles involved with drug searches where a search warrant may be involved. As you can see the extra bay is a multi-need portion of the laid out facility that is needed for very important reasons.

These events do occur with regularity and even now we have no true way to secure such items and like all the other issues we duct tape together some form of a solution. This evidence needs to be in a secured environment with all other evidence i*n* the police department under a two keyed system to maintain the legality and integrity of the evidence for both criminal proceedings and the liability the department holds to its citizens to maintain such evidence.

Moving this away from the department in a facility not connected to the department is not very smart security wise nor is it practical. The expense of security systems, gas, and manpower running to and from an outside facility over time would easily pay for the extra space to get this done and keep it under one location together within a complete well planned facility. How often do these offenses occur? Looking at some of this year's data which is also an area that has been updated and changed as we are currently doing a much better job in accurately reporting.

SLIDE 4

This year since January 1 2024: The Valdese Police Department has made:

- **230 arrest…. The large majority of those should have an audio/videoed recorded statement**
- **509 reports filed…. Many of these should have an audio/video non-custodial interview attached.**
- **155 towed vehicles …..(not all would be stored in the sally port but more of a portion of these have had evidentiary value to a case and needed to be secured and searched for additional evidence)**
- **Technological evidence, charging ports in evidence lockers.**
- **Many of our in car cameras used for vehicle stops are outdated, unusable and have not been replaced.**

SLIDE 5

Technology has changed everything. CSI effect! What is expected from citizens and juries?

The majority of all investigations use a three prong investigations consisting of three evidence types:

- **Interviews / Interrogations …. Collected with audio video, data storage**
- **Crime scene…… Photography, sketches, measurements, collection of physical evidence, searches for trace evidence. (I recently put together a shared investigative equipment Box utilized by our officers)**
- **Digital Crime Scene …….. Computers, cell phones, cars, Digital evidence, various forms of video.**

As a PD we need the facilities to store, maintain, and call for the processing of them all.

I at times feel as if I am holding our department together with duct tape. Let us stop addressing these issues with duct tape and fix a problem with a real solid solution which is to get these police and fire stations completed in the near future. It appears at face value we are starting to spend a quarter to save a nickel. How many architects and firms are we going to hire and fire, how many meetings are we going to pay for, how may legal fees are we going to endure, to end up spending what needs to be spent to accomplish this task and does appear to be close based on what has been calculated by your previously hand-picked architect.

As your Police Chief I came to the town with 36 years of law enforcement experience and I am educated in my field as I hold a Bachelor and Master's Degree in Criminal Justice. I am not looking at these things blindly, I do not want a Taj Mahaul, but I am telling you the ugly truth about our needs with this facility and the future of our town's law enforcement facilities and services.

In recent weeks, I have sat down with Manager Weichel and had a couple of discussions about JAG Grants to assist with upgrading technology across the board with our agency and this may be a solution for those issues. I have also spoken about creative ways to possibly address man power issues. However, I cannot fix the facility issue. I think I helped find a location which may work and make some of the town happy but we will be on our main street with a generator for incidents where we are needed. Unlike, the latest Hurricane where we sat on Main street in the dark flagging cars down to help citizens with no radio or phone access and no true facility for those individuals to respond to.

Your Chief is not an expert in architecture or construction but I do know our current Town Manager has training and both. I would strongly suggest we accept and take some of his input on this matter as he

has much of the expertise needed. Sorry Manager Weichel but your expertise and opinions are also needed and trusted by your Chief!

I want to thank all of you for your time tonight and listening to my thoughts and concerns. This is not a council vs. Staff issue it is needs based. Unfortunately in life and especially police work, never have I ever made everyone happy. You as council members will not either, but these hard decisions need to be based on needs. Remember, I speak to you tonight as your Chief of Police, I am a Department Head, an employee, a citizen, and fellow taxpayer, not to mention a home grown son of Valdese who wants what is best for all of us. I will continue to upgrade our services and maintain a police force but we need updated facilities and a foundation to get started. You have the ability and fortitude to make that happen and I pray for all us we can come together and get this done. The time to accomplish this task has long passed."

Councilman Harvey expressed his appreciation for the presentation, calling it the best staff presentation on a major project that he has heard since moving to Valdese. He also noted that the Police Chief played a key role in locating the building. Councilman Harvey clarified that the motion under consideration was simply to shift toward a design-build approach, which is a common method for renovating commercial buildings. Councilwoman Lowman voiced her concern that the proposed budget of $1 million might not be sufficient to accomplish the desired renovations. Councilman Ogle suggested that the starting point for the budget should be increased to $1.5 million. Interim Town Manager Bo Weichel added that no funds have been spent with Talley & Smith on the Police Department project so far. He explained that the design-build approach involves additional steps, which will be further discussed and clarified during the next Council workshop.

2nd Motion: Councilwoman Ward made a motion to amend the cost not to exceed $1.75 million, seconded by Councilwoman Lowman. The vote was unanimous.

3rd Motion: Councilwoman Ward made a motion that the renovation of 215 Main St E office building as the permanent police station be given the highest priority of all of Valdese's planned and in-progress construction projects; that the Interim Manager advertise a "Request for Qualifications" seeking proposals from NC General Contactors for a "Design-Build" approach to the renovation at a cost not to exceed $1.75 million with work to be completed no later than six months form acceptance of a proposal; and that the Agreement, AIA document B101-2017, approved August 5, 2024, be terminated without cause, seconded by Councilwoman Lowman. The vote was unanimous.

MINOR MODIFICATIONS TO THE VALDESE TOWN HALL

Motion: Councilman Harvey made a motion that the Interim Town Manager obtain an estimate from the general contractor selected for the 215 Main St E renovation project for the division of two oversized offices in the Town Hall, for consideration by the Council as a possible addition to the contract, seconded by Councilwoman Ward.

Discussion: Councilwoman Ward inquired about the intended use of the offices. Councilman Harvey highlighted that the two oversized offices have been a frequent source of complaints from citizens. He noted that the Town has an opportunity to divide these offices while they remain vacant, utilizing the same contractor who will be renovating the police building. According to Councilman Harvey, this would make the building more functional and improve its appearance for the Town overall.

Councilwoman Lowman questioned the need for additional offices in the Town Hall, expressing doubt about their necessity given other pressing needs. She pointed out that both the Town Hall and Public Works lack a generator, and there is also a need to pave roads. In response, Councilman Harvey clarified that the current motion is simply to obtain an estimate to assess the potential cost of the renovations. Councilwoman Ward agreed, stating she had no objection to getting estimates.

Vote: Councilman Harvey – Yes, Councilman Ogle – Yes, Councilwoman Ward – Yes, Councilwoman Lowman – No. The motion carried.

215 MAIN STREET E. ESTATE SALE Councilman Harvey stated that 215 Main Street East must be vacated before renovations can commence. He noted that there is a significant amount of furniture that could be repurposed by the Police Department and other municipal departments. Additionally, he highlighted the presence of beautifully bound law books that may be of interest to someone.

Motion: Councilman Harvey made a motion that the Interim Town Manager proceeds with the preparation of 215 Main Street E for renovation to be completed by November 15, 2024, including but not limited to inventorying all furniture and office equipment remaining in the building to determine items the Town can use, protecting them from renovation damage as required; determining the optimum means for selling all items of value, along with any additional similar town items for deposit in the public safety fund; and having all remaining items deposed of, seconded by Councilwoman Ward.

Mayor Watts inquired about the process for auctioning town-owned items. Town Attorney Tim Swanson responded, confirming that there is a statutory process in place for conducting auctions.

Vote: The vote was unanimous.

DRUG AND HOMELESS ADVISORY TASK FORCE REPORT Police Chief Marc Sharpe made the following report:

"The Homelessness/Drug Task Force has had two (2) two additional meetings since our last council meetings. Some of the things that have evolved from those meetings are:

- "Jethros" has been established as a Thursday pick up location for the unsheltered to be transported to BUCM for services. The pick-up begins at 11:00 a.m. every Thursday and leaves BUCM at 2:00 p.m. This provides our unsheltered an opportunity to receive a hot meal, get a shower, do some laundry, and sign up or receive additional services BUCM provides at least once a week from Valdese. The service has been provided by River of Life Church and their Bus with various pastors and volunteers driving the bus route. We have had individuals taking advantage of this service and I received an additional call about it today.
- Chief Whisnant from Morganton Public Safety and I along with other Law Enforcement Department heads in the County have been communicating with Greenway Transportation, the WPCOG, BUCM, and others about possibly funding a bus route on Hwy 70 that would serve all the communities in Burke County having stops along Hwy 70 in Glen Alpine, Morganton, Drexel, Valdese, Rutherford College, Connelly Springs, Icard, Hildebran, and Long View to take the unsheltered to services at BUCM weekly. This provides a regular meeting point for the Cogs Response Team and BUCM to meet up with these individuals attempting to help find solutions for many of their issues and giving opportunities if wanted to get off the streets. The talks are continuing of which a meeting was cancelled due to the Hurricane.
- VPD continues to meet with the COG as needed to make additional contact with the unsheltered as needed when called upon and VPD continues to reach out to the COG when needed. This partnership has turned into a two way street making contact with one another when and as needed.
- The Task Force has suggested additional ways to make contact with the unsheltered and help them find services. A Dinner has been planned to honor Homelessness awareness week at the United Methodist Church in Valdese as a connect opportunity for those seeking services. The dinner is scheduled for Monday, November 17, 2024 at 6:45 p.m. in the basement of the Church and our officers will be handing out invitations to that event. Homelessness Awareness Week is recognized between November 17th and the 23rd, 2024
- Jethro's will also be hosting an event that week that is still being planned titled "Homeless Awareness under the stars" which individuals will be invited to sleep outside at Jethro's to better understand the plight of the unsheltered. Speakers are also being scheduled by Heather and Jethro's.
- VPD has continued to come to agreements with various citizens and have prepared trespassing notices for their properties. Those notices have assisted in a community effort partnership with citizens to shut down several suspected drug houses or hot spots where illegal drugs are being used and sold. We will continue to promote these efforts not only to combat the drug issue but to also remove camps that are in places citizens have not approved them on their property.
- The Task Force has had several guest speakers providing an inside look at addiction issues and the struggles to find rehab. Additional programs are being researched and outreach is being sought when someone wants help with their drug problem. The Task Force is working to find additional answers, solutions, and response to these request.
- VPD has made several new drug arrest and seizures involving Fentanyl and Methamphetamine in our town limits. We will work with the courts for adjudication. This has improved as the PD has now installed court liaison officers on VPD court dates to oversee and guide our cases through the process. An additional avenue is having the court order drug rehab for offenders

as a solution to the problem for some offenders and more information is being gather about that process.

- VPD has made (10) ten arrest since the last council meeting involving the unsheltered from an enforcement stand point. Those charges involve trespassing, drug possession, and breaking and entering.
- Olive Branch Ministry which is another option at rehab options for drug offenders will be guest speaking at our next meeting to offer additional insight into the drug addiction issues.
- Another one of our unsheltered lost his life on interstate since our last meeting which brings that total to three since our efforts at finding solutions to these issues began.
- Those three individuals Charles Waters Jr. AKA: Charlie Brown, Josh Sanders, and Cody Vance Dehaven will be remembered by name during the Homelessness Awareness under the stars at Jethros' event.
- The Task Force will continue to meet on the last Tuesday of each month as we work together to address the issues and attempt to find additional solutions.

Thank you for allowing this update." End of report.

Mayor Watts read a letter that he received today:

Dear Mayor & Council,

With the recent devastation caused by hurricane Helene, our family decided to rent our Valdese residence to a family that became homeless due to a large tree damaging their property in downtown Morganton. We have subsequently moved and made our permanent residence at a home we recently remodeled at Silver Creek in Morganton. Due to this change in residence, I regret that I am no longer eligible to remain on council.

I have thoroughly enjoyed my time on council these past 34 months and on the Valdese planning board for nearly 7 years and am grateful for the opportunity to serve and give back to the Valdese community that has given so much to my family. I will continue to remain connected and committed to Valdese with my business. Valdese is the place I have come to love these past 34 years. My very best to each of you as you seek to serve the great citizens of Valdese in the best way possible.

Paul Mears

Mayor Watts announced the resignation of Paul Mears, as outlined in a letter dated October 7, 2024. Town Attorney Tim Swanson added that the resignation would become effective on the date Paul Mears officially changed his residency from the Town.

Motion: Councilman Harvey made a motion to add to the agenda the item, Ward 2 Council Vacancy, seconded by Councilwoman Ward.

Discussion: Councilman Harvey made two key points for wanting to address this matter:

1. According to the Rules & Regulations, the Council may not consider or fill a vacancy among its own membership except in an open session.
2. Any vacancy caused by the death, resignation, or disqualification of a Council member must be filled by a majority vote of the Council.

Councilwoman Lowman added that this is the third resignation she has seen during her time on the Council, and in past instances, the Council has used an application process to allow any resident of the Ward to apply. She also noted that committee members are required to submit an application. Councilman Harvey mentioned that he knows someone who is interested in serving and has already submitted an application.

Vote: Councilman Harvey – Yes, Councilman Ogle – Yes, Councilwoman Ward – Yes, Councilwoman Lowman – No. The motion carried.

WARD 2 COUNCIL VACANCY

Motion: Councilman Harvey made a motion to nominate Roger S. Heavner from 104 Curville St NE, Valdese. Councilman Harvey read Mr. Heavner's application. Seconded by Councilwoman Ward.

TOWN OF VALDESE
NORTH CAROLINA'S FRIENDLY TOWN

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

Application for Council Vacancy – Ward 2

Name ROGER S. HEAVNER

Address 104 CURVILLE ST NE, VALDESE NC 28690

Phone Numbers (Home) 828-874-020 (Mobile) 828-302-0750 (Email) rsheavner@embarqmail.com

Are you a registered voter living in Ward 2? YES

How long have you been a Valdese resident? 22 Years Have you been convicted of a felony? NO

Have you ever run for an elective office? NO If so, where and for what office?

Do you have any close relative employed by the Town of Valdese? NO

Why do you want to serve as a Councilperson?

BORN AND RAISED IN VALDESE, I WOULD BE HONORED TO BE ABLE TO SERVE THE TOWN DURING THE NEXT TWELVE OR SO MONTHS. DURING THIS UPCOMING PERIOD, THE TOWN COUNCIL WILL DEAL WITH SEVERAL SIGNIFICANT ISSUES THAT WILL DRAW ON MY CAREER AND PERSONAL WORK EXPERIENCE.

What qualifications do you have that would make you an asset to Valdese as a member of the Town Council?

SINCE RETURNING FROM AIR FORCE SERVICE IN VIETNAM, I HAVE SPENT 30+ YEARS IN PROJECT MANAGEMENT FOR CENTURYLINK AND FORMER VERSIONS OF IT. THAT EXPERIENCE, PLUS MY PERSONAL BUSINESS AND WORK, HAS INCLUDED NEW CONSTRUCTION, EXTENSIVE RENOVATIONS, ROOF REPLACEMENTS, HVAC PROJECTS, AND EMERGENCY GENERATORS. SOME OF THESE PROJECTS EXCEEDED $1 MILLION. IN ADDITION, I HAVE HELD LICENSES AS AN NC GENERAL CONTRACTOR AND NC PLUMBING CONTRACTOR.

RELATED EDUCATION EXPERIENCE: BS INDUSTRIAL MANAGEMENT AND POST-GRADUATE EDUCATION INCLUDED A MASTERS CERTIFICATE IN PROJECT MANAGEMENT FROM GEORGE WASHINGTON UNIVERSITY SCHOOL OF BUSINESS AND PUBLIC MANAGEMENT.

What issues would you like to see the Council address?

I WOULD LIKE TO SEE THE COUNCIL CONTINUE ON ITS CURRENT PATH OF REPLACING THE DISTRESSED PUBLIC SAFETY FACILITY AND REPAVING ITS CRUMBLING STREETS, WITH CONTINUOUS EMPHASIS ON FISCALLY RESPONSIBLE MANAGEMENT OF TAXDOLLARS.

Prior Public Service

OTHER ORGANIZATIONS: WALDENSIAN PRESBYTERIAN CHURCH AND LPDA PROPERTY COMMITTEES; AMERICAN LEGION POST 234, POST COMMANDER; LOVELADY MASONIC LODGE - 50 YEARS.

Date 10/7/24 Signature

This application and all the information contained in it shall be a public record.

Please fill out the form completely with a resume and return it to Town Clerk, Jessica Lail at:

Drop Off: Valdese Town Hall
Email: jlail@valdesenc.gov
Questions: 828-879-2117

Discussion: Councilman Harvey expressed his belief that Mr. Heavner possesses the knowledge necessary to move forward with the various projects currently underway and is the most qualified person in town for the position. While Councilwoman Lowman stated she has no issue with Roger Heavner personally, she voiced concerns about the process, stating that it lacks transparency.

Vote: The vote was unanimous.

INTERIM MANAGER'S REPORT: Mr. Weichel presented the following announcements:

Old Colony Players Presents: The Legend of Sleepy Hollow, October 18, 19, 24, 25, 26, 31 & November 1 & 2, 2024, 7:30 p.m. at the Fred B. Cranford Amphitheatre. Visit www.oldcolonyplayers.com for ticket information.

Bluegrass at the Rock: The Goodwin Brothers, October 10, 2024, at 7:30 p.m. Visit www.bluegrassattherock.com for ticket information.

Great Trails State Day 2,000 Mile Challenge, Valdese Lakeside Park, October 19, 2024, 7:00 a.m. – 8:00 p.m. Participants will hike, bike, and paddle to try to reach 2,000 miles to celebrate Great Trails State Day.

Public Safety Buildings Workshop, October 24, 2024, 2:00 p.m., Council Chambers, Valdese Town Hall

Next Agenda Review Council meeting is scheduled for Monday, October 28, 2024, 6:00 p.m., Council Chambers, Valdese Town Hall

Treats in the Streets, Thursday, October 31, 2024, 4:00-6:00 p.m.

Bluegrass at the Rock: Authentic Unlimited, November 2, 2024, at 7:30 p.m. Visit www.bluegrassattherock.com for ticket information.

Next Regular Council meeting scheduled for Monday, November 4, 2024, 6:00 p.m., Council Chambers, Valdese Town Hall

Mr. Weichel announced that Planning Director Larry Johnson has formally submitted his resignation from his employment from the Town of Valdese, effective November 8, 2024. Mr. Weichel shared that Mr. Johnson has spent 45 years with the Town and wishes him well with the next chapter in his life.

Mr. Weichel provided the Council and citizens with an overview of the reasons behind the Town's decision to issue a water boil notice following Hurricane Helena.

Raw Water Intake

Four pumps:

3 @ 4160 volts

1 @ 480 volts



Pumps 1, 2, & 3



Motor Control Cabinet

4160 volts

One each for pumps 1, 2, & 3



Motor Control Cabinet internal parts that were underwater



Motor Control Cabinet
for Pump #4 @ 480 volt

Older unit was able to activate
to help us limp the water plant along.

In the meantime, parts were taken off
one of the 4160 volt units at the
Finish Water Pump Station
to reenergize one of the
4160 volt units at the
Raw Water Pump Station

Eaton (manufacturer of the MCC's)
has been on site for testing and inspection.
They have ordered the parts needed to get
our main pumps back to operating.



MAYOR AND COUNCIL COMMENTS: Councilwoman Lowman expressed her gratitude to the Police, Fire, and Public Works departments for their continued efforts in response to the storm. She also extended thanks to Community Affairs, Heather Ward, and Josh Lail for their leadership in organizing the collection of supplies.

Councilman Ogle added his appreciation for Bo Weichel, who dedicated numerous hours supervising operations to ensure everything was running smoothly. He also thanked River of Life and First Baptist Church for their support. Councilman Ogle proposed honoring these individuals with a future luncheon and Councilman Harvey suggested that the Merchants Advisory Committee could offer ideas on how to make the event special.

Councilwoman Ward encouraged everyone to help those in need and emphasized the importance of equipping the Police and Water Departments with generators, citing this as a key factor in her future decision-making.

Councilman Harvey asked the newest Council member, Roger Heavner, to stand and acknowledged the Town's largest water customer, noting that they plan to purchase approximately $1 million worth of water this year.

Mayor Watts thanked Councilwomen Ward and Lowman for their service and expressed appreciation to the Water and Wastewater employees for their diligent work in restoring the Town's water supply. He also extended thanks to the Public Works, Fire, and Police departments, as well as Community Affairs, citizens, churches, and Bo Weichel for their efforts during the storm recovery.

Mayor Watts called for a motion to recess into Closed Session for:

- **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.

- **CLOSED SESSION PURSUANT TO NC GENERAL STATUTE 143-318.11(A)(6)** to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee.

At 7:58 p.m., Councilman Harvey made a motion to go into closed session, seconded by Councilwoman Lowman. The vote was unanimous.

At 8:29 p.m., Councilman Harvey made a motion to return to open session, seconded by Councilwoman Lowman. The vote was unanimous.

ADJOURNMENT: At 8:30 p.m., there being no further business to come before Council, Councilman Ogle made a motion to adjourn, seconded by Councilwoman Lowman. The vote was unanimous.

_____ _____

Town Clerk Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL PUBLIC SAFETY BUILIDNGS WORKSHOP
OCTOBER 24, 2024

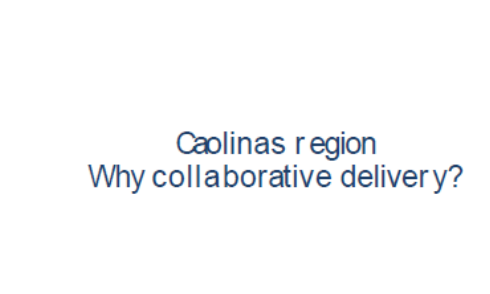
The Town of Valdese Town Council met on Thursday, October 24, 2024, at 2:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The Council meeting was live-streamed on YouTube @townofvaldese. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, Councilman Glenn Harvey, and Councilman Roger Heavner. Also present were: Interim Town Manager Bo Weichel, Town Clerk Jessica Lail, and various Department Heads.

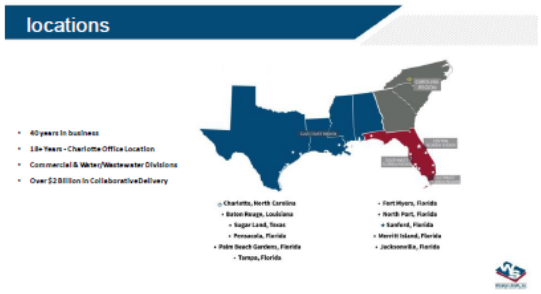
Absent: None

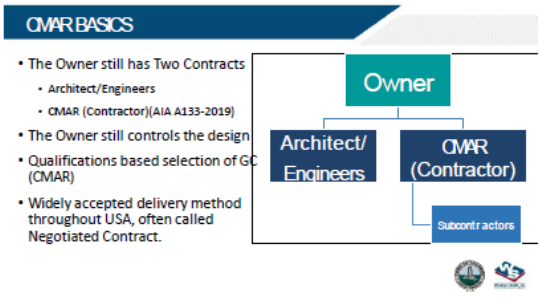
A quorum was present.

Mayor Watts called the meeting to order at 2:00 p.m.

DESIGN-BUILD PRESENTATION Interim Town Manager Bo Weichel introduced Matt Robertson, Business Development Executive, and Scott Whelchel, Area Manager, from Wharton-Smith, Inc. Construction Group. They delivered an informative presentation on the design-build process, highlighting two collaborative delivery methods: Design-Build and Construction Management at Risk (CMAR). The presentation focused on the advantages of each method, emphasizing how they foster collaboration, streamline project management, and enhance overall efficiency.



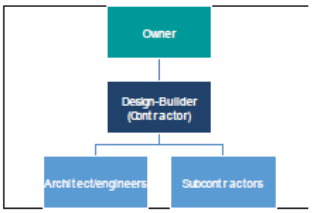






Design/Build BASICS

- The Owner Contracts with One Entity
  - Design-Builder (DBIA 520/525 Two Step or DBIA 544 Progressive)
- The Design-Builder provides the Architectural/Engineering Design Services and Construction
- Qualifications based selection of Design Build Entity
- Widely accepted delivery method throughout USA and Internationally



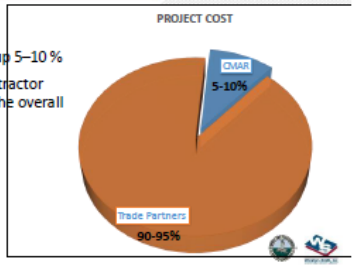
Design-builder ASSUMES THE RISK!

- Budget is Critical - Guaranteed Maximum Price (GMP)
- Timeline is Critical - Guaranteed Schedule
- DB Owns the Schedule
- Increased Ownership in Design (Preconstruction Services)
- Subcontractor Performance – Option for DB Certain Trade Scopes
- Site Safety
- Quality Control
- Warranties



Costs to the Project

- CM or DB Qualifications & Relationship Based makes up 5–10 %
- Allows Competitive Subcontractor Procurement of 90-95% of the overall cost.



CMAR-DB PRECONSTRUCTION SERVICES

- Collaborative Effort
  - CMAR - DB now has ownership in schedule and design
- CMAR - DB Design & Constructability Reviews
  - Allows ideas and innovation from GC
  - Allows input on available materials
- Value Engineering
  - Throughout project lifecycle
  - Early VE provides more value (100%)
  - Early VE avoids re-design fees or schedule impacts



Progression to GMP



PRECONSTRUCTION SERVICES

DB

- Partner prior to design commencing

CMAR

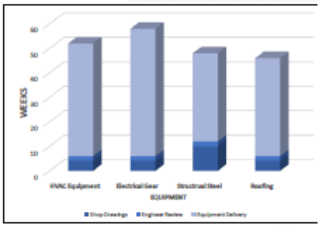
- Ability to partner from any point in the design process
  - Conceptual to more advanced stages of design
  - Earlier engagement = greater value add

- Reliable Cost Estimates and Project Schedules at 30/60/90% Design
  - Sets realistic expectations
  - Confirms allowable funding
  - Budget monitoring
  - Helps keep design on schedule
  - Extra input on design status



CMAR PRECONSTRUCTION SERVICES

- Early Procurement
  - Engineer and CMAR-DB identify long lead equipment
  - CMAR-DB can purchase at 60% design to avoid delays
  - HVAC, Electrical Gear, Structure & Roofing



Cost Control/Managing Cost Escalation

- Identify Long Lead Items & Consider Early GMP Release
- Mitigate Risk
- Assign Personnel to Expedite / Track / Verify during Procurement
- Communication



LONG LEAD ITEM	LEAD TIME
Emergency Generators	57 weeks
Switchboards	57 weeks
HVAC Equipment	52 weeks
Elevators	52 weeks
Telecomm & AV Systems	40 weeks
Panels (400+ Amp)	38 weeks
Impact Glass/Windows	35 weeks
Security Equipment	30 weeks
Fuel Tanks & Dispensers	30 weeks

SUBCONTRACTOR SELECTION

- Openly Advertised
  FOR
  Qualified Bidder's List
  - CMAR-DB develops list with the Owner and Architect/Engineers input
  - Include financially healthy firms
  - Includes subcontractors with proven safety & quality



SUBCONTRACTOR SELECTION

OPEN BOOK
GMP Steps

STEP #1
DETERMINE WORK PACKAGES

STEP #2
QUALIFIED BIDDER'S LIST

STEP #3
BID PACKAGES

STEP #4
RECEIVED BIDS

STEP #5
BID EVALUATIONS



GUARANTEED MAXIMUM PRICE

- Subcontractors and Supplier Bids
  - Competitively bid
  - Thoroughly vetted before award
  - Schedules and value engineering ideas
- General Conditions (Open Book)
  - Management Staff
  - Construction Facilities
  - Builder's Risk Insurance
- Bonds & Insurance (Open Book)
- CM –DB Fee (Negotiated)
- Contingency



BEST VALUE

- Inherent Cost Savings with the Right CMAR-DB
  - Lower bond rates
  - Lower insurance rates
  - Local GC & Subcontractors
  - Value management
  - Shared project savings go back to the Owner!



EXPEDITED SCHEDULE

- CM-DB is already under Contract at time of Design Completion (saves months in procurement)
- Utilize CPM Scheduling from onset of Design
- CMAR-DB identifies key Design Milestones that affect schedule
- Jointly evaluate Permitting Schedule and Impacts
- Start Procurement in Critical Areas before Design is Complete



CMAR

Advantages

- Accurate Cost Data
  - Allows for course correction
- Cooperative Team Environment with Inherent Checks and Balances
- CMAR looks-out for Owner's Interest During Change Orders
- Logistical Freedom when well planned
- High Level of Quality Control
- Quality Subcontractors
- High Level of Manpower Control
- Shared Savings Between Contractor and Owner
- Change orders limited compared to DBB

Disadvantages

- Slower delivery than DB
- Opportunity for disagreements still exist
- Additional documentation required for the CMAR
- Learning curve when new concept for owner

Design-build

Advantages

- Single Source of Responsibility
- Accurate Cost Data
  - Allows for course correction
- Cooperative Team Environment
- Concurrent processes reduce project timeline/ schedule
- DB looks-out for Owner's Interest During Change Orders
- Logistical Freedom when well planned
- High Level of Quality Control
- Quality Subcontractors
- High Level of Manpower Control
- Shared Savings Between Contractor and Owner

Disadvantages

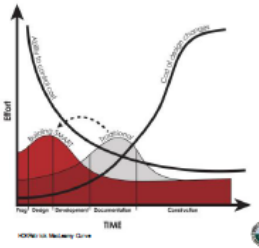
- Perception that too much control is in the hands of DB contractor
- Owner may be kept at "arms length" from the architect/engineers
- Some change orders may occur but typically owner generated
- Learning curve when new concept for owner

Building smart

Building Smart Alliance (now BIMCouncil)

- Estimated that up to 50% of the building process is consumed in waste
- Estimated that 70% of all projects end over budget and over schedule





RESULTS



THANK YOU

Wharton-Smith, Inc.
CONSTRUCTION GROUP

Scott Whelchel
Area Manager

Joseph Willard
Senior Preconstruction Services Manager

Matt Robertson
Business Development Executive

Q & A WITH WHARTON-SMITH Councilman Harvey inquired about the scope and size of projects Wharton-Smith typically undertakes, specifically regarding budget, square footage, and whether projects involve new construction or renovation. Mr. Whelchel explained that Wharton-Smith focuses on partnering with clients who are invested in the community and value collaborative project delivery. He noted that their preferred projects include Public Safety facilities, Town Halls, K-12 schools, and other buildings that serve the public good. While the company is not well suited for small projects, like replacing carpet or jobs valued around $15,000, Mr. Whelchel did not specify a minimum dollar amount for their projects.

Interim Town Manager Bo Weichel asked about the cost differences between the Design-Build and CMAR contract methods. Mr. Whelchel outlined the general steps involved in each process but did not provide a specific cost comparison. Mr. Weichel also questioned whether the Statement of Criteria needed to include a budget figure. Mr. Whelchel clarified that it is flexible—budget numbers can be included if preferred but are not a strict requirement.

Q & A WITH WACO FIRE CHIEF BRENT GORDON Chief Brent Gordon, retired from the Charlotte Fire Department after 30 years, serves as the fire chief for both Waco and Bessemer City. He recounted Waco Fire Department's complex journey to building a new fire station, a process that began around 2011. As a cash-limited 501(c)(3) organization, they initially explored a traditional bid approach but ultimately opted for a design-build model to control costs and quality. Renovating the outdated 1963 station was infeasible due to strict modern building codes for critical infrastructure, so they acquired property and hired a contractor, Crescent Construction, along with architect John Palmer. The station, built for approximately $1.76 million, is 15,000 square feet with five bays (rated as 10 due to drive-through access) and 6,000 square feet of living quarters. Overruns added $146,000, mainly due to unexpected site conditions like septic tanks and wells, plus design changes. Chief Gordon noted the importance of contingency funds to handle such surprises. Moving into the new facility was intentionally scheduled for September 11, 2017, in honor of the significance of that date in fire service history. Currently, the cost to replicate this facility is estimated at around $3 million, excluding furniture and equipment. Chief Gordon advised that if any grading is required, a geotechnical firm should be engaged to drill the site and check for potential issues with rock or soil quality. He noted that Waco's grading cost totaled $143,129. Chief Gordon fully supported using a metal building for the station. Councilman Harvey inquired about the possibility of the Town of Valdese utilizing Waco's plans and specifications. Chief Gordon explained that while he has no objections, the architect owns the plans, so they would need to be stamped specifically for Valdese. He emphasized the importance of designing the station as a 50-year building, recommending that the Council consider not only current needs but also future requirements. He added that involving the Fire Chief and Fire Department is essential in guiding these decisions to ensure the building meets long-term operational needs.

ADOPTION OF DESIGN-BUILD ESTABLISHMENT OF CRITERIA – POLICE DEPARTMENT RENOVATION Interim Town Manager Bo Weichel explained that a Criteria Statement must be approved as a prerequisite to proceeding with a design-build process. During the discussion, Council deliberated on whether the Criteria Statement should include a budget figure. Mr. Weichel shared that Wharton-Smith confirmed the budget could be left out if preferred, adding that, in hindsight, he would have omitted a budget figure to allow contractors to assess the building and propose their own estimates.

Councilwoman Ward expressed that she would have preferred to table the budget number until more details were clarified and suggested holding another workshop. Councilwoman Lowman inquired whether the Facilities Review Committee planned to meet again, and Councilman Heavner noted they could convene if needed. Mayor Watts asked if Council should retain the dollar amount in the Criteria Statement, and Council agreed to remove it. Additionally, Councilman Harvey proposed amending the statement to indicate that the Town, rather than the police department, is submitting the Criteria Statement. Mr. Weichel then asked if Council wished to approve the revised document immediately or take more time to consider it.

Town of Valdese
Police Department Renovation Design-Build Criteria Statement

Title of Item:
Establishment of criteria for a design-build delivery method for construction contracts and approval of using the design-build delivery method for the Police Department renovation project.

Explanation:

In accordance with Session Law 2013-401 (HB 857) and NCGS 143-128.1A (b) regarding the addition of design-build delivery method for construction projects, the Police Department is submitting, for approval, the criteria that the Town must establish to utilize this method of delivery. Additionally, the Police Department is requesting approval to utilize the design-build method of delivery for the renovation and additions to the Police Department building on Main St. Due to the need for the project to be complete by early summer 2025. This delivery method will provide the needed flexibility to complete the project on time and within budget without sacrificing quality.

Part 1. Establishment of Criteria. On August 23, 2013, the Governor signed into law Session Law 2013-401. House Bill 857, authorizing governmental entities to utilize the design-build delivery method for construction contracts. The first step in the process for utilizing the design-build delivery method is that a governmental entity is to establish in writing the criteria used for determining the circumstances under which the design-build method is appropriate for a project. The criteria proposed are the following:

(Criteria 1) The extent to which the Town can adequately and thoroughly define the project requirements prior to the issuance of the request for qualifications (RFQ) for a design-builder.
The design-build delivery method may be used if it is determined that, for the project, the Town has professional personnel that are both qualified and experienced to thoroughly define project requirements prior to the issuance of a request for qualifications for a design-builder. Consideration will be given to the qualifications and experience of the personnel in the Police Department, Facilities Review Committee, Town Council, and the availability of professional personnel in the areas of purchasing, finance and legal to assist in the development of an RFQ.
(Criteria 2) The time constraints for the delivery of the project. The design-build delivery method may be used if a project has a firm date by which a facility must be operational and the normal delivery method is likely not to be timely (typically RFQ, study, design, bid and construct). The size and cost of a project will dictate complexity and schedule.

(Criteria 3) The ability to ensure that a quality project can be delivered. The design-build delivery method may be used if it is determined that, for the project, the Town has access to professional and experienced personnel to ensure that the design-build firm will provide a quality project within the budget constraints established by Council. Consideration will be given to the qualifications and experience of the personnel in the Police Department, Facilities Review Committee, Town Council, and hired professional services if necessary.

(Criteria 4) The capability of the Town to manage and oversee the project, including the availability of experienced staff or outside consultants who are experienced with the design-build method of project delivery. The design-build delivery method may be used if it is determined that, for the project, the Town has professional and experienced personnel that are knowledgeable of design- build projects or, alternatively, experienced consultants local to Valdese are available to be retained to perform the construction management of a design-build contract.

(Criteria 5) A good-faith effort to comply with G.S. 143-128.2, G.S. 143-128.4, and to recruit and select small business entities. The design-build delivery method may be used if it is determined that, for the project, requirements will be imposed which ensure that contractors will comply with the M/WBE goals.

(Criteria 6) The criteria utilized by the Town, including a comparison of the costs and benefits of using the design-build delivery method for a given project in lieu of the other delivery methods identified. The criteria utilized by the Town when considering a design-build delivery method for a project will be as follows:

- Is the project well defined and does it include qualitative and quantitative characteristics that make a design-build contract more appropriate than other methods of delivery?
- Is the project timeline overly constrained and will it be necessary to have the facility complete and operational within a short timeframe?
- Will it be necessary to have beneficial use of a portion of the facility while it is under construction?
- Given the scope of the project, is there a maximum budget that must be adhered to allow negotiations and flexibility to make appropriate decisions on scope as the project progresses?
- Does the design-build delivery method meet the ultimate operational goals established for a given facility and the quality of product achieved because of a more fluid and flexible delivery method?

In general terms, if it is determined that the expected expense of a design-build project will be no more than ten (10%) greater than the expected expense of a traditional RFQ, study, design, bid and construct project, the design-build delivery method may be utilized.

Part 2. Applying the criteria to the Convention Center Renovation and Addition Project. The second step for the process in determining whether to use the design build delivery method for a project is to apply the criteria to the project. In applying the criteria for the Police Department renovation project, it is recommended that the design-build delivery method be used for this project. This determination is based upon a review of the above criteria as it relates to this project as follows:

(Criteria 1) Through the Police Department, Facilities Review Committee, Town Council, and hired professional services, if necessary, the Town has professional personnel that are both qualified and experienced to thoroughly define project requirements prior to the issuance of a request for qualifications for a design builder. Additionally, professional personnel are available in the areas of purchasing, finance and legal services to assist in the development of an RFQ.

(Criteria 2) The Valdese Police Department requires renovation to establish an efficient process of operations to keep the community safe. In order to rehabilitate this facility so that outside regulating agency requirements are met, and the Police personnel can effectively perform their duties, the construction must be completed by July 2025. This is a period of approximately 10 months. Typical procedure would be to procure a design consultant, complete design and then undertake construction. This process would take approximately 12-18 months thus preventing the Police Department from meeting the stated expectations. The Design-Build process provides the best option for the Town to meet this timeframe.

(Criteria 3) Within the Police Department, Facilities Review Committee, Town Council, and hired professional services, the Town has professional and experienced personnel to ensure that the design-build firm will provide a quality project within the budget constraints established by Council.

(Criteria 4) Should it become necessary to contract the construction management of a design-build contract, there are experienced consultants local to Valdese that are available.

(Criteria 5) In developing an RFQ and interviewing selected firms, the Town will put forth a good- faith effort to comply with G.S. 143-128.2, G.S. 143-128.4.

(Criteria 6) As stated under Criteria #2, one of the benefits of the Design-Build process is that it may reduce the overall project schedule by 8 months. This has a direct benefit on the project budget. The design-build delivery method is not expected to involve any additional expense than the expected expense of a traditional RFQ, study, design, bid. and construct project. By reducing the time frame by 8 months, we are eliminating the price escalation that would occur within that year. Additionally, the scope of the design efforts will be reduced. This enables more of the approved project budget to go directly towards the physical improvements of the facility. Total project budget is $1,750,000, which is lower than initial estimates of traditional design-bid-build. It is expected that the design-build process will enable an extra 5% of existing funds to be allocated to the construction over what our typical design-bid-build process would allow. These benefits to both the project schedule and cost make the design-build option more appealing than the more conventional design-bid-build in this instance.

Fiscal Note:
There is no fiscal impact to the establishment of this policy and approval of the utilization of design- build delivery method.

Recommendation:
Approve the criteria for the use of the design-build delivery method and authorize Town staff to move forward with use of the design-build delivery method for the renovations and additions to the Police Department facility. END

APPROVAL OF RFQ DESIGN BUILD – POLICE DEPARTMENT RENOVATION Mr. Weichel explained that the upcoming RFQ would be directed toward general contractors. Councilman Harvey then questioned the funding source for the Police Department renovations, to which Mr. Weichel recommended utilizing reserve funds. He estimated the reserve at $6.9 million, noting that covering both the renovations and the pool structure would reduce the balance to approximately $4.9 million. Council discussed other funding

options, with Councilman Harvey observing that the project has evolved significantly. He suggested that constructing a Police Department addition to Town Hall with a Sally Port, or potentially a new facility joining both Fire and Police Departments, might be more cost-effective than renovating the 58-year-old Main Street building. He questioned if the renovation was truly the best path forward, especially given potential unknowns that could arise once walls are opened.

Councilwoman Ward emphasized the importance of moving forward without further delays. Councilwoman Lowman recapped the long history of planning for a new public safety building and urged Council to make a decisive move. Mayor Watts recommended deferring the decision to the November 4 Council meeting, while Councilwoman Ward requested an additional workshop. Councilman Harvey raised concerns that Hurricane Helena could disrupt the RFQ timeline, and Mayor Watts agreed to work with Mr. Weichel to develop a schedule, inviting Council members to submit any questions in advance. Councilman Heavner stressed the importance of doing it right with whatever is decided. Ultimately, Mr. Weichel confirmed that both the Criteria Statement and the RFQ would be paused, with no vote taken at this time.

ADJOURNMENT: At 4:38 p.m., there being no further business to come before Council, Councilman Ogle made a motion to adjourn, seconded by Councilwoman Ward. The vote was unanimous.

_____ _____

Town Clerk Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL PRE - AGENDA MEETING
OCTOBER 28, 2024

The Town of Valdese Town Council met on Monday, October 28, 2024, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The Council meeting was live-streamed on YouTube @townofvaldese. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, and Councilman Glenn Harvey. Also present were: Interim Town Manager Bo Weichel, Town Attorney Tim Swanson, Town Clerk Jessica Lail, and various Department Heads.

Absent: Councilman Roger Heavner

A quorum was present.

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

Tamika Garrison offered the invocation. Following the invocation, Mayor Watts led in the Pledge of Allegiance to the Flag.

Mayor Watts announced that Council Member Roger Heavner resigned from his position effective immediately.

NEW BUSINESS

REVIEW AND DISCUSSION OF NOVEMBER 4, 2024 PRELIMINARY AGENDA:

UNDER NEW BUSINESS:

PROCLAMATION FOR BURKE COUNTY, NC NONPROFIT DAY (AKA 1BURKEGIVES) Mayor Watts will present the Proclamation at the regular meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON NOVEMBER 4, 2024, AT 6:00 P.M.

POOL STRUCTURE BIDS & CAPITAL CAMPAIGN DISCUSSION Interim Town Manager Bo Weichel reported on the public bid opening for the pool structure, which was held earlier today. Only one contractor attended. Mr. Weichel explained that per state law, a minimum of three bids is required; therefore, the project will need to be re-advertised. Following the re-advertisement, the law does not require a specific number of bids to proceed, regardless of the number received. The new bid opening is scheduled for November 14 at 11:00 a.m.

As no bids were formally submitted today, Mr. Weichel recommended postponing the Capital Campaign discussion until the next meeting.

Councilman Harvey noted that the single contractor who attended shared an estimate verbally and questioned whether the Council could see it, and was concerned that it was a conflict with state bidding statutes. Mr. Weichel clarified that while the contractor mentioned a general cost estimate, no formal bid was opened. Town Attorney Tim Swanson confirmed that the Town would re-advertise the project and follow the appropriate state-mandated procedures.

RESULT: MOVED TO THE NOVEMBER 18, 2024, MEETING AT 6:00 P.M.

REVIEW OF DESIGN-BUILD APPROACH TO 215 MAIN ST RENOVATION Interim Town Manager Bo Weichel reported that the Council held a workshop last week, during which they discussed pursuing a design-build process. He explained that the current plan is to proceed with an RFQ (Request for Qualifications) process, specifically for a combined Police and Fire building that could be located on the 200 Massel lot. Councilwoman Lowman inquired whether the Council could also explore the costs of renovating. Mr. Weichel responded that while this is an option, it would likely be more expensive. Councilwoman Lowman further asked if a combined facility could indeed fit on the 200 Massel lot. Mr.

Weichel noted that while this would need to be confirmed by a contractor, preliminary discussions with Talley-Smith suggested it would be feasible.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON NOVEMBER 4, 2024, AT 6:00 P.M.

200 MASSEL AVE FIRE STATION STATUS No other discussion was held.

I. **Consideration of the design-build approach to the construction of the building**
II. **Consideration of the design-build approach to site preparation**

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON NOVEMBER 4, 2024, AT 6:00 P.M.

CONSIDERATION OF APPROVAL OF CAPITAL PROJECT ORDINANCE – BERRYTOWN PROJECT
Interim Town Manager Bo Weichel said this Ordinance would set up the budget for the Berrytown Waterline project.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON NOVEMBER 4, 2024, AT 6:00 P.M.

CONSIDERATION OF APPROVAL OF BUDGET AMENDMENTS Interim Town Manager Bo Weichel stated that three amendments, each detailing associated costs, would be presented at the next meeting.

I. **Hurricane Helene Storm Response and Repairs**
II. **Public Works Generator**
III. **Water Plant Filter Console Controller and Programmable Logic Controller Uplift**

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON NOVEMBER 4, 2024, AT 6:00 P.M.

LEAD SERVICE LINE INVENTORY PROJECT UPDATE Mayor Watts said that McGill Associates would present this update at the Regular meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON NOVEMBER 4, 2024, AT 6:00 P.M.

PROJECT UPDATES (PENDING AND ONGOING) Mayor Watts said that this would be presented at the Regular meeting.

I. **Hoyle Creek Excavation and Construction**
II. **Lovelady to Lakeside Park Sidewalk Project**
III. **DOT Resurfacing Agreement**

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON NOVEMBER 4, 2024, AT 6:00 P.M.

INTERIM MANAGER'S REPORT: Interim Town Manager Bo Weichel will report at the November 4, 2024, meeting.

ADJOURNMENT: At 6:15 p.m., there being no further business to come before Council, Councilman Ogle made a motion to adjourn, seconded by Councilwoman Ward. The vote was unanimous.

_____ _____

Town Clerk Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL REGULAR MEETING
NOVEMBER 4, 2024

The Town of Valdese Town Council met on Monday, November 4, 2024, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The Council meeting was live-streamed on YouTube @townofvaldese. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, and Councilman Glenn Harvey. Also present were: Interim Town Manager Bo Weichel, Town Attorney Tim Swanson, Town Clerk Jessica Lail, and various Department Heads.

Absent: Ward 2 Vacant Seat

A quorum was present.

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

Rev. Dr. Josh Lail, pastor of the Valdese First Baptist Church offered the invocation. Following the invocation, Mayor Watts led in the Pledge of Allegiance to the Flag.

OPEN FORUM/PUBLIC COMMENT:

RESOLUTION OF APPRECIATION – RETIRING PLANNING DIRECTOR LARRY JOHNSON: Mayor Watts presented Mr. Johnson with a Resolution of Appreciation:

Whereas, Larry Johnson began his career with the Town of Valdese on May 16, 1979, retiring after 32 years of service on May 21, 2011, but returned part-time shortly after, demonstrating a deep commitment to the Town; and

Whereas, over the past 45 years, **Larry Johnson's** leadership and expertise have greatly benefited Valdese, shaping its growth and enhancing residents' quality of life; and

Whereas, **Larry Johnson** has exemplified professionalism in managing the planning and zoning needs of the community, balancing growth with preservation, and fostering a collaborative approach to sustainable development that has contributed to the economic, environmental, and social well-being of Valdese; and

Whereas, Larry Johnson has been pivotal in transformative projects, including affordable housing initiatives, new subdivisions, sidewalk infrastructure, and the relocation of Town Hall, as well as establishing Citizens for Affordable Housing, which provided new homes for low- and moderate-income first-time homebuyers; and

Whereas, Larry Johnson's impact extends beyond Valdese through his service on numerous boards and committees, including the Planning Board/Board of Adjustments, WNC Railroad, Animal Control Appellate Board, Street Paving Panel, and Burke United Christian Ministries. Additionally, he was a committed member of the Burke County Affordable Housing Task Force, Burke Hospice & Palliative Care Board, and he served as Vice-Chair of the UNC Health Quality and Patient Safety Committee, making a difference across the community; and

Whereas, throughout his career, **Larry Johnson** has built countless meaningful relationships with both citizens and colleagues, leaving behind a legacy of wisdom, thoughtful guidance, and memorable expressions, such as his well-known phrases: "Be comfortable with your uncomfortableness," "Word on the Street," "It would behoove you," and his use of insightful terms like "privy" and "cognizant" and consistently emphasized the "Four C's" Christ, Compromise, Commitment, and Communication. At the end of each day, he always offered his signature reassurance: "Call me if you need anything and give my regards"; and

Now, Therefore, Be It Resolved, that the Town of Valdese expresses its heartfelt appreciation to **Larry Johnson** for his years of outstanding service, commitment, and contributions as Planning Director, and extends best wishes for his future endeavors; and

Be It Further Resolved, that the Town Council of the Town of Valdese, North Carolina, hereby expresses its sincere appreciation and gratitude to **Larry Johnson** for his service and leadership to the Town of Valdese during the past 45 years and extends congratulations and best wishes upon his 2nd retirement.

Adopted this the 4th day of November, 2024.

/s/ Charles Watts, Mayor

APPOINTMENT OF COUNCILPERSON – BRADY LINKOUS, 301 ST. GERMAIN AVE SE: Mr. Linkous expressed concern over Councilman Harvey's leadership and its impact on the town. Mr. Linkous criticized Councilman Harvey for his handling of the municipal building issue, the delayed hiring of a town manager, and low employee morale due to frequent changes in leadership and public criticisms of staff. Concerns were also raised about Councilman Harvey's approach to public safety and his attempts to limit staff comments during meetings. Mr. Linkous urged the Council to assert themselves, involve the community in decisions like the Ward 2 appointment, and prioritize open, inclusive leadership. Mr. Linkous emphasized the importance of holding leaders accountable for the town's progress.

POOL COVER – NANCY TUCKER, 210 FOREST DR NE, VALDESE: Ms. Tucker provided the Town Clerk with a copy of her public comment.

I am here once again to talk about our Valdese Recreation Swimming Pool and the need for the permanent building to insure access to year round swimming.

The Recreation Center is doing everything possible to keep us swimming. There are blankets placed over the water each evening to help keep the water warm. The blankets are removed each morning when the outside temperature is 40 degrees or above or the blankets are removed in the afternoon if the mornings are too cold. We have been so very fortunate with the warm weather lately that many swimmers continue to show up and are enjoying the 80-degree pool water. Even the high school swim teams are still practicing in Valdese. This is even more important because at our pool, there are starting blocks for the swimmers to practice their starts – something that is not offered at other county pools. Swimming outdoors in November in Valdese is only possible because of the nice weather and the hard work of the Valdese Rec staff. I want to thank them for their dedication. They are doing an amazing job.

You may only want to hear from Valdese residents about the desire for the permanent pool building, but there are many non-residents that use our pool. These people bring in extra revenue with their recreation memberships, pool parties and they do spend money in our town while here. So the availability of year round swimming is important to our area, the youth and adults, more than just our town.

The bids for construction of the pool building will be in soon, maybe by next week. I hope you, all council members, are ready to take positive action, move forward and get this permanent pool structure approved. Valdese Town Council has many important issues on the agendas but by next month you have the chance to get this one project started and off your agendas and get some positive news coming out of Valdese Town Council. Be more like Larry Johnson & be responsive to the needs of the people.

REPLACING COUNCIL MEMBERS – JEAN-MARIE COLE, 705 BERTIS ST, VALDESE: Ms. Cole expressed concerns about the recent process for replacing a mid-term council member. Ms. Cole felt the intention was to fill the position quickly to ensure Ward representation during ongoing projects; however, the approach caused delays and public dissatisfaction. Issues included the lack of input from Ward residents, perceptions of secrecy and "backdoor politics," and the loss of a qualified candidate. Ms. Cole proposed a clearer process: allowing Ward residents to submit resumes within two weeks, giving the council two weeks to review candidates, and making an appointment at the December meeting to ensure readiness for January projects. Ms. Cole also suggested establishing a transparent, public procedure for future mid-term replacements to prevent similar challenges.

JULY 4 DATE – JIM JACUMIN, 3690 MILLER BRIDGE RD, CONNELLY SPRINGS: Mr. Jacumin shared the story of Red Gibson, a local veteran whose patriotism and dedication profoundly impacted the community. Mr. Jacumin said Red lived humbly in various makeshift homes, and was known for wearing military attire and marching daily to the overhead bridge in Icard with an American flag. Mr. Jacumin noted that tragically, Red was murdered in 2004, which was a loss deeply felt by his family and the town. Mr. Jacumin emphasized the sacrifices of veterans like Red, urging the Council to honor their legacy by preserving the significance of July 4. He reminded everyone that the freedoms enjoyed today are the result of immense sacrifices, calling for thoughtful consideration of actions impacting this sacred day.

HURRICANE DISATER/4 JULY – BLENDA ICARD, 409 PINEBURR AVE SW, VALDESE: Ms. Icard shared her experience of losing her home during the recent hurricane when a tree destroyed her house. Ms. Icard shared despite temporarily relocating 20 miles away; she is committed to rebuilding in Valdese, emphasizing her deep love for the town. Ms. Icard praised the Police, Fire Department, and Public Works for their exceptional service and care during the disaster. Ms. Icard also highlighted the importance of preserving Valdese's charm and community spirit, including its Fourth of July celebrations, which draw visitors from across the region. Ms. Icard would like to see it celebrated on the fourth. She expressed heartfelt gratitude to town employees for their compassion and encouraged efforts to keep Valdese a great place to live, work, and visit.

TRANSPARENT – RICK MCCLURD, 408 GARROU AVE SE, VALDESE: Mr. McClurd shared concerns about transparency in the process of filling town council seats, citing his own experience when applying for Ward 1. Mr. McClurd recounted confusion over Ward boundary changes that had not yet been finalized but were used to disqualify his application. Mr. McClurd said that the decision appeared to be influenced by individuals in Town Hall who did not want them considered for the position. Mr. McClurd also highlighted examples of perceived favoritism and lack of transparency in other Council appointments. He referenced instances where candidates were selected or disqualified without proper procedures, including appointing individuals who had not submitted resumes. Mr. McClurd emphasized the importance of focusing on qualifications rather than personal preferences and called for greater transparency and fairness in Council decisions.

CONSENT AGENDA: (enacted by one motion) Councilman Harvey removed two items from the Consent Agenda: A - Approval of Regular Meeting Minutes of October 7, 2024 and D - Approval of Ordinance Declaring Road Closures for the Town of Valdese 2025 Annual Events.

APPROVED CLOSED SESSION MINUTES OF OCTOBER 7, 2024

APPROVED PUBLIC SAFETY BUILDINGS WORKSHOP MINUTES OF OCTOBER 24, 2024

APPROVED CAPITAL PROJECT ORDINANCE – BERRYTOWN PROJECT

TOWN OF VALDESE
BERRYTOWN WATERLINE PROJECT
CAPITAL PROJECT BUDGET ORDINANCE
CDBG-I PROJECT NO.: 18-I-3094
CDBG-I PROJECT NO.: 23-I-4160
CDBG-NR

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

Section 1. The project authorized is the **Berrytown Waterline Project** which will replace approximately 8,215 LF of water lines to serve 81 homes, community fire hydrants and other appurtenances along Berry School Avenue, Berrytown Avenue, Berrytown Street, Bost Johnson Avenue, Bost Johnson Avenue Extension, and CV Johnson Drive in Burke County (project area). A $56,000 portion of the grant will be utilized for planning purposes. This grant will fund the engineering report, environmental review record, and administrative tasks such as development of compliance plans and project reporting.
Through a CDBG-NR grant, the Town will upgrade waterlines and service connections to approximately fifty (50) low and moderate income households located along Berry School Avenue, Berrytown Avenue, Berrytown Street, Bost Johnson Avenue, Bost Johnson Avenue Extension, and CV Johnson Drive. All of the CDBG-NR funds will benefit low- and moderate-income persons.
Total project costs are $3,036,775 and will be 100% funded by CDBG-I and CDBG-NR grants.

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
CDBG-I Planning Grant	56,000	55.3000.000
CDBG-I Construction Grant	2,180,775	55.3000.001
CDBG-Neighborhood Revitalization Grant	800,000	55.3000.002
	$ 3,036,755	

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

Source	Amount	Assigned Account Number
Planning-Engineering Report (ER)	26,000	55.8120.000
Planning-Environmental (EID)	25,000	55.8120.001
Planning-Administration (CP&FHP)	5,000	55.8120.002
Construction-Water Improvements	2,013,098	55.8120.003
Construction-Administration	167,677	55.8120.004
Water Connections (CDBG-NR)	763,225	55.8120.005
COG Administration (CDBG-NR)	33,275	55.8120.006
Planning (CDBG-NR)	3,500	55.8120.007
	$ 3,036,755	

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 Utility 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 4th day of November 2024.

/s/ Charles Watts, Mayor

ATTEST:

/s/ Town Clerk

Councilman Harvey made a motion to approve the aforementioned items on the Consent Agenda, seconded by Councilwoman Ward. The vote was unanimous. Motion carried.

End Consent Agenda

ITEMS REMOVED FROM CONSENT AGENDA:

A - APPROVED REGULAR MEETING MINUTES OF OCTOBER 7, 2024

1st Motion: Councilman Harvey made a motion to amend the October 7, 2024 Town Council Minutes by replacing the summary of the Police Chief's 25-minutes presentation with a simple reference to the complete video recording of the presentation that is available on the Town's YouTube channel, seconded by Councilwoman Ward.

Discussion: Councilman Harvey does not feel the summary does justice to the presentation or Town employees and is not pertinent to what was on the table. Councilwoman Ward would like for more of what Chief Sharpe said to be shared because it was important information. Councilwoman Lowman feels that being in the minutes is a good way to share that information. Councilman Harvey said it was not a verbatim transcript; it is a summary and noted that there were mistakes and typos.

2nd Motion: Councilwoman Ward made a motion to table the approval of the minutes until the next Council meeting so we can see what the mistakes are, seconded by Councilman Ogle.

Vote: Councilman Ward – Yes, Councilman Ogle – Yes, Councilman Harvey – No, Councilwoman Lowman – No. Due to the tie vote, Mayor Watts voted No to table it.

Mayor Watts said since the motion to table the minutes was not passed, we would go back to the first motion for voting. Motion failed.

Back to 1st Motion: Councilman Harvey made a motion to amend the October 7, 2024 Town Council Minutes by replacing the summary of the Police Chief's 25-minutes presentation with a simple reference to the complete video recording of the presentation that is available on the Town's YouTube channel, seconded by Councilwoman Ward.

Vote: Councilwoman Lowman – No, Councilman Harvey – Yes, Councilman Ogle – No, Councilwoman Ward – No, Motion failed.

3rd Motion: Councilwoman Ward made a motion to approve the regular meeting minutes of October 7, 2024, as presented, seconded by Councilwoman Lowman. The vote was unanimous. Motion carried.

D - NOT APPROVED - ORDINANCE DECLARING ROAD CLOSURES FOR THE TOWN OF VALDESE 2025 ANNUAL EVENTS

WHEREAS, the Town of Valdese desires to schedule an Fireworks Friday Night, Annual Waldensian Festival; Treats in the Streets; and the Annual Valdese Christmas Parade; and

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

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

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

2025 Fireworks Friday Night *(Description of Closure: 1.19 mi. US 70 Main St from Hoyle St to Eldred St)* on June 27, 2025 from 5:00 PM until 11:00 PM.

2025 Waldensian Festival Kickoff Celebration *(Description of Closure: 1.19 mi. US 70 Main St from Hoyle St to Eldred St)* on August 8, 2025 from 5:00 PM until 11:00 PM.

2025 Waldensian Festival Celebration *(Description of Closure: 1.19 mi. US 70 Main St from Hoyle St to Eldred St)* on August 9, 2025 from 5:30 AM until 11:00 PM.

2025 Valdese Treats in the Streets *(Description of Closure: 1.19 mi. US 70 Main St from Hoyle St to Eldred St)* on October 31, 2025 from 3:30 PM until 6:30 PM.

2025 Valdese Christmas Parade *(Description of Closure: 1.19 mi. US 70 Main St from Hoyle St to Eldred St)* on December 6, 2025 from 9:30 AM until 12 Noon.

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

Councilman Harvey raised concerns that earlier this year, in June, he received complaints from local restaurant owners about the Town of Valdese being closed on July 4. He noted that residents had to visit neighboring towns to celebrate, which impacted local businesses financially. He reminded the Council of his prior inquiry in June about plans for July 2025, especially with July 4 falling on a Friday. While open to alternatives, Councilman Harvey emphasized the need for clear reasoning if the celebration is scheduled earlier than the actual holiday. He suggested postponing action on this matter until an independent study could gauge residents and businesses' preferences for celebrating Independence Day and would make that in a motion, Councilwoman Ward seconded it.

Councilwoman Ward expressed her strong support for celebrating on July 4, referencing the initial discussions in 2013 about combining the event with Family Friday Night. She highlighted that the last time Valdese celebrated the holiday on a Friday was in 2014 and advocated for a major celebration in 2025.

Councilman Harvey clarified that he had not made a formal motion and was seeking input from other Council members.

Councilwoman Lowman stated she was open to reviewing the costs of holding the event on July 4 and agreed that a thoughtful approach and further study were necessary.

Councilwoman Ward made a motion to hold the 2025 Independence Day celebration on Friday, July 4, seconded by Councilman Ogle. The vote was unanimous. Motion carried.

Mayor Watts directed Interim Town Manager Bo Weichel to provide a cost analysis for holding the event on July 4. Councilman Harvey noted that the cost for the Independence Day celebration comes out of next year's budget.

NEW BUSINESS

Councilwoman Lowman made a motion to add Ward 2 Vacancy to the agenda, seconded by Councilwoman Ward. The vote was unanimous. Motion carried.

ADDED: WARD 2 VACANCY

1st Motion: Councilwoman Lowman made a motion to authorize the Manager to solicit nominations and applications from the community for the vacant Ward 2 Town Council seat so that we can consider all interested qualified applicants for the position, seconded by Councilwoman Ward.

Discussion: Councilman Harvey asked if we were going to ask for applications and resumes or just applications. Councilwoman Lowman said just applications. Councilman Harvey would like to have a time limit on submitting applications. Councilwoman Lowman said that in the past, interested citizens have submitted a resume as well. Councilman Harvey reviewed the process in 2022 and was concerned about issues it brought.

2nd Motion: Councilman Ogle made a motion to amend the original motion to add a resume process, seconded by Councilwoman Ward. The vote was unanimous. Motion carried.

3rd Motion: Councilwoman Ward made a motion to amend the original motion to extend the application process to December 2, seconded by Councilman Ogle.

Discussion: Councilman Harvey is concerned that December 2 is too soon for people to submit applications. Councilman Ogle would like to see it stay open until the first meeting in January 2025.

Vote: The 3rd motion failed.

4th Motion: Councilman Ogle made a motion to leave the application process for Ward 2 until January 6, 2025, seconded by Councilwoman Lowman. The vote was unanimous. Motion carried.

5th Motion: Councilwoman Lowman made a motion to authorize the Manager to solicit nominations and applications from the community for the vacant Ward 2 Town Council seat so that we can consider all interested qualified applicants for the position, adding two amendments: resume requirement to the application process, and amendment to leave the application process open until January 6, 2025, seconded by Councilwoman Ward. The vote was unanimous. Motion carried.

PROCLAMATION FOR BURKE COUNTY, NC NONPROFIT DAY (AKA 1BURKEGIVES) Mayor Watts read the following Proclamation:

Proclamation
Burke County, NC Nonprofit Day
(aka 1BurkeGives)

Whereas, charitable nonprofit organizations throughout Burke County save taxpayers thousands of dollars through their services and contribute significantly to the high quality of life for all citizens; and

Whereas, these organizations are committed to serving the educational, cultural, civic, health, religious, human and animal services, recreational, philanthropic, environmental, and other diverse needs of Burke County; and

Whereas, the staff and volunteers of all Burke County nonprofit organizations are dedicated to upholding the highest standards of community service, donating their time and effort to making a difference in the lives of others; and

Whereas, Tuesday, December 3, 2024, in observance of "Burke County, NC

Nonprofit Day" (aka 1BurkeGives) provides a unique opportunity for the citizens of Burke County to join together in appreciation and support of the many contributions made by nonprofit organizations to our continued wellbeing while boosting awareness for continued growth.
Now, therefore, I, Charles Watts, Mayor of the Town of Valdese, do hereby proclaim Tuesday, December 3, 2024, as Burke County, NC Nonprofit Day (aka 1BurkeGives) and encourage all citizens to recognize the positive impact nonprofit organizations have on the quality of life of the citizens of Burke County.

/s/ Charles Watts, Mayor

Sherry Watts, Treasurer for Burke County United Way accepted the Proclamation and shared more information about the 1BurkeGives day on Tuesday, December 3, 2024. For more information visit 1burkegives.org.

JULY 4 BUDGET CLARIFICATION: Mayor Watts requested clarification on the budget for the July 4 event from Interim Town Manager Bo Weichel. Mr. Weichel explained that the activities for the July 4 celebration must be booked in advance, and as a result, the associated costs are accounted for in the current year's budget as prepaid expenses.

REVIEW OF DESIGN-BUILD APPROACH TO 215 MAIN ST RENOVATION Councilwoman Lowman has talked to many citizens that are excited that we purchased the building at 215 Main Street and that we were looking to put a Police Department on Main Street.

Councilwoman Lowman made a motion that we authorize the Manager to issue a request for qualifications for design-build of a Public Safety Building in two phases, Phase one shall consist of the schematic design for comparison of budgetary purposes of **1**. A Police Department at 215 East Main Street, Valdese and **2**. A combined Fire and Police Department at 200 Massel Ave SW, Valdese. Phase two – The Manager shall present a DBIA contract for either the renovation of a Police Department at 215 East Main Street or a DBIA contract for construction of a combined Fire and Police Department at 200 Massel Ave SW. The options for the Phase 2 contract shall be based upon the general contractors professional input of each construction option, as well as the budgetary schematic design completed in Phase one for Councils consideration. This will look at both areas and give up input with renovating the 215 East Main Street and then what the cost would be for design-build with a Fire and Police Department at the 200 Massel Ave site that is next to the Town Hall, seconded by Councilwoman Ward.

Councilman Harvey noted that all the numbers that have been presented to date is summarized in the agenda packet.

Vote: The vote was unanimous. Motion carried.

200 MASSEL AVE FIRE STATION STATUS Mayor Watts noted that this matter had already been discussed.

I. **CONSIDERATION OF THE DESIGN-BUILD APPROACH TO THE CONSTRUCTION OF THE BUILDING**
II. **CONSIDERATION OF THE DESIGN-BUILD APPROACH TO SITE PREPARATION**

APPROVED BUDGET AMENDMENTS

I. **HURRICANE HELENE STORM RESPONSE AND REPAIRS** Interim Town Manager Bo Weichel presented the following Budget Amendment for Hurricane Helena Storm damages that will be reimbursed by FEMA and insurance. Mr. Weichel noted that the funds will come out of our Fund Balance but will be put back in when reimbursed.

Valdese Town Council Meeting — Monday, November 4, 2024

Budget Amendment # 4-10

Subject: Hurricane Helene storm response and repairs

Description: This will adjust the budget to account for the costs involved across all departments in both the General and Utility funds. Costs include damages to equipment, materials and items necessary for storm response, electrical contractor, and additional overtime required from employees. These costs will be submitted for reimbursment by a combination of FEMA and insurance.

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, 2025:

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.		31,776
30.3990.000	Utility Fund Balance Appr.		679,817
	Total	$0	$711,593

Amounts appropriated for expenditure are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
10.4250.021	Overtime	212	
10.4350.021	Overtime	732	
10.5600.021	Overtime	1,263	
10.5800.021	Overtime	350	
10.4350.150	Maintenance and Repairs	8,716	
10.6200.151	Park Repairs	15,428	
10.6250.150	Maintenance and Repairs	5,075	
30.8100.021	Overtime	8,024	
30.8110.021	Overtime	232	
30.8120.021	Overtime	1,883	
30.8110.160	Maintenance and Repairs	158,085	
30.8100.130	Generator Fuel	9,464	
30.8100.160	Maintenance and Repairs	502,129	
	Total	$711,593	$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 4-10, seconded by Councilwoman Lowman. The vote was unanimous. Motion carried.

II. **PUBLIC WORKS GENERATOR** Interim Town Manager Bo Weichel presented the following Budget Amendment for a Public Works generator. Mr. Weichel noted that during Hurricane Helena, Public Works was without power and could not run the pumps for gas and diesel fuel. A private company had to lend us a generator, which helped during this situation. Mr. Weichel said this generator would be towable so it could be used at other facilities with the right connections in place. Mr. Weichel noted that this is just for the generator and we would have to do another budget amendment for the connections.

Valdese Town Council Meeting — Monday, November 4, 2024

Budget Amendment # 5-10

Subject: Public Works Generator

Description: This amendment stems from the need for a generator at the Public Works facility. During this recent emergency response, the Town's main response team was out of power for several days until a generator owned by a private company was loaned to Public Works so they could efficiently operate. This purchase would be for a towable generator allowing versatility of use during power outages if PW still has power.

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, 2025:

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.		33,000
	Total	$0	$33,000

Amounts appropriated for expenditure are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
10.4250.740	Capital Outlay	33,000	
	Total	$33,000	$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.

Councilman Harvey made a motion to approve the Budget Amendment to purchase a Public Works generator, seconded by Councilwoman Lowman. The vote was unanimous. Motion carried.

III. **WATER PLANT FILTER CONSOLE CONTROLLER AND PROGRAMMABLE LOGIC CONTROLLER UPLIFT** Interim Town Manager Bo Weichel presented the following Budget Amendment for a Water Plant Filter console controller and programmable logic controller uplift. Mr. Weichel noted that this was not storm related, it is in our CIP for the future but the units are failing and we need to take action now. Mr. Weichel shared a few pictures with the Council to explain why it is needed at this time.

Raw Water Intake

Four pumps:

3 @ 4160 volts

1 @ 480 volts



Pumps 1, 2, & 3



Motor Control Cabinet

4160 volts

One each for pumps 1, 2, & 3



Motor Control Cabinet
internal parts that
were underwater



Motor Control Cabinet
for Pump #4 @ 480 volt

Older unit was able to activate
to help us limp the water plant along.

In the meantime, parts were taken off
one of the 4160 volt units at the
Finish Water Pump Station
to reenergize one of the
4160 volt units at the
Raw Water Pump Station

Eaton (manufacturer of the MCC's)
has been on site for testing and inspection.
They have ordered the parts needed to get
our main pumps back to operating.



Valdese Town Council Meeting — Monday, November 4, 2024

Budget Amendment # 1-30

Subject: Water Plant filter console controller and programmable logic controller upfit

Description: To prevent flooding inside the Water Treatment facility, this amendment is to replace the filter effluent valve controller (six total) with a touch screen panel , these are all mounted on top of the filter console. The current digital controllers are failing which is causing the valves to not operate correctly.
Each filter console inside the cabinet will all be upfitted with PLC's which will control the filter height that a operator will input on the touch screen controller

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, 2025:

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

Account	Description	Decrease/ Debit	Increase/ Credit
30.3990.000	Utility Fund Balance Appr.		37,380
	Total	$0	$37,380

Amounts appropriated for expenditure are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
30.8100.740	Capital Outlay	37,380	
	Total	$37,380	$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 Budget Amendment 1-30, seconded by Councilwoman Lowman. The vote was unanimous. Motion carried.

LEAD SERVICE LINE INVENTORY PROJECT UPDATE RJ Mozeley with McGill Associates provided an update on federal regulations impacting the Town's drinking water, specifically the Environmental Protection Agency's (EPA) Lead and Copper Rule. This rule requires all public water systems to develop an inventory of service lines, including those owned by the Town (from the meter to the main line). The Town began this process over a year ago and successfully secured funding, including principal forgiveness and a 0% interest loan, to support the work.

Mr. Mozeley noted that a desktop analysis was completed, and the Town submitted its initial inventory to the state agency on October 16, 2024. This analysis identified properties with unknown materials or galvanized service lines (treated as lead under the rule) for further investigation.

Next steps include:
1. Public Notification: By mid-November, letters must be sent to affected properties, detailing their status (unknown or galvanized).
2. Follow-Up Testing: Early 2025 will see "soft digs" to physically verify service line materials, reducing unknowns before the October 16, 2025, deadline when replacement mandates take effect.

Mr. Mozeley emphasized that routine testing has never detected lead in the Town's water system, and no lead service lines have been identified through the desktop analysis. However, residents may have questions after receiving the letters, and Town staff and Council members should be prepared to address concerns.

Councilman Ogle inquired about the availability of grant funding to assist with this project. Mr. Mozeley explained that some funding for the inventory phase is derived from the Bipartisan Infrastructure Legislation. He added that while federal funding is available for the construction phase, it is likely not in the form of grants. Mr. Mozeley also noted that if funding is used to replace a service line, the replacement would need to extend all the way to the house.

PROJECT UPDATES (PENDING AND ONGOING)

I. **HOYLE CREEK EXCAVATION AND CONSTRUCTION** Interim Town Manager Bo Weichel said the project is fully funded with $2.2 million in grant money, including ARPA funds, and focuses on stream restoration and constructing a safe walkway alongside the road. This initiative addresses safety concerns by diverting pedestrians from the road onto a cinder path that connects to the park. Several qualified firms were interviewed through the RFQ process, and the most qualified firm has been selected. Mr. Weichel noted that contract negotiations are ongoing, with adjustments primarily focused on pricing. The goal is to present the agreement for approval at the December meeting. As ARPA funds must be spent by the end of 2026, there is urgency to move the project forward despite challenges with contractors.

II. **LOVELADY TO LAKESIDE PARK SIDEWALK PROJECT** Interim Town Manager Bo Weichel said the Lovelady to Lakeside Park Sidewalk Project involves an 80/20 funding match, with the Town's share estimated at $286,000, spread over three to four years. The project is reimbursement-based, requiring the Town to front costs and receive 80% reimbursement. Mr. Weichel notes the municipal agreement between NCDOT and the Town, required for federally funded projects, is still under review by NCDOT's Local Programs Office. Once approved, the Council will authorize it, enabling a request for funding authorization from the Federal Highway Administration for preliminary engineering and design. Mr. Weichel said while the goal was to have the agreement ready for the December agenda, delays at NCDOT may push this to January 2025. The WPCOG has been assisting with the project, with staff transitioning to get up to speed. This sidewalk will provide a safer pedestrian route along Lovelady Road, connecting the community to Lakeside Park.

III. **DOT RESURFACING AGREEMENT** Interim Town Manager Bo Weichel noted the Lead Service Line Inventory Project involves identifying and addressing unknown water service line materials. Of approximately 4,000 customer accounts, 60 are confirmed galvanized, while the rest remain labeled as unknown. The process may require soft digs, including some in the middle of streets, potentially impacting street resurfacing plans. Mr. Weichel emphasized the need to coordinate these projects to avoid paving over areas that may later need excavation.

DOT project – Mr. Weichel shared he reached out to the assigned contact, District 13 Engineer Travis Henley, for updates following a recent storm. Mr. Henley advised that due to significant storm damage in western North Carolina, DOT resources, including the paving contractor Maymead, are being redirected to address $5 billion in recovery work, including $700 million for I-40 repairs. Given these challenges, Mr. Henley suggested the Town consider administering its own contract for paving. Efforts to follow up with Henley have been delayed due to his emergency workload, leaving limited progress on the DOT project. Discussion for the need to pause paving plans until the lead service line inventory is further along to avoid resurfacing streets that may later be disturbed for utility work was discussed.

INTERIM MANAGER'S REPORT: Mr. Weichel presented the following announcements:

Numerous events are scheduled for the months of November and December. A Holiday Event Calendar has been included in the reading materials for your reference. Please review the calendar for detailed information on upcoming activities.

Town Offices Closed on November 11 in Observance of Veterans Day & November 28 & 29, 2024 in Observance of Thanksgiving

Next Agenda Review Council meeting is scheduled for Monday, November 18, 2024, 6:00 p.m., Council Chambers, Valdese Town Hall

Next Regular Council meeting scheduled for Monday, December 2, 2024, 6:00 p.m., Council Chambers, Valdese Town Hall

MAYOR AND COUNCIL COMMENTS: Councilwoman Lowman asked Mr. Weichel to update the Council on where we are at with the estate sale on 215 Main Street East. Mr. Weichel said as part of the Police Department renovation project, the first step involved the department tagging items they deemed necessary to keep. Following this, staff, including the Town Clerk, Ms. Lail, and Chief Sharp, documented all remaining items through photographs to create an inventory. These photos were shared with several auction companies to gauge interest. Two companies, Deitz Auction and Auctions Unlimited, declined due to a lack of viable items. Heavner Auction reviewed the photos but expressed no interest, aside from a safe the Police Department had already retained for their use. Iron Horse Auction conducted an on-site visit but did not proceed with an auction. With no viable auction options, staff moved the tagged items out of the building and relocated the remaining furniture downstairs. Local businesses and the merchants committee were then invited to claim any items that could be repurposed.

Councilwoman Ward expressed gratitude for the work of Patriot Relief, which has been in Valdese building 30 temporary tractor sheds for individuals living in tents in the mountain regions. These efforts include providing mailboxes, donated anonymously, to help recipients receive FEMA checks and complete necessary paperwork, addressing challenges often overlooked. Samaritan's Purse was also praised for their extended relief efforts in Watauga County, with operations continuing until November 30. Councilwoman Ward encouraged others to volunteer; noting how the experience offers a deeper appreciation for what we often take for granted and highlights the blessings in Valdese compared to the devastation elsewhere. Patriot Relief and Samaritan's Purse were commended for their contributions, with a call for contractors, electricians, and volunteers to join their efforts. Those interested can contact Star Franklin or Lee Brown, who are leading local initiatives. Councilwoman Ward encouraged the community to keep affected mountain residents in their thoughts and prayers.

Councilman Harvey provided a copy of his comments to the Town Clerk:
"The western part of NC has never known more weather-related death and destruction than Hurricane Helene, which roared through here on September 27. The response from the survivors of Helene across the State, especially from Catawba County westward, has been nothing short of amazing. The outpouring of love for fellow mankind has been unprecedented in thousands of examples, showcasing our community's unity and strength in the face of adversity received national news coverage, if not as much as it should have.
Hundreds, if not thousands of Valdese residents have been helping the victims of Helene in numerous ways – from contributions of time and money. The contributions have been made through dozens of local churches and countless nonprofit organizations that many of us had never heard of. Many of those operations, such as Samaritan's Purse, Mercy Chefs, Crowdsource, the Cajun Navy, and other national agencies, set up base camps in tents in the mountains and on church campuses, establishing communication centers for their operations and with remote residents through Starlink's broadband internet.
While we have been reading about relief missions in Morganton, Long View, and other neighboring towns, there did not appear to be a Valdese-based event that merited news coverage until this past weekend. A nonprofit group of Realtors and contractors descended upon Valdese Friday. Approximately 100 volunteers from across NC, SC, and GA unloaded shells and materials on Church Street to construct twenty-three buildings to house people in Swannanoa and other communities living in tents where their homes once stood.
As those insulated shelters, complete with generators, refrigerators, mattresses, and lights, are being delivered to desperate but thankful people, are we reading about Valdese's role in this unique relief effort? No, and that is the sad segue to my second topic.
Valdese employees learned about this project midweek, and our police and public works staff immediately jumped in and offered support. Otherwise, that was about it. Did our town newsletters inform citizens about this wonderful, Valdese-based demonstration of love and hope? Friday's did not—perhaps another day.
And what about our local news media? Last Friday, all of the local newspapers and TV stations in Asheville and Charlotte were notified of this Valdese event.

What have we read about Valdese in local newspapers since Friday? HATE—and that is a sad commentary on the publicity given to Valdese.

HATE promotes readership, whereas LOVE doesn't deserve coverage. The Saturday edition of one of our local papers gives special placement to the most hateful email messages ever sent to the Valdese Town Council. That message of hate that Roger Heavner received was what drove him to resign. That messenger of hate is the most powerful force in Valdese. His message of hate determines who will or will not serve on the Valdese Town Council.

This is a sad place for our town to be, with the examples of love of humanity all around us."

Mayor Watts thanked Councilwoman Lowman and Councilwoman Ward for their multiple trips to the mountains and the supplies and donations that were delivered. Mayor Watts shared that Treats in the Streets and the Bluegrass concert at the Old Rock School had big turnouts. Mayor Watts announced that Larry Johnson would be the 2024 Grand Marshal for this year's Christmas Parade. Mayor Watts noted that Mr. Johnson was the longest serving employee the Town has ever had.

ADJOURNMENT: At 8:15 p.m., there being no further business to come before Council, Councilwoman Ward made a motion to adjourn, seconded by Councilwoman Lowman. The vote was unanimous.

_____ _____

Town Clerk Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL PRE - AGENDA MEETING
NOVEMBER 18, 2024

The Town of Valdese Town Council met on Monday, November 18, 2024, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The Council meeting was live-streamed on YouTube @townofvaldese. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, and Councilman Glenn Harvey. Also present were: Interim Town Manager Bo Weichel, Town Attorney Tim Swanson, Town Clerk Jessica Lail, and various Department Heads.

Absent: Councilwoman Heather Ward, Ward 2 Vacant Seat

A quorum was present.

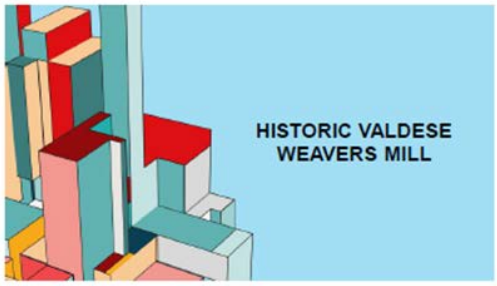
Mayor Watts called the meeting to order at 6:00 p.m.

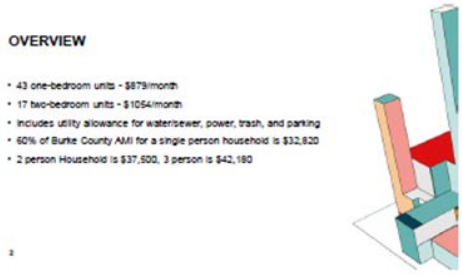
Tamika Garrison offered the invocation. Following the invocation, Mayor Watts led in the Pledge of Allegiance to the Flag.

REVIEW AND DISCUSSION OF DECEMBER 2, 2024 PRELIMINARY AGENDA:

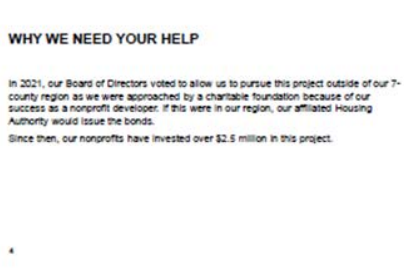
UNDER NEW BUSINESS:

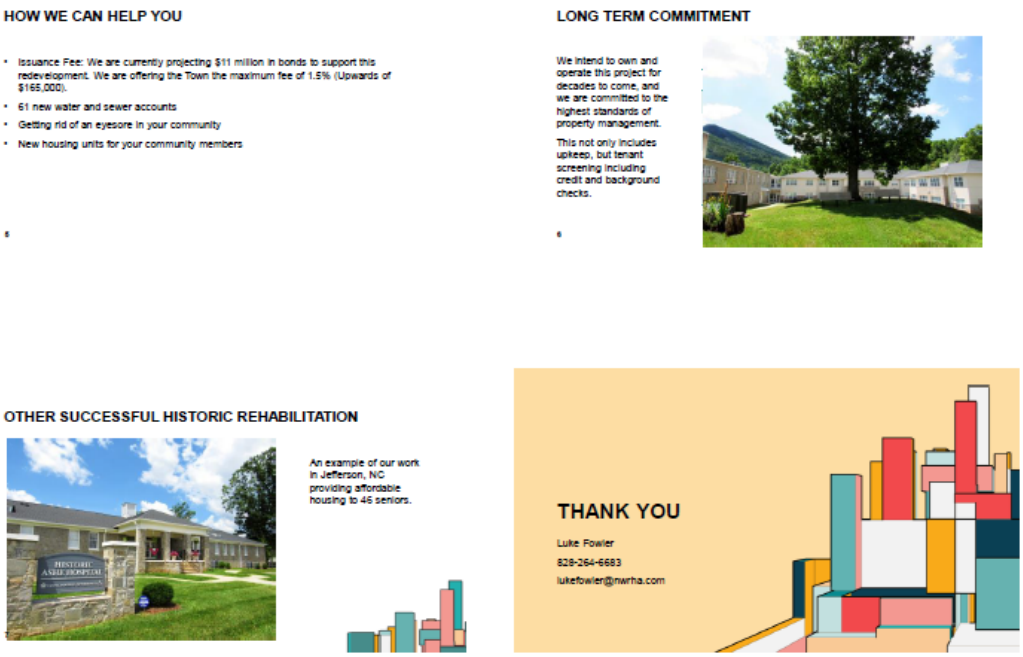
PUBLIC HEARING – VALDESE WEAVERS MILL HOUSING BONDS Luke Fowler, President of Northwestern Housing Enterprises presented an update on a proposed development project consisting of 60 new housing units, including 43 one-bedroom apartments. These units will include water, sewer, and parking costs in the rent. Target income levels were outlined, such as single-person households with incomes around $32,820, which could encompass factory and hospital workers, seniors on fixed incomes, and single-parent households. Mr. Fowler highlighted the project's origins, noting it was initiated in collaboration with a charitable foundation, including Dogwood Health Trust, due to their expertise in nonprofit redevelopment and affordable housing. Significant progress has been made, including a $2.5 million investment to address environmental cleanup under the state's Brownfields Program. The site is listed on the National Historic Register, and efforts are underway to preserve architectural features like old brickwork and arch windows. Mr. Fowler noted financial details included a projected bond issuance fee of approximately $165,000 (1.5% of an estimated $11 million budget). The development will add new utility accounts and contribute to downtown revitalization. Mr. Fowler emphasized the urgency of addressing housing needs, particularly following recent storms, and stated the project is shovel-ready.











Mr. Fowler noted that he purchased the property in 2001 and would have like to be completed by now, but they had to jump through some hurdles. Councilman Harvey asked if Mr. Fowler completed a market study indicating that there was a need for housing in Valdese. Mr. Fowler said, yes, a third party completed it.

Councilman Harvey asked if 80% of the houses could be market rate so that workers and young professional people can live in those and asked if Mr. Fowler has refused to do that. Mr. Fowler said the budget could not handle it because they only get the tax credit for a low-income unit. Councilman Harvey asked how much they would receive in tax credit. Mr. Fowler said $11 million. Kristen Kirby, Partner with McGuireWoods LLP, explained the financing structure for a proposed $18 million, 60-unit housing project. Ms. Kirby noted that the project would utilize tax-exempt bonds to qualify for 4% federal tax credits. These credits are calculated at 4% of the project basis per year over 15 years but are only applicable to affordable housing units. Developers sell the tax credits to investors at a rate of 85-90 cents per dollar, using the proceeds to finance the project. Ms. Kirby said if half of the units were market-rate, only the affordable units would be eligible for tax credits, significantly reducing available financing. The project cost is approximately $300,000 per unit, and Northwest Housing Enterprises, a nonprofit affiliated with the regional housing authority, will oversee the project. The organization has experience with similar developments.

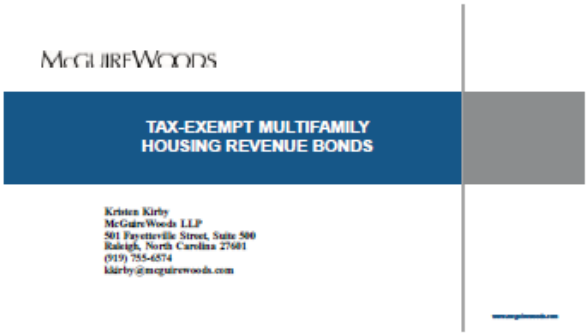
Councilman Harvey noted that the board was informed that the bond issuance for this project has increased from $10 million to $11 million. If the project were commercial, it would generate approximately $75,000 annually in property taxes for the town, with additional taxes for Burke County. However, as a nonprofit-affiliated project, these taxes will be foregone.

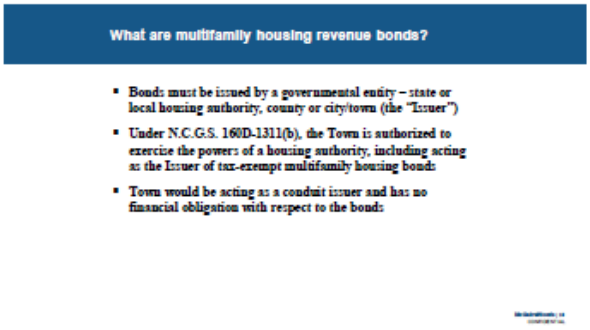
Ms. Kirby provided an overview of the town's role in issuing tax-exempt bonds for the proposed affordable housing project. Under federal rules, these bonds must be issued by a governmental entity, but the Town would act only as a conduit issuer. She emphasized that the bonds are not a debt of the town, do not affect the Town's debt capacity, and the Town has no financial responsibility for their repayment. The borrower is solely responsible for repayment, and the bonds are cash-collateralized to minimize risk.

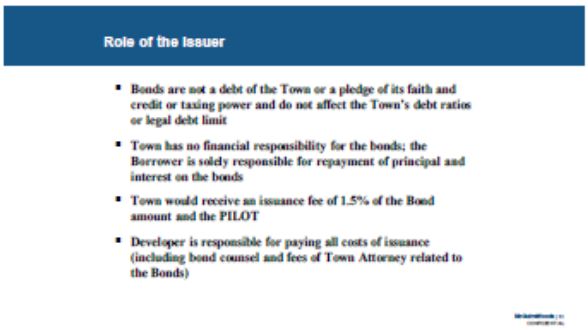
The developer has agreed to pay a 1.5% issuance fee to the town, cover all related costs, and make a payment in lieu of taxes (PILOT), as the property would otherwise not pay taxes. The bonds, which will be publicly sold, are short-term with a 2-3 year term, covering construction costs. Permanent financing will come from USDA Rural Development loans, low-income housing tax credits, a Dogwood Health Trust grant, and a sponsor loan from Northwestern Housing Enterprises.

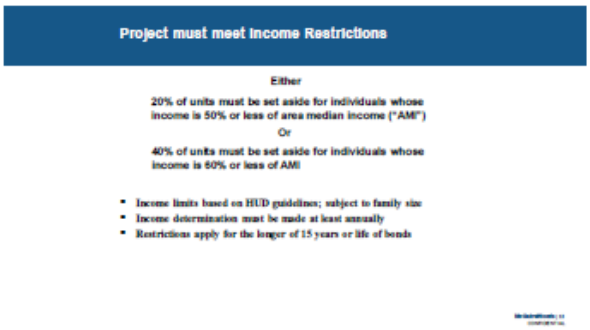
The developer's goal is to close the transaction in 2025. To proceed, the council will need to adopt an inducement resolution signaling willingness to issue the bonds, pending necessary approvals. A public hearing, required under federal tax regulations (TEFRA), is planned for the December 2 meeting. Ms. Kirby noted the Town would receive annual compliance reports once the project is operational. Ms. Kirby

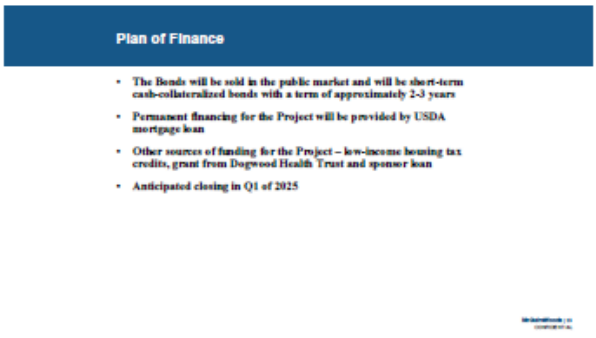
concluded by inviting questions from Council members regarding the bonds or the town's role in the process.

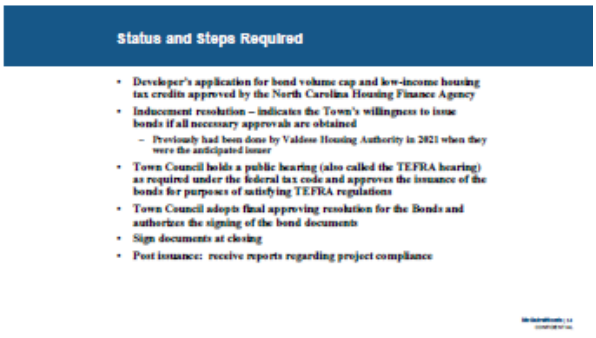














RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON DECEMBER 2, 2024, AT 6:00 P.M.

END OF YEAR COMMITTEE REPORTS Mayor Watts stated that committee reports will be presented during the regular meeting and may be provided as either written reports or verbal updates.

I. Facilities Review Committee
II. Drug & Homeless Task Force
III. Merchants Advisory Committee

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON DECEMBER 2, 2024, AT 6:00 P.M.

RESOLUTION ADOPTING 2025 TOWN COUNCIL MEETING CALENDAR Interim Town Manager Bo Weichel presented a draft schedule for the 2025 pre-agenda and regular meetings. Councilman Harvey proposed several adjustments, including postponing the January meeting by one week, removing the January 2026 pre-agenda meeting, and modifying the schedule for the final meetings of the year to account for the election and potential changes in Council members.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON DECEMBER 2, 2024, AT 6:00 P.M.

COUNCIL APPOINTMENTS TO BOARDS/COMMISSIONS/COMMITTEES Mayor Watts announced openings on the Planning Board, Parks & Recreation Commission, and Facilities Review Committee. Councilman Harvey noted there is also five openings on the Efficiency Task Force, and Councilman Ogle added that he is currently working on the Efficiency Task Force and expects to have an update by January. Mayor Watts encouraged interested citizens to visit the Town's website to access application forms.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON DECEMBER 2, 2024, AT 6:00 P.M.

WARD 2 VACANY Mayor Watts reported that no applications have been received for the Ward 2 vacancy. Councilman Harvey encouraged residents to consider applying, while Councilwoman Lowman clarified that, despite ongoing discussions, no appointments can be made before January 6, 2025.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON DECEMBER 2, 2024, AT 6:00 P.M.

CITIZEN SURVEY ON BUDGET PRIORITIES The Council discussed the possibility of conducting a citizen survey to gather input on budget priorities for the upcoming year. Councilwoman Lowman noted that similar input was collected earlier in the year during the strategic planning process, which included citizen surveys and meetings, and questioned the necessity of a new survey before achieving progress on the priorities identified in the strategic plan, such as hiring a Town Manager, addressing public safety issues, repairing the pool, and improving roads. Others expressed openness to obtaining additional input, emphasizing the value of citizen feedback for decision-making. It was suggested that the matter be revisited during the December 2 meeting to decide whether to move forward with the survey.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON DECEMBER 2, 2024, AT 6:00 P.M.

ADOPTION OF DESIGN-BUILD ESTABLISHMENT OF CRITERIA Interim Town Manager Bo Weichel informed the Council that this document is a state-mandated requirement for adopting the design-build method for construction projects. He explained that the document outlines the rationale for selecting the design-build approach over the traditional method. Mr. Weichel highlighted that the document includes updates to reflect plans for a combined Police/Fire building and the renovation of the 215 Main Street building.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON DECEMBER 2, 2024, AT 6:00 P.M.

APPROVAL OF RFQ DESIGN BUILD Interim Town Manager Bo Weichel presented the RFQ for design-build Police facility cost comparison and construction. Mr. Weichel said it was in a 2-phase contract. Mr. Weichel reviewed the following:

SCOPE OF SERVICES

The Design-Build services shall be completed in a two-phase approach utilizing DBIA 520 & 525 contracts.

Phase I:

This phase shall consist of a schematic design level (30%) comparison of the cost to either renovate the existing building at 215 E Main St. for police operations versus the cost to combine a police department into the future fire department as a combination facility with some shared spaces.

From these budgetary numbers, it is anticipated the Town Council will choose to proceed with either a renovation or combination building. One of those projects will transition into Phase II as outlined below.

Phase II:

The scope of work is to provide design and construction services for the project throughout preconstruction and construction phases

Design: Establish a Guaranteed Maximum Price (GMP) through further design stages including but not limited to, schematic design (from Phase I), design development, construction documents, coordination with other agencies, geotechnical engineering, surveying, cost opinions during design development, final design meeting State and local requirements, technical specifications, cost opinion at various stages of the project, obtaining all necessary permits, scheduling, cost control, project management, quality assurance and quality control of design.

Construction: Construction related activities, construction management, and completing project close-out activities. The contractor will be required to coordinate with other vendors hired by the Town to complete specific IT systems.

ESTIMATED PROJECT SCHEDULE

Electronic Statement of Qualifications due	January 27, 2025
Hard Copies Statement of Qualifications due	January 31, 2025
Review Statements of Qualification	February 3-11, 2025
Interview final selections	February 24-28, 2025
Selected firm notified and proposed Phase I contract delivered to the Town	March 3-14, 2025
Contract review by legal counsel	March 17-21, 2025
Phase I contract adoption by Town Council	April 7, 2025

Councilman Harvey proposed two additional considerations for Phase 1 regarding public safety facilities:

1. Shoring up the Existing Building:
   Councilman Harvey suggested that the Council direct the general contractor to evaluate the cost-effective measures required to shore up the existing police and fire facility, making it safe for continued use over the next two years until permanent buildings are ready. He noted prior recommendations to vacate the building due to safety concerns but highlighted that a structural engineer had not been consulted, leaving room for further assessment.

2. Adding a Permanent Police Department to Town Hall:
   Councilman Harvey recommended exploring the feasibility of expanding the Town Hall to house a permanent police department. This would include constructing necessary additions such as storage areas and a sally port.

Councilman Harvey emphasized the importance of developing solid cost estimates for three alternatives: the Mitchell Building renovation, a combined Police/Fire building on Massel Avenue, and the addition to Town Hall. These alternatives would give the Council a clearer understanding of options before moving forward.

Mayor Watts asked what we would have to do to change the RFQ if we add these suggestions. Town Attorney Tim Swanson said the original motion could be amended at the next regular Council meeting.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON DECEMBER 2, 2024, AT 6:00 P.M.

POOL STRUCTURE BIDS & CAPITAL CAMPAIGN DISCUSSION Interim Town Manager Bo Weichel presented the history of the pool structure project and the costs:

Pool Structure Cost

October 28th

Bid opening with one contractor submitting a bid.

State laws require at least 3 bids on the first bid opening (projects > $500k).

Re-advertised the project for November 14th

November 14th

Bid opening again had one contractor submit a bid.

No minimum rule for a re-advertised bid opening.

Had a few interested GC's-due to workload and limited staff did not submit.

Pool Structure Cost

$1,793,930	Houck Contracting bid price
(377,000)	GRANT - NC Parks & Recreation Trust Fund Accessible Parks ($500k less the $123k for ADA work per grant requirement)
(100,000)	GRANT MATCH (20% on $500k) - Private Donation
(300,000)	Capital Campaign program as recommended by Parks & Rec Commission - will discuss at the 11/18 pre agenda meeting
$1,016,930	Remaining balance of the contract with Houck
$123,000	Cost of completing ADA compliant work
(123,000)	GRANT - NC Parks & Recreation Trust Fund Accessible Parks (portion of the $500k grant) ADA work is required to meet grant compliance
$0	Remaining balance for ADA work

Parks & Recreation Commission President Scott Compton requested Council's approval to initiate a capital campaign to raise $300,000 through private donations and fundraising over a 12-month period beginning in December. Councilman Harvey expressed support, pledging to contribute 20% of the savings from his Valdese property taxes to the campaign.

During the discussion, Councilman Harvey inquired about the pool's winter usage. While Mr. Compton did not have specific numbers, he emphasized that resident's desire a year-round pool. Councilman Harvey also asked which high schools use the pool, to which Mr. Compton identified Draughn and East Burke High Schools. Additionally, Councilman Harvey suggested exploring potential contributions from Burke County

Public Schools. Mr. Compton confirmed that the Commission has already reached out to Superintendent Swan regarding possible support for construction costs and is awaiting a response.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON DECEMBER 2, 2024, AT 6:00 P.M.

N.C. PARKS & RECREATION TRUST FUND ACCESSIBLE PARKS PROJECT AGREEMENT Interim Town Manager Bo Weichel highlighted that the agreement aligns with the pool structure bid, should the bid be accepted. He explained that the project includes a $500,000 grant recently awarded to the Town, contingent upon Council's approval. The grant, valid for three years, required demonstrating an ADA accessibility need. Mr. Weichel noted that the project would address this requirement by providing ADA-compliant access at the front of the building.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON DECEMBER 2, 2024, AT 6:00 P.M.

AGREEMENT FOR ENGINEERING AND DESIGN SERVICES – HOYLE CREEK STREAM RESTORATION AND SIDEPATH TRAIL Interim Town Manager Bo Weichel provided an update on the ongoing Hoyle Creek stream restoration project, funded by a $2.2 million grant from the State. The Town completed the RFQ process, receiving eight submittals and interviewing three firms. McGill Associates was selected as the most qualified firm due to their familiarity with the Town's water and sewer systems and the project's requirements.

The project involves stream restoration, walking paths, significant dirt work, and bridge construction within a floodplain, necessitating federal permits. The agreement with McGill Associates is for $671,500, covering schematic phase services, survey and design, bidding, and contractor award. To manage costs, the agreement does not include construction management, which will be negotiated separately after the project award phase to avoid unnecessary fees. This phased approach aims to minimize costs by ensuring fees align with actual construction expenses.

RESULT: PLACED ON THE CONSENT AGENDA AT THE NEXT MEETING ON DECEMBER 2, 2024, AT 6:00 P.M.

BUDGET AMENDMENTS

I. **Generator Docking Station** Interim Town Manager Bo Weichel explained that this budget amendment is for the docking station needed for the generator approved by Council at the previous meeting.

II. **July 4, 2025 Independence Day Celebration** Interim Town Manager Bo Weichel provided an update on the budget amendment related to holding the July 4 celebration on the holiday itself, as approved at the last meeting. He noted that this change would incur additional costs, including securing contracts for the fireworks display and covering employee overtime. The previous budget was based on holding the event the Friday before July 4, which had lower associated expenses.

Mr. Weichel emphasized that the amendment is necessary to secure vendor contracts and account for higher staffing costs, including filling roles previously handled by contracted services. Council members requested detailed cost estimates and clarification on whether the additional expenses could be absorbed within the current budget. Mr. Weichel assured the Council that staff are working to finalize calculations and will provide the necessary figures.

RESULT: MOVED WITHOUT OBJECTION TO THE NEXT MEETING ON DECEMBER 2, 2024, AT 6:00 P.M.

INTERIM MANAGER'S REPORT: Interim Town Manager Bo Weichel will report at the December 2, 2024, meeting.

COUNCILMAN HARVEY MADE THE FOLLOWING VERBATIM REMARKS AND PROVIDED A COPY TO THE TOWN CLERK:

"I will take just a few minutes to answer the question I have been asked several times recently. Whether from Valdese neighbors, old friends across the nation, or family members, the question is, "How can you sit there and endure those hateful and unfair attacks, month after month?"

My simplest analogy is how I sit in the backyard with my dog each evening with mosquitoes buzzing around me. As all dog lovers understand, mosquitoes are nothing compared to your dog's need for some end-of-day yard time. On the positive side, this brief introduction to public office has given me a new perspective on everyone who devotes their lives to public service in an elective office at any government level. I now have a new appreciation for their service and an understanding of how they ignore distractions.

While we bring opinions and knowledge from our life experiences, each of us is simply one vote in decisions made by the majority. Our "job satisfaction" comes solely from the small part each of us plays in our interactions with other council members and the manager we hire.

Councilwoman Ward, Councilman Ogle, and I answered the calls from numerous citizens who felt their needs were ignored and who were concerned about the 2023 tax hike and potential long-term debt.

Before being sworn in, we initiated meetings with the Western Piedmont Council of Governments to hire an interim manager and obtain a proposal for the town's first-ever citizen-based strategic plan. Both were adopted unanimously by the entire five-member council. In December, this council unanimously voted to cancel a project that had grown from $6.5 million to over $10 million with no end in sight. That eliminated a USDA loan that would have given Valdese the highest long-term debt of 85 similar-size NC towns.

This week at the Old Rock School "Rededication," the town will celebrate over $1.6 million in renovations, of which only slightly over $200,000 came from tax dollars. Nearly $1.5 million was funded by grants made possible through the hard work of the staff who started applying for grants several years ago.

Another $151,000 was raised through the creativity and hard work of the staff and donations by 124 generous citizens and businesses.

That fantastic accomplishment was partly enabled by a behind-the-scenes effort in which I had the pleasure of working with Councilman Paul Mears. As the result of a small ad hoc group we convened, the council approved the project in February with the assurance that it would not reduce the Town's reserve funds.

The most outstanding achievement of the 2024 council was our unanimous adoption of the fiscal year 24-25 annual budget, which gave all Valdese property owners a 20% tax cut. A few residents even criticized that, saying they didn't need it or that it was a mere "pennies a day." Yet, what greater reward can there be than the knowledge that many residents on fixed incomes needed that $60, $80, or $100 to pay their medical bills?

My final example of "great satisfaction from a tiny role" came when we learned that our Public Works department needed a backup generator to operate essential equipment during a power outage. A local source quoted a solution costing over $100,000 and taking over a year to deliver. A little research into the secondary market for this type of industrial equipment turned up a lead that Interim Manager Weichel diligently pursued. As a result of his responsiveness, a backup generator will be delivered shortly AND at a cost closer to $30,000.

Individual council member roles in each of these examples were minimal. Yet the reward of knowing you had a small part in something that impacted many people makes it all worthwhile.

For example, while a savings of $70,000 may seem insignificant to people accustomed to town budgets of $7 million or school system budgets of $20 million, it is very significant to taxpayers on fixed incomes. How many people would realize that $70,000 is the equivalent of the total property taxes paid by 150 owners of the smallest homes in Valdese? – Yes, 150 property owners!

So, in answer to questions I get about a few adverse reactions – like pesky mosquito bites - they are nothing. Happy Thanksgiving Everyone!"

ADJOURNMENT: At 7:32 p.m., there being no further business to come before Council, Councilwoman Lowman made a motion to adjourn, seconded by Councilman Ogle. The vote was unanimous.

Town Clerk

Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL REGULAR MEETING
DECEMBER 2, 2024

The Town of Valdese Town Council met on Monday, December 2, 2024, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The Council meeting was live-streamed on YouTube @townofvaldese. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, and Councilman Glenn Harvey. Also present were: Interim Town Manager Bo Weichel, Town Attorney Tim Swanson, Town Clerk Jessica Lail, and various Department Heads.

Absent: Ward 2 Vacant Seat

A quorum was present.

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

Pastor Bill Roberts from the First United Methodist Church of Valdese offered the invocation. Following the invocation, Mayor Watts led in the Pledge of Allegiance to the Flag.

OPEN FORUM/PUBLIC COMMENT:

Mayor Pro Tem Gary Ogle read the following open forum/public comment guidelines:
The council shall provide at least one period for public comment per month during a regular meeting, unless no regular meeting is held that month. Any individual or group who wishes to address the council shall inform the town clerk, any time prior to the start of the meeting, and provide their name, address and subject matter about which they wish to speak. Person(s) must be present if they wish to address the Council. Comments should be limited to five minutes per speaker.

Open Forum is not intended to require Council or staff to answer impromptu questions. Speakers will address all comments to the entire Council as a whole and not one individual member. Discussions between speakers and the audience will not be permitted. Speakers will maintain decorum at all times. Speakers are expected to be courteous and respectful at all times regardless of who occupies the Council chairs. These guidelines will help ensure that a safe and productive meeting is held and all those wishing to address the Council will be afforded the opportunity.

POOL – JOE JENSEN, 2632 CURT LEDFORD, LAWNDALE: Mr. Jensen addressed the Council on behalf of Excel Aquatics, advocating for funding a permanent shelter for the pool to benefit future generations. He praised coaches Linda and Lily Kidd for their dedication to developing young swimmers across four counties since 2008. He highlighted their team's achievements, including sending athletes to state and USA Swimming events and producing collegiate swimmers and military members. Mr. Jensen shared his personal story, detailing how his son Jacob progressed from local summer swimming to setting a state record and becoming a high school All-American and Male Swimmer of the Year. Jacob's swimming success also earned him a scholarship to Gardner-Webb University. Mr. Jensen emphasized the economic impact of supporting the aquatics program, estimating his family spent over $20,000 in Valdese over five years. He concluded by reading a statement from Jacob, who expressed gratitude to the Town of Valdese and stressed the importance of a permanent structure to provide others with the same opportunities he had. Jacob attributed his achievements to the discipline and commitment developed through swimming and urged support for the facility's improvement.

VALDESE WEAVERS – STARR FRANKLIN, 990 LAUREL ST NE, VALDESE: Ms. Franklin, a former Little Miss Valdese, expressed her love for the town and spoke against the proposed housing bond. While supportive of housing development, she opposed the bond, citing its failure to address the needs of teachers, law enforcement, and seniors. She advocated for future development efforts focused on housing for taxpayers and expanding the community.

POOL – RICK MCCLURD, 408 GARROU AVE SE, VALDESE: Mr. McClurd shared concerns regarding the pool and emphasized the need for detailed usage and financial data before proceeding with funding a permanent cover. He requested information on how many Valdese citizens, outside visitors, schools, and

private trainers use the pool, particularly during winter. He also inquired about the costs of maintaining and heating the pool in colder months. Mr. McClurd suggested that Burke County schools and the county government should contribute financially if they benefit from the facility. While not opposed to the pool cover, he urged the town to provide clear figures and consider broader support before moving forward.

CITIZEN SURVEY – JEAN-MARIE COLE, 705 BERTIS ST, VALDESE: Ms. Cole addressed the Council regarding the citizen survey on budget priorities, questioning the need for another survey when priorities from the previous survey remain unaddressed. The 2023 survey identified top priorities as public safety buildings, a permanent pool structure, and road repaving.
She provided updates on these issues:

- Public Safety Buildings: The original plan for a joint Fire and Police facility on Pineburr Avenue was terminated. The Town purchased property near Town Hall, but an architectural study found it unsuitable for both departments. Current considerations include using the property for a fire station, repurposing a building on Main Street for the police department, or exploring a combined facility on the Town Hall property. No final decisions or commitments have been made.
- Permanent Pool Structure: Only one bid was received for the project due to most companies being committed elsewhere. Cold weather is limiting pool use, and the project has not progressed. It was noted that the item was on this month's agenda.
- The road paving is not on the agenda this month.

CONSENT AGENDA: (enacted by one motion)

APPROVED PRE-AGENDA MEETING MINUTES OF OCTOBER 28, 2024

APPROVED REGULAR MEETING MINUTES OF NOVEMBER 4, 2024

APPROVED AGREEMENT FOR ENGINEERING AND DESIGN SERVICES – HOYLE CREEK STREAM RESTORATION AND SIDEPATH TRAIL Agreement between the Town of Valdese and McGill Associates, P.A. for engineering services for the Hoyle Creek Stream Restoration and Sidepath Trail. This agreement covers schematic and routing phase services, survey and design phase services, and bidding and award phase services.

Councilman Harvey made a motion to approve the aforementioned items on the Consent Agenda, seconded by Councilman Ogle. The vote was unanimous. Motion carried.

End Consent Agenda

ITEMS REMOVED FROM CONSENT AGENDA: None

ADDED – CLOSED SESSION AT THE END OF THE MEETING Councilman Ogle made a motion to add **CLOSED SESSION PURSUANT TO NC GENERAL STATUTE 143-318.11(A)(6)** to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee, at the end of new business, seconded by Councilwoman Lowman. The vote was unanimous.

NO MOTION - PUBLIC HEARING – VALDESE WEAVERS MILL HOUSING BONDS Mayor Watts opened the Public Hearing at 6:17 pm.

The purpose and scope of the proposed Weaver's Mill low-income housing project were reviewed. Luke Fowler, President Northwestern Housing Enterprises explained the project aims to transform the building at the corner of Praley and Main Street into 60 housing units for individuals earning 60% of the Area Median Income (AMI) for Burke County, ranging from $32,000 to $40,000, depending on household size. It was clarified that town employees, teachers, and police officers earn above this threshold, making them ineligible. The estimated cost of the project is $18 million. The developers are seeking a bond referendum to approve $11 million, with the remaining $7 million to be secured through private financing, including commercial loans and charitable contributions. The project is utilizing Low-Income Housing Tax Credits to attract private investment, a federal program designed to encourage development without direct government subsidies. Mr. Fowler explained that maintaining 100% of units as affordable housing is critical

to the project's financial viability. Suggestions from Council to make only 20% of units affordable and 80% market-rate were deemed infeasible, as this would compromise the budget and sustainability of the project. Mr. Fowler noted that increasing the commercial loan amount to $7 million was already at the maximum threshold for financial feasibility. The project is expected to repurpose an unused building, eliminate an eyesore, and provide housing for seniors and workers at local facilities, contributing to community revitalization.

Mayor Watts asked if anyone wished to speak for or against this project.

RICK MCCLURD, 408 GARROU AVE SE, VALDESE: Mr. McClurd expressed concerns about the proposed Weaver's Mill low-income housing project. He suggested considering a 50/50 split between affordable and market-rate units to better serve the Town's residents. He noted that if approved, Valdese could become a leading producer of low-rent housing for a Town of its size in North Carolina. Mr. McClurd emphasized the importance of generating tax revenue to support Town projects and expressed concern that this development would not contribute to tax revenues. He compared the proposal to Pine Crossing, a similar project in the area, and stated his opposition to this project being entirely affordable housing. While he supported the idea of a mixed-income approach, he recognized that the developers were unwilling to adopt a 50/50 model.

DAVID WIESE, 3318 MONTANYA VIEW DR, VALDESE: Mr. Wiese raised concerns regarding the lack of property tax revenue from the proposed Weaver's Mill housing project. He confirmed that the property would not generate tax revenue for the first 15 years under current regulations. He questioned the potential value of 15 years' worth of property tax revenue, expressing concern about the financial impact of forgoing such income. He noted the Town's ongoing and upcoming projects, such as public service improvements and road paving, and highlighted the challenges of funding these initiatives without additional tax revenue from developments like Weaver's Mill.

Mayor Watts invited any additional speakers for the Public Hearing. Hearing none, he closed the Public Hearing at 6:29 p.m.

Following the hearing, Mayor Watts asked if the Council wished to make a motion regarding the Valdese Weavers Housing Resolution. No motion was made by any Council member. Mayor Watts concluded the discussion by stating that the matter would not move forward.

END OF YEAR COMMITTEE REPORTS

I. **Facilities Review Committee** – Councilman Harvey gave an update on behalf of the original committee (Roger Heavner, Greg Refour, Tessa Collinson, Jerry Hyde, Councilman Harvey) and provided a written report to the Town Clerk.

FINAL REPORT – FACILITIES REVIEW COMMITTEE

December 2, 2024

COMMITTEE MEMBERS

Tessa Collinson Roger Heavner (Resigned in October)
Glenn Harvey Jerry Hyde Greg Refour (Resigned in November)

FORMAL AND INFORMAL MEETINGS AND ACTIVITIES

March 21: Members introduced themselves, reviewed eight proposals from architectural firms, and selected three firms for small group interviews. The initial consensus was to vacate the present public safety building and possibly renovate a portion of it to facilitate the phasing in of new facilities.

April 9: The consensus recommendation to the town council was to engage the firm Talley & Smith to undertake a two-phase contract. Phase 1 will evaluate three options: 1) total renovation of the existing facility; 2) relocation of PD and FD to a new combined facility; and 3) separate PD and FD facilities. Phase 2 would be to design, develop, bid, and build the option selected by the council. The committee learned of the possibility of obtaining 200 Massel Ave SW and recommended that Talley & Smith quickly evaluate its suitability.

April 30: The committee reviewed a preliminary PowerPoint presentation by co-chairs Heavner and Refour that would be presented to the Town Council with the basic recommendations (May 6 Town Council meeting minutes) to:

- Consider the Phase 1 contract with Talley & Smith for $32,000.
- Acquire 1.75 acres property at 200 Massel Ave SW.
- List town-owned 14.9 acres property at 800 Pineburr Ave for sale.

June 12: Talley & Smith gave a verbal report of their in-depth inspection of the existing facility, to be followed by a written report of their conclusions and a contract for undertaking the three Phase 1 options. On June 25, Talley & Smith submitted the contract to Interim Manager Steen, along with their recommendations stating that the PD and FD personnel should be relocated to a safe facility within 30 days.

From this point on, facilities considerations by the council were evolving rapidly, so along with the travel and work schedules of the committee members, committee members individually and in small groups reviewed a property under consideration, visited several fire stations in the region, and prepared and reviewed council presentations and recommendations through email, text, and telephone correspondence related to the following council actions:

- August 5: The Committee PowerPoint presentation (Town Council Aug 5 minutes) recommended that the Town Council consider purchasing the 215 Main St E property for a permanent PD, entering into a Phase 2 Design, Bid, and Build contract with Talley &

Smith to renovate the property ($175,000). This path reduced the scope (and cost by $11,600) of the Phase 1 contract to Option 3 – provide a schematic design and cost estimate for a FD on Massel Ave SW.

- September 19: Talley & Smith's cost estimates for the renovation of the 7300 SF, 58-year-old but structurally sound 215 Main St E building and a pre-engineered FD on Massel Ave SW shocked all who had any knowledge of such matters:
    - Fire Station on Massel Ave SW – $6.1 million was two to three times the cost of similar fire stations visited by council and committee members.
    - 215 Main St E, which the police chief had recommended as being almost "move-in ready" – at $2.5 million, excluding the 1000SF 2-story addition.

  Committee members toured the 215 Main St E property again to review the extensive renovations, noting concerns and oversights. Drawing upon the presentations by guest speakers on September 24 and conferring among themselves and around Hurricane Helene (Sept 27), the committee and then-councilman Mears recommended this alternate approach and proposal for the council's consideration on October 7 to keep the 215 Main St E renovation on a six-month schedule and within a reasonable cost:

  ...that the renovation of 215 Main St E office building as the permanent police station be given the highest priority of all of Valdese's planned and in-progress construction projects; that the Interim Manager advertise a "Request for Quotations" seeking proposals from NC General Contractors for a "Design-Build" approach to the renovation at a cost not to exceed $1 million with work to be completed no later than six months from acceptance of a proposal; and that the Agreement, AIA document B101-2017, approved August 5, 2024, be terminated without cause.

- October 7: the Town Council increased the maximum to $1.75 million, resulting in upwards of $2.5 million being invested in the 58-year-old building and a renovation scope that could not be completed in six months.

CONCLUSION

The attached spreadsheet, "The Path to the 'Design-Build' RFQ for 200 Massel Ave SW," rolls up the estimates of costs and omissions based on the Talley & Smith reports. The Facilities Review Committee now presumes that its work has been completed and recommends that the Valdese Town Council terminate the committee.

Respectfully and regretfully submitted,

Glenn Harvey, on behalf of the majority of the original Committee Members

THE PATH TO THE "DESIGN-BUILD" RFQ FOR 200 MASSEL AVE SW

As of discussion at the October 28, Town Council Preliminary Agenda Discussion

Meeting	ACTIONS, PRESENTATIONS, AND CONCLUSIONS
6-May	1) Talley & Smith "Study Contract" at $36k; Phase 1, to evaluate 3 options: 1) Renovate Existing; 2) Design new PD&FD; 3) Separate PD & FD
	2) 200 Massel Ave SW acquired for $400k
5-Aug	1) 215 Main Street E building acquired for $360k, on recommendations of Police Chief; two council members and four facilities review committee members whose renovation experience indicated that it could meet current needs for a renovation cost of $500k to$1 million.
	2) Talley & Smith "Study Contract" reduced to $23,400
Note A -	3) Talley & Smith "D-B-B Contract" to Renovate 215 Main, fee $175,000

19-Sep — Talley & Smith presented cost estimates for two options:

	New FD Building	Renovate 215
1) COST PER SF	$300-350	$300-350
Architect Fee Estimates	$500,000	$175,000

2) ESTIMATE TO RENOVATE 215 MAIN STREET E AT ABOVE COST/SF

COST OF 215 MAIN STREET E per 4 T&S :	$ 300	$ 350
Purchase Price	$ 360,000	$ 360,000
Renovation on Street Floor and Lower Level	$ 2,186,000	$ 2,550,000
Architect Fee	$ 175,000	$ 175,000
Total for 7300 SF - existing structure alone:	$ 2,721,000	$ 3,085,000
ESTIMATES NOT PROVIDED FOR:		
Sally Port of 600-1000 SF	?	?
Contingency of Renovation Unknowns	?	?

7-Oct — The "Vision" of 215 Main Street became that of a "New Building"

Purchase Price	$ 360,000	$ 360,000
Design Build Approach, not to exceed	$ 1,000,000	$ 1,750,000
Potential Investment in 58-yr old Building	$ 1,360,000	$ 2,110,000

24-Oct — Presentation By Guests and Consideration by Council

1)	Cost of 7300SF New Building: $300 or $350	$ 2,190,000	$ 2,555,000
Note B - 2)	Cost of New at $200 or $250 D-B Estimates	$ 1,460,000	$ 1,825,000
3)	Potential Savings by Design-Build Approach		
	Waco Architect fees for 15,000 SF building were:		$ 59,000
	T&S Fee of D-B-B Renovation of 215 Main		$ 175,000
	T&S Estimated Fee for D-B-B of Fire Station on 200 Massel		$ 500,000
Note C - 3)	Potential savings by Selling 215 Main	($400,000 - $600,000)	

Notes:

A D-B-B Architect led, "Design, Bid, Build approach to construction.

B D-B (Design-Build) preliminary est. of planned Waco FD presented on Oct 24.

C Purchase price of 215 Main Street E at $360,000 was $9,000 under the tax value; plus the cost of a survey and closing costs

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II. **Drug & Homeless Task Force** – Police Chief Marc Sharpe gave an update on behalf of the Drug & Homeless Task Force and provided a written report to the Town Clerk.

The Homelessness/Drug Task Force has met (7) seven times since getting started on March 25, 2024. Some of the things that have evolved from those meetings are:

- Suggestion and establishment of partnership between WPCOG and VPD to identify Homeless and provide possible resources to get off the streets. Start ride along program with VPD.

- This is done by forming partnerships in the local community to identify the homeless, identify their needs, and provide resources to get them off the streets. This is accomplished in basically a (6) six step process identified below:
(1) Identify possible homeless individuals.
(2) Data collection from those individuals.
(3) Verification the individual is in fact homeless.
(4) Identify the individual's circumstances and needs.
(5) Offer to provide follow up services and resources to the individual.
(6) If accepted, actually provide services and resources to the individual.

- Identify homeless population and reasons for being homeless. Offer solutions and resources to those who will take them. Started with identifying the population in our community and came up with approximately 30 individuals.

- That population has reduced by (8) eight individuals. Some being placed, some getting jobs, and some passing away. The efforts are not instant but as the numbers, show a difference is being made.

- As the Task Force Looked into offering resources they found that BUCM provides resources to the homeless community we were trying to establish. Rather than re-invent those services we established a way to take those wanting the services to BUCM.

- "Jethros" was established as a Thursday pick up location for the unsheltered to be transported to BUCM for services. The pick-up begins at 11:00 a.m. every Thursday and leaves BUCM at 2:00 p.m. This provides our unsheltered an opportunity to receive a hot meal, get a shower, do some laundry, and sign up or receive additional services BUCM provides at least once a week from Valdese. The service has been provided by River of Life Church and their Bus with various pastors and volunteers driving the bus route. We have had individuals taking advantage of this service and as many as (5) five have gone in the past. Providing this service creates a meeting spot for services and those in need.

- Law Enforcement Department Heads throughout the County have been communicating with each other and Greenway Transportation, the WPCOG, BUCM, and others about expanding a route on 70 in Burke County. Those talks are continuing.

- VPD continues to meet with the COG as needed to make additional contact with the homeless as needed when called upon and VPD continues to reach out to the COG when needed. This partnership has turned into a two way street making contact with one another when and as needed.

- The Task Force has suggested additional ways to make contact with the homeless and to help them connect and find services. Several things were attempted, A shower night, A luncheon, and recently a Dinner occurred in honor Homelessness awareness week at the United Methodist Church in Valdese as a connect opportunity for those seeking services. All three events had participants who connected with services and we continue to follow up with the participants of our events. Some of these services were found to be a repeat of those already offered at BUCM and were transferred to that area by providing the bus route.

- Jethro's "Homeless Awareness under the Stars" which was targeted at educating and addressing teenage homelessness was cancelled due to some unforeseen issues and did not occur.

- VPD started an improved Trespassing Program and has continued to come to agreements with various citizens and business owners who have prepared trespassing notices for their properties. Those notices have assisted VPD in another community effort partnership with citizens. Our goal is trespass individuals who are not welcome on properties and arrest them if they go back. This has been utilized to

shut down property areas being illegally used by individuals for various criminal behavior. Several suspected drug houses or hot spots where illegal drugs are being used and sold have been shut down due to the partnership between the citizen and the police department. We will continue to promote these efforts not only to combat the drug issue but to also remove camps that are in places citizens have not approved them to be within their property.

- The Task Force has had several guest speakers providing an inside look at addiction issues and the struggles to find rehab. Additional programs are being researched and outreach is being sought when someone wants help with their drug problem. The Task Force is working to find additional answers, solutions, and response to these request. Rehabilitation success stories have been heard and we are looking at ways to share the news and find outreach.

- VPD has made several new drug arrest and seizures involving mainly Fentanyl and Methamphetamine in our town limits. We will work with the courts for adjudication. This has improved as the PD has now installed court liaison officers on VPD court dates to oversee and guide our cases through the process. An additional avenue is having the court order drug rehab for offenders as a solution to the problem for some offenders and more information is being gather about that process. We continue to seek additional assistance with our Sheriff's Office Drug Task Force by sharing information and partnering on larger scale drug investigations.

- VPD has made approximately (41) forty-one arrest this year involving the homeless from an enforcement standpoint. Those charges involve trespassing, drug possession, and breaking and entering, assault, and property damage.

- Olive Branch Ministry recently spoke at a recent meeting and offered additional insight into addiction and rehabilitation issues. The guest speakers are educating members of the Task Force on the complexity of the problem.

- Three individuals Charles Waters Jr. AKA: Charlie Brown, Josh Sanders, and Cody Vance Dehaven who lost their lives were remembered by name during the Homelessness Awareness event at BUCM this past month. Had these relationships not occurred I am not sure they would have been known in the community.

- BUCM has provided on the street outreach in Valdese providing medicine, food, and clothing items to individuals through a partnership with VPD helping to identify those individuals in need of services.

- A partnership with Harbour Programs has provided officers with Narcan Training and a supply of Narcan which is carried on duty to address overdoses encountered in our community. Since establishing this program officers have administered Narcan on three occasions.

- Harbour Programs has been active in our community also providing Narcan to citizens for use in case of an overdose and has attempted some street medicine campaigns for those in need of medical assistance. EMS has provided a community paramedic who follows up with those individuals on overdoses in an attempt to get them additional help if needed.

- Narcotics anonymous and Alcoholics anonymous programs have been identified and suggested to those in need and avenues have been provided to get citizens to those meetings if needed.

- Drug enforcement statistics by officers for the year are as follows:

- VPD has responded to (13) thirteen overdoses within our jurisdiction.

Drug Seizures from strictly a patrol officer standpoint: This being vehicle stops, calls for service, and suspicious persons have provided the following statistics: These statistics are now being properly collected and maintained by our department. Our yearly totals thus far are:

35.16 grams of Methamphetamine has been seized
8 grams of cocaine has been seized.

.06 grams of Fentnyl has been seized.
1 gram of Xanax
51 grams of Marijuana

Our officers have made (46) forty-six drug charges for the year of those (46) forty-six charges (27) twenty-seven were for felonies within our drug statutes. That is over 58% of our arrest. Some of the offenders are repeat offenders.

- We will continue our multifaceted approach to the community to combat our homeless and drug issues by offering resources, help, solutions, and enforcement to combat these problems. Arrest is not our only answer as other avenues for help are being offer on the front end and rear end of arrest.

- Help is being offered to those in need if they choose to take it.

- The Homelessness Drug Task Force will continue to meet on the last Tuesday of each month as we work together to address these ongoing issues and attempt to find new and additional solutions.

III. Merchants Advisory Committee – Kevin Farris gave an update on behalf of the Merchants Advisory Committee.

Mr. Farris provided an update on the advisory committee's activities. The committee has held three meetings, beginning with an initial discussion on goals and processes, followed by official meetings on October 21st and November 18th. Minutes for the November meeting are pending approval and will be submitted later.

Key initiatives discussed included:

1. **Enhancing Support for Local Restaurants:**
   The committee proposed involving local restaurants to provide food at Temple Field during Friday night music events, allowing patrons to enjoy meals while attending and alleviating crowding at restaurants downtown. A rotation schedule among participating restaurants is being considered to share the responsibility evenly.
2. **Increasing Visibility for Main Street Businesses:**
   Suggestions included inviting Main Street vendors to set up tents or booths at Temple Field during events to showcase their products and attract new customers.
3. **Coordination with Myras:**
   A Myras representative shared plans to support Main Street businesses, fostering a productive partnership with the advisory committee.
4. **Other Enhancements:**
   - Considering food truck setups at the Old Rock School during events like concerts.
   - Exploring low-cost initiatives to drive foot traffic and promote local businesses.
5. **Future Projects:**
   Mr. Farris proposed a new Founders Day celebration tied to a significant anniversary, potentially including week-long festivities, international collaborations, and unique commemorative activities. This idea is still in early discussion phases but is envisioned as a future highlight for the community.

Mr. Farris emphasized the committee's focus on enhancing community events and supporting businesses while keeping costs minimal.

APPROVED RESOLUTION ADOPTING 2025 TOWN COUNCIL MEETING CALENDAR

Motion: Councilman Harvey made a motion to adopt the Option 2 calendar in the agenda packet, seconded by Councilwoman Ward.

Discussion: Interim Town Manager Bo Weichel reviewed the two options with the differences being with the last four meetings of the year to account for the election and potential changes in Council members. Councilwoman Lowman noted that the Burke County Board of Commissioners and the Burke County Board

of Education are swearing in there members tonight which is the first Monday in December. Councilwoman Lowman also noted that we do not know when the BC Board of Elections will certify the elections each year and we should follow the lead of the other Towns in Burke County and continue to swear in new members on the first Monday in December. Councilwoman Lowman likes Option 1. Councilman Harvey feels that we should not have a Council meeting on election eve night and we need to get the new elects on board as fast as we can to make the transition smoother.

Vote: Councilwoman Lowman – No, Councilman Harvey – Yes, Councilman Ogle – Yes, Councilwoman Ward – Yes, the motion was approved for Option 2.

TOWN OF VALDESE
RESOLUTION ADOPTING 2025 TOWN COUNCIL MEETING SCHEDULE

WHEREAS, pursuant to Section 2-1011 of the Town of Valdese Code of Ordinances, there shall be a regular meeting of the council at the town hall, on the first Monday in each month at 6:00 p.m., unless another place, date or time shall be designated.

NOW, THEREFORE, BE IT RESOLVED that the Town of Valdese Town Council adopts the following Meeting Schedule for 2025

Council Chambers, Unless Noted

2025 REGULAR MONTHLY MEETINGS	
January 13	
February 3	
March 3	
April 7	
April 15 & 16	Budget Review #1, 9:00 am
May 5	
May 12	Budget Review #2, 9:00 am
June 2	Budget Presented
June 23	2025-26 Budget Hearing
August 4	
September 2	Tuesday
October 6	
November 17	Swear in Elects
December 8	

Council Chambers, Unless Noted

2025 PRE-AGENDA MONTHLY MEETINGS (Informal review of agendas/town news)	
January 6	Review Jan Meeting
January 27	Review Feb Agenda
February 24	Review Mar Agenda
March 31	Review April Agenda
April 28	Review May Agenda
May 27	Review June Agenda - Tuesday
(No Regular meeting in July.)	
July 28	Review August Agenda
August 25	Review Sept Agenda
September 29	Review Oct Agenda
November 10	Review Nov Agenda & Intro Elects
December 1	Review Dec Agenda

This 2nd day of December, 2024.

Charles Watts, Mayor

COUNCIL APPOINTMENTS TO BOARDS/COMMISSIONS/COMMITTEES

Planning Board: Councilwoman Lowman made a motion to move Cindy Stephens from an Alternate position on the Planning Board to a full position on the Planning Board, seconded by Councilman Ogle. The vote was unanimous and motion carried.

Councilwoman Lowman made a motion to appoint Keith Huffman to the Valdese Planning Board, seconded by Councilwoman Ward. The vote was unanimous and motion carried.

Mayor Watts noted that we have one Board seat and two Alternate seats available on the Planning Board.

Parks & Recreation Commission: Councilman Ogle made a motion to reappoint Nancy Tucker to the Parks & Rec Commission, seconded by Councilwoman Lowman. The vote was unanimous and motion carried.

Councilman Ogle made a motion to reappoint Scott Compton to the Parks & Rec Commission, seconded by Councilwoman Ward. The vote was unanimous and motion carried.

Facilities Review Committee: No applications were submitted.

Efficiency Task Force Committee: No applications were submitted.

WARD 2 VACANY Mayor Watts said we did not have any applications at this time and will remain open until January 6, 2025.

APPROVED CITIZEN SURVEY ON BUDGET PRIORITIES

Motion: Councilman Harvey made a motion that we approve the proposal that we received from WPCOG to revisit the work that we did this past year, engage the citizens in surveying regarding a number of budget priorities and this would be a mailed survey with reply envelopes and an online survey, at the end they would compile the results and lead the Council into a SWOT analysis to priorities the priorities that the citizens tell us they would like the Council and the Town to pursue. The cost is in the amount of $1850.00 with the Town doing the mailings by including the survey forms and water bill and having the surveys returned on non-profit postal index return. Seconded by Councilwoman Ward.

Discussion: Councilwoman Lowman questioned the authorization of a new survey, noting there was no vote by the Council to proceed with it. She reminded citizens that the Council had already approved an $8,000 strategic plan on March 18, 2024, which outlined key priorities: hiring a town manager, addressing the public safety building, recruiting and retaining town employees, constructing a permanent pool structure, tackling water and sewer infrastructure, and maintaining a repaving schedule. Councilwoman Lowman expressed concern that none of these priorities had been accomplished and questioned the need to spend an additional $1,850 for another public input session in February to reaffirm priorities already identified. She emphasized that the strategic plan was intended to guide the Council's actions, budgeting, and spending, and reiterated the importance of focusing on those existing goals rather than revisiting the same issues.

Councilwoman Ward has been involved with State boards that have a 5-10 year strategic plans with yearly revisits. She feels that citizens are looking for ways to give input that cannot be at the meeting and suggested having online surveys. Councilman Harvey noted that last year, we said we would look at this annually.

Proposal of Technical Planning Assistance
Town of Valdese
Strategic Action Plan
January 1, 2025 through April 30, 2025

The Town of Valdese Council requested a proposal from Western Piedmont Council of Governments (WPCOG) in late 2023 to complete a strategic planning process through a public engagement process. Public Input results, Council priorities were presented to Council and adopted on March 18, 2024 for a direction for the fiscal 2025 budget year. Revisitation of the plan is recommended on an annual basis

to ensure progress is made, innovative ideas are shared, and the Town continues to fulfill the vision of its residents and business owners.
Most recently, the Town requested WPCOG aid the revisitation process for the upcoming fiscal 2026 budget year. WPCOG will collaborate with staff to obtain input from the public. The results of the plan will be composed in a similar fashion to the previous year's publication. The next steps will be to determine the scope, timing, and cost with the Manager. The proposal will be presented to the council and upon approval an agreement signed.

WPCOG will provide personnel to facilitate meetings and schedules to accommodate the planning process:

- Initial Contract approval December 2024 for a beginning project date of January 1, 2025.
- Survey releases, collection and compilation of data will occur.
- Two council meetings - One work session to be held at the end of February 2025 to include the public input feedback and the Council SWOT assessment. Presentation of the final document and findings to the Town Council in late March of 2025.
- Contract time of performance will be January 1, 2025 - April 30, 2025, to allow for any transfer of information, needed clarification, or delays.
- Travel, printing, and all other associated costs to facilitate this project will be included in the contract price, except mailings in which the Town of Valdese will pay for the mailing of letters and provide the labor to send mailings to survey participants.
- As part of the process WPCOG will provide a brief demographic landscape within the final document to provide context.
- The Town will communicate and provide guidance to WPCOG staff regarding significant issues that arise during the planning process.
- The Town will assist in promoting the survey through social media and releasing the survey in a timely manner to keep the project on track to meet the final deadline.
- WPCOG will coordinate with the town staff and officials in drafting the plan.

The cost associated with the work being completed is as follows:
Planning Director - 10 hours at 110 per hour (administration, meetings, survey analysis and final document development)
Planning Staff - 10 hours at 60 per hour (survey, development, compilation of results and analysis, and final document development)
20 hours staff time = $1,700.00
Travel associated with four meetings - $150.00.
Total cost proposal: $1,850.00

Vote: Councilwoman Lowman – No, Councilman Harvey – Yes, Councilman Ogle – Yes, Councilwoman Ward – Yes, the motion was approved.

ADOPTED DESIGN-BUILD ESTABLISHMENT OF CRITERIA Interim Town Manager Bo Weichel said that this was reviewed at the last meeting and supplements the RFQ document next on the agenda.

Town of Valdese Police Department
Design-Build Criteria Statement

Title of Item:
Establishment of criteria for a design-build delivery method for construction contracts and approval of using the design-build delivery method for a phased approach toward either renovation of an existing building for a Police Department or a combo Fire and Police Department new building project.

Explanation:
In accordance with Session Law 2013-401 (HB 857) and NCGS 143-128.1A (b) regarding the addition of design-build delivery method for construction projects, the Town of Valdese is submitting, for approval, the criteria that the Town must establish to utilize this method of delivery. Additionally, the Town of Valdese is requesting approval to utilize the design-build method of delivery to explore the budget options of either a renovation project at 215 Main St E. or a combo Fire and Police building at 200 Massel Ave SW.
Due to the need for the project to be complete by the 4th quarter of 2026, this delivery method will provide the needed flexibility to complete the project on time and within budget without sacrificing quality.

Part 1. Establishment of Criteria. On August 23, 2013, the Governor signed into law Session Law 2013-401. House Bill 857, authorizing governmental entities to utilize the design-build delivery method for construction contracts. The first step in the process for utilizing the design-build delivery method is that a governmental entity is to establish in writing the criteria used for determining the circumstances under which the design-build method is appropriate for a project. The criteria proposed are the following:

(Criteria 1) The extent to which the Town can adequately and thoroughly define the project requirements prior to the issuance of the request for qualifications (RFQ) for a design-builder.
The design-build delivery method may be used if it is determined that, for the project, the Town has professional personnel that are both qualified and experienced to thoroughly define project requirements prior to the issuance of a request for qualifications for a design-builder.
Consideration will be given to the qualifications and experience of the personnel in the Facilities Review Committee, Town Council, and the availability of professional personnel in the areas of purchasing, finance and legal to assist in the development of an RFQ.

(Criteria 2) The time constraints for the delivery of the project. The design-build delivery method may be used if a project has a firm date by which a facility must be operational and the normal delivery method is likely not to be timely (typically RFQ, study, design, bid and construct). The size and cost of a project will dictate complexity and schedule.

(Criteria 3) The ability to ensure that a quality project can be delivered. The design-build delivery method may be used if it is determined that, for the project, the Town has access to professional and experienced personnel to ensure that the design-build firm will provide a quality project within the budget constraints established by Council. Consideration will be given to the qualifications and experience of the Facilities Review Committee, Town Council, and hired professional services if necessary.

(Criteria 4) The capability of the Town to manage and oversee the project, including the availability of experienced staff or outside consultants who are experienced with the design-build method of project delivery. The design-build delivery method may be used if it is determined that, for the project, the Town has professional and experienced personnel that are knowledgeable of design- build projects or, alternatively, experienced consultants local to Valdese are available to be retained to perform the construction management of a design-build contract.

(Criteria 5) A good-faith effort to comply with G.S. 143-128.2, G.S. 143-128.4, and to recruit and select small business entities. The design-build delivery method may be used if it is determined that, for the project, requirements will be imposed which ensure that contractors will comply with the M/WBE goals.

(Criteria 6) The criteria utilized by the Town, including a comparison of the costs and benefits of using the design-build delivery method for a given project in lieu of the other delivery methods identified. The criteria utilized by the Town when considering a design-build delivery method for a project will be as follows:

- Is the project well defined and does it include qualitative and quantitative characteristics that make a design-build contract more appropriate than other methods of delivery?
- Is the project timeline overly constrained and will it be necessary to have the facility complete and operational within a short timeframe?
- Will it be necessary to have beneficial use of a portion of the facility while it is under construction?
- Given the scope of the project, is there a maximum budget that must be adhered to allow negotiations and flexibility to make appropriate decisions on scope as the project progresses?
- Does the design-build delivery method meet the ultimate operational goals established for a given facility and the quality of product achieved because of a more fluid and flexible delivery method?

In general terms, if it is determined that the expected expense of a design-build project will be no more than ten (10%) greater than the expected expense of a traditional RFQ, study, design, bid and construct project, the design-build delivery method may be utilized.

Part 2. The second step for the process in determining whether to use the design build delivery method for a project is to apply the criteria to the project. In applying the criteria for the Police Department project, it is recommended that the design-build delivery method be used for this project. This determination is based upon a review of the above criteria as it relates to this project as follows:

(Criteria 1) Through the Facilities Review Committee, Town Council, and hired professional services, if necessary, the Town has professional personnel that are both qualified and experienced to thoroughly define project requirements prior to the issuance of a request for qualifications for a design builder. Additionally, professional personnel are available in the areas of purchasing, finance and legal services to assist in the development of an RFQ.

(Criteria 2) The Valdese Police Department requires a facility to establish an efficient process of operations to keep the community safe. To provide a facility so that outside regulating agency requirements are met, and the Police personnel can effectively perform their duties, the construction must be completed by the 4th quarter of 2026. This is a period of approximately 10 months. Typical procedure would be to procure a design consultant, complete design and then undertake construction. This process would take approximately 12-18 months thus preventing the Police Department from meeting the stated expectations. The Design-Build process provides the best option for the Town to meet this timeframe.

(Criteria 3) Within the Facilities Review Committee, Town Council, and hired professional services, the Town has professional and experienced personnel to ensure that the design-build firm will provide a quality project within the budget constraints established by Council.

(Criteria 4) Should it become necessary to contract the construction management of a design-build contract, there are experienced consultants local to Valdese that are available.

(Criteria 5) In developing an RFQ and interviewing selected firms, the Town will put forth a good- faith effort to comply with G.S. 143-128.2, G.S. 143-128.4.

(Criteria 6) As stated under Criteria #2, one of the benefits of the Design-Build process is that it may reduce the overall project schedule by 8 months. This has a direct benefit on the project budget. The design-build delivery method is not expected to involve any additional expense than the expected expense of a traditional RFQ, study, design, bid. and construct project. By reducing the time frame by 8 months, we are eliminating the price escalation that would occur within that year. Additionally, the scope of the design efforts will be reduced. This enables more of the approved project budget to go directly towards the physical improvements of the facility. It is expected that the design-build process will enable an extra 5% of existing funds to be allocated to the construction over what our typical design-bid-build process would allow. These benefits to both the project schedule and cost make the design-build option more appealing than the more conventional design-bid-build in this instance.

Fiscal Note:
There is no fiscal impact to the establishment of this policy and approval of the utilization of design- build delivery method.

Recommendation: Approve the criteria for the use of the design-build delivery method and authorize Town staff to move forward with use of the design-build delivery method for the renovations and additions to the Police Department facility.

Motion: Councilwoman Lowman made a motion to adopt the criteria for the use of design-build method and authorize Town staff to move forward with the use of design-build delivery method for the renovation and additions to the Police Department facility, seconded by Councilman Ogle.

Vote: The vote was unanimous and the motion carried.

APPROVED RFQ DESIGN BUILD Interim Town Manager Bo Weichel reminded Council that the RFQ would be in two phases.

1st Motion: Councilwoman Lowman made a motion to approve the Request for Qualifications for design-build services for the Police Department facility cost comparison and construction, seconded by Councilman Ogle.

Discussion: Councilman Harvey expressed concerns with the current proposal, noting that it lacked plans for a standalone fire station on Massel Avenue. He emphasized the importance of including this as part of

Phase 1 to ensure all options are thoroughly considered. Councilman Harvey highlighted the extensive efforts and resources already invested, including $24,000 spent on previous estimates and schematic drawings, and questioned why earlier findings and agreements seemed to be revisited.

1st Amendment to Motion: Councilman Harvey proposed amending the motion or RFQ to include two additional estimates in Phase 1: The cost of constructing a standalone fire station on Massel Avenue, and the cost of expanding Town Hall to accommodate the police department, seconded by Councilwoman Ward.

Discussion: Councilwoman Lowman is fine with looking at a Fire Department but is opposed to adding the Police Department in Town Hall. Councilman Ogle agrees with not using the Town Hall as a Police Station. Councilwoman Ward asked if it would take longer to add two more options to the RFQ. Mr. Weichel said the more design work you add the longer it will take and will cost more. Mr. Weichel also noted for Council to consider is if we decide to go with renovations and a standalone Fire Department, we would have to have two separate RFQs, so once they complete the 30% budgetary number we will have to go out for an RFQ again and possibly not use the same contractor.

Vote: Councilwoman Lowman – No, Councilman Harvey – Yes, Councilman Ogle – No, Councilwoman Ward – No, the amendment was not approved.

2nd Amendment to Motion: Councilman Harvey proposed amending the RFQ to include getting an estimate in Phase 1 for a Fire Station on Massel Ave., seconded by Councilman Ogle.

Vote: Councilwoman Lowman – Yes, Councilman Harvey – Yes, Councilman Ogle – Yes, Councilwoman Ward – Yes, the motion carried.

Back to 1st Motion: Councilwoman Lowman made a motion to approve the Request for Qualifications for design-build services for the Police Department facility cost comparison and construction, and adding the amendment to include getting an estimate in Phase 1 for a Fire Station on Massel Ave., seconded by Councilman Ogle.

Vote: Councilwoman Lowman – Yes, Councilman Harvey – Yes, Councilman Ogle – Yes, Councilwoman Ward – Yes, the motion carried.

Council authorized Mr. Weichel to proceed on with submitting the updated RFQ with the addition of the standalone Fire Department.

APPROVED POOL STRUCTURE BIDS & CAPITAL CAMPAIGN DISCUSSION Parks & Recreation Commission President Scott Compton reported that the Parks and Recreation Commission held an emergency meeting on Thursday, November 14, 2024, following the opening of the bid. The Commission unanimously approved two recommendations:

1. Accept the bid from Houck Contracting for the new pool structure in the amount of $1,793,930.
2. Initiate a capital fundraising campaign with a goal of $300,000 to be completed within 12 months.

Motion: Councilman Ogle made a motion to proceed with construction of the permanent pool structure with Houck Contracting as presented and start construction as soon as we can, seconded by Councilwoman Lowman.

Discussion: Councilman Harvey asked Mr. Weichel to review the numbers.

Pool Structure Cost

$1,793,930	Houck Contracting bid price
(377,000)	GRANT - NC Parks & Recreation Trust Fund Accessible Parks ($500k less the $123k for ADA work per grant requirement)
(100,000)	GRANT MATCH (20% on $500k) - Private Donation
(300,000)	Capital Campaign program as recommended by Parks & Rec Commission-will discuss at the 11/18 pre agenda meeting
$1,016,930	Remaining balance of the contract with Houck
$123,000	Cost of completing ADA compliant work
(123,000)	GRANT - NC Parks & Recreation Trust Fund Accessible Parks (portion of the $500k grant) ADA work is required to meet grant compliance
$0	Remaining balance for ADA work

Councilman Harvey highlighted that the project in discussion is a $2 million undertaking, with initial funding for the architect ($112,000) coming from the fund balance. He emphasized that the project is one of several priorities identified in the Town's strategic plan, which includes the public safety building, pool cover, street resurfacing, and water line upgrades. These projects are significant, each costing $2 million or more, and will require funding through town reserves, contributions, or tax revenue. He noted that the pool cover project, for instance, is overdue, as the original bubble installed over two decades ago exceeded its life expectancy. Its collapse last year coincided with Election Day. Council has been addressing these longstanding priorities throughout the year, with this project being the most advanced.

Councilman Harvey noted that the Parks and Recreation Commission has committed to raising $300,000 in contributions, reducing the immediate financial burden on the town reserves to $1 million. Discussions are also ongoing with the school system to secure additional funding, as the pool serves as a varsity facility for local high schools. Councilman Harvey urged council members and citizens to advocate for financial support from the school board and county, emphasizing the shared benefits and need for collaboration.

Vote: Councilwoman Lowman – Yes, Councilman Harvey – Yes, Councilman Ogle – Yes, Councilwoman Ward – Yes, the motion carried.

Motion: Councilman Harvey made a motion to authorize the Capital Campaign, seconded by Councilman Ogle.

Discussion: Councilman Harvey will pass his 20% tax cut to the Interim Town Manager to deposit if the vote passes. Councilwoman Ward will also be sending hers in as well.

Vote: Councilwoman Lowman – Yes, Councilman Harvey – Yes, Councilman Ogle – Yes, Councilwoman Ward – Yes, the motion carried.

APPROVED N.C. PARKS & RECREATION TRUST FUND ACCESSIBLE PARKS PROJECT AGREEMENT Interim Town Manager Bo Weichel noted that this is the agreement to accept the $500,000 award amount for the Pool Structure.

Motion: Councilwoman Lowman made a motion that we accept the grant from the Parks & Recreation Trust Fund, seconded by Councilman Ogle.

Vote: The vote was unanimous, the motion carried.

BUDGET AMENDMENTS

I. **APPROVED Generator Docking Station** Interim Town Manager Bo Weichel reminded Council that at the last regular meeting, Council approved to purchase a portable generator at Public Works and this budget amendment is for the docking station.

Valdese Town Council Meeting — Monday, December 2, 2024

Budget Amendment # 7-10

Subject: Equipment and installation transfer swtich and disconnect for PW generator

Description: This amendment covers the equipment and installation to switch power on/off from the generator. Three quotes were received from licensed electrical companies. This amount shown is the lowest of the three quotes. This work is necessary whether a new or used generator was purchased. Approximately $50,000 was saved by going with a used generator.

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, 2025:

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.		19,662
	Total	$0	$19,662

Amounts appropriated for expenditure are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
10.4250.740	Capital Outlay	19,662	
	Total	$19,662	$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.

Motion: Councilwoman Lowman made a motion to approve the Budget Amendment for the generator docking station, seconded by Councilman Ogle.

Vote: The vote was unanimous and motion carried.

II. **NO MOTION July 4, 2025 Independence Day Celebration** Interim Town Manager Bo Weichel explained that the adopted budget includes $21,000 for the Independence Day celebration, traditionally held on the Friday before the holiday. Moving the event to July 4th increases the total cost to approximately $63,000 due to holiday rates, requiring an additional $40,000.

Key cost increases include:

- Fireworks: The current budget allocates $12,500, but the recommended vendor, JECO Pyrotechnics, has quoted $22,000 for a high quality, commercial-grade display. This represents a $9,500 shortfall.
- Staffing: The usual service provider, Burke React, is unavailable on July 4th, necessitating additional town staff, incurring extra labor costs for holiday work.
- Other expenses: Increased rates for staging, entertainment, and band fees due to the holiday.

To cover the additional $40,000, Mr. Weichel presented two options:

1. Use fund balance via a budget amendment.

2. Reallocate $45,000 in salary savings from the administration budget, achieved since he assumed dual roles in August. This would avoid directly impacting the fund balance and could be adjusted at year-end.

Valdese Town Council Meeting — Monday, December 2, 2024

Budget Amendment # 6-10

Subject: Additional expenses for July 4, 2025 Independence Day Celebration

Description: The adopted budget includes funding this event at a "non-holiday" rate. This budget amendment includes the additional expenses associated with holding the Town-sponsored Independence Day celebration on July 4, 2025.

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, 2025:

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.		40,380
	Total	$0	$40,380

Amounts appropriated for expenditure are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit	
10.4250.021	Overtime	571		Add'l employees/Holiday Pay
10.4250.050	FICA Taxes 7.65%	44		Add'l employees/Holiday Pay
10.4250.070	Retirement Contribution 14.41%	83		Add'l employees/Holiday Pay
10.4350.021	Overtime	1,507		Add'l employees/Holiday Pay
10.4350.022	Part time - Public Works	572		Add'l employees/Holiday Pay
10.4350.050	FICA Taxes 7.65%	159		Add'l employees/Holiday Pay
10.4350.070	Retirement Contribution 14.41%	218		Add'l employees/Holiday Pay
10.5600.021	Overtime	1,887		Add'l employees/Holiday Pay
10.5600.050	FICA Taxes 7.65%	145		Add'l employees/Holiday Pay
10.5600.070	Retirement Contribution 14.41%	272		Add'l employees/Holiday Pay
10.5800.021	Overtime	448		Add'l employees/Holiday Pay
10.5800.050	FICA Taxes 7.65%	35		Add'l employees/Holiday Pay
10.5800.070	Retirement Contribution 14.41%	65		Add'l employees/Holiday Pay
30.8120.021	Overtime	5,120		Add'l employees/Holiday Pay
30.8120.050	FICA Taxes 7.65%	392		Add'l employees/Holiday Pay
30.8120.070	Retirement Contribution 14.41%	737		Add'l employees/Holiday Pay
10.4200.020	Overtime	589		Add'l employees/Holiday Pay
10.4200.050	FICA Taxes 7.65%	45		Add'l employees/Holiday Pay
10.4200.070	Retirement Contribution 14.41%	85		Add'l employees/Holiday Pay
10.5100.021	Overtime	4,138		Add'l employees/Holiday Pay
10.5100.022	Part time - Reserve Officers	429		Add'l employees/Holiday Pay
10.5100.050	FICA Taxes 7.65%	351		Add'l employees/Holiday Pay
10.5100.065	Law Enforecement 401k 5%	195		Add'l employees/Holiday Pay
10.5100.070	LEO Retirement Contribution 15.79%	653		Add'l employees/Holiday Pay
10.5300.021	Overtime	2,720		Add'l employees/Holiday Pay
10.5300.050	FICA Taxes 7.65%	209		Add'l employees/Holiday Pay
10.5300.070	Retirement Contribution 14.41%	392		Add'l employees/Holiday Pay
10.6250.021	Overtime	2,039		Add'l employees/Holiday Pay
10.6250.021	Part time	585		Add'l employees/Holiday Pay
10.6250.050	FICA Taxes 7.65%	201		Add'l employees/Holiday Pay
10.6250.070	Retirement Contribution 14.41%	294		Add'l employees/Holiday Pay
10.5100.450	Contracted Services	1,400		Off-duty deputies x 4
10.6250.452	Contracted Services	250		Staging
10.6250.452	Contracted Services	2,000		Entertainment/Band
10.6250.452	Contracted Services	300		RV
10.6250.452	Contracted Services	1,750		Sound and Lighting
10.6250.450	Contracted Services	9,500		Fireworks
	Total	$40,380	$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.

Independence Day Event Comparison

	Friday before the 4th - 4/27/25	July 4th, 2025					
Staging	$3,500.00	$3,750.00					
Entertainment / Band	$3,000.00	$5,000.00					
REACT volunteers	12 volunteers available	REACT not available (they work Morganton's Event)					
Off-duty deputies x 4	not needed	$1,400.00					
RV	$300.00	$600.00					
Holiday Employee Pay/Add'l Employees	not needed	$25,180.00					
Sound & Lighting	$2,000.00	$3,750.00					
Fireworks Contract	**Zambelli - Table Rock Shooters**	**JECO Pyrotechnics**	**Perennial Pyro**	**PyroWright**	**Sierfire**	**Zambelli**	**PyroProductions**
Cost	$12,500.00	$22,000.00	$24,000.00	$20,000.00	$25,000.00	$18,000.00	$35,000.00
Availability	Available	Available	Available	Available	Not Available 7/4/25	Not Available 7/4/25	Not Available 7/4/25
Shell Count	682	1500	840	1450			
Notes:		*Skyworks Pro*		*lesser grade shells*			
References & Other Shows:	Contracted for the Valdese event since mid 1990's	Sawmills, NC, Ashe County	North Wilkesboro, Deep Gap	(Weaverville, Old Fort)			
	40 years experience	10 years experience	10 years experience	26 yrs shooting - 2 yrs in business			
		Contracts need to be in place by January 1 to lock in pricing and the prime date of 7/4/25. Larger Fireworks companies are unavailable due to prior larger contract commitments. Numerous companies were contacted only 6 responded with 3 being unavailable.					

Councilman Harvey asked why the Recreation Department was not included in the budget considerations for the Independence Day event and confirmed with Mr. Weichel that the pool would not be open on July 4th(Corrected Minute entry: The pool is open on July 4th). He then shared an observation, drawing from his 35 years of experience managing a multimillion-dollar budget. He emphasized that the responsibility for managing budget adjustments should lie with the manager rather than the Council. With a $7 million budget, he noted that the additional $40,000 needed for the event represents a minor adjustment (approximately 0.6% of the total budget). Councilman Harvey suggested that such decisions fall within the manager's purview, especially given potential unbudgeted revenue and savings identified during the year.

INTERIM MANAGER'S REPORT:

Numerous events are scheduled for the month of December. A Holiday Event Calendar has been included in the reading materials for your reference. Please review the calendar for detailed information on upcoming activities.

Town Offices Closed on December 24, 25, 26, 2024 in Observance of Christmas and January 1, 2025 in Observance of New Year's Day.

Next Agenda Review Council meeting is scheduled for Monday, January 6, 2024, 6:00 p.m., Council Chambers, Valdese Town Hall

Next Regular Council meeting scheduled for Monday, January 13, 2025, 6:00 p.m., Council Chambers, Valdese Town Hall

MAYOR AND COUNCIL COMMENTS

Councilman Harvey thanked Mayor Pro Tem Councilman Ogle for reading the guidelines for the Public Comments that were in place a long time ago until the last election.

Mayor Watts reminded Council that the Christmas Parade is this Saturday, December 7, 2024, and if you plan on riding in the Parade, be at the Fire Department at 9:20 a.m., Saturday morning.

CLOSED SESSION PURSUANT TO NC GENERAL STATUTE 143-318.11(A)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee.

At 7:59 p.m., Councilman Ogle made a motion to go into closed session, seconded by Councilwoman Ward. The vote was unanimous and motion carried.

At 8:15 p.m., Councilwoman Lowman made a motion to return to open session, seconded by Councilman Ogle. The vote was unanimous and motion carried.

SPECIAL CALLED MEETING ANNOUNCEMENT Mayor Watts announced a Special Called Meeting on Wednesday, December 11, 2024, at 9:00 am., in the Council Chamber, and the purpose of the meeting is to identify or name a Town Manager.

Councilwoman Lowman made that in the form of a motion, seconded by Councilman Harvey. The vote was unanimous and motion carried.

ADJOURNMENT: At 8:17 p.m., there being no further business to come before Council, Councilwoman Lowman made a motion to adjourn, seconded by Councilman Harvey. The vote was unanimous and motion carried.

_____ _____

Town Clerk Mayor

jl

TOWN OF VALDESE
TOWN COUNCIL SPECIAL CALLED MEETING
DECEMBER 11, 2024

The Town of Valdese Town Council met on Wednesday, December 11, 2024, at 9:00 a.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The following were present: Mayor Charles Watts, Mayor Pro Tem Gary Ogle, Councilwoman Rexanna Lowman, Councilwoman Heather Ward, and Councilman Glenn Harvey. Also present were: Interim Town Manager Bo Weichel, Town Attorney Tim Swanson, and Town Clerk Jessica Lail.

Absent: Ward 2 Vacancy

A quorum was present.

Mayor Watts announced a correction to the purpose of **Closed Session Pursuant to NC General Statute 143-318.11(a)(6)** was for the *Consideration of a Town Manager*, not to *Identify or Name a Town Manager*.

At 9:01 a.m., Councilwoman Lowman made a motion to recess into:

Closed Session under NC General Statute 143-318.11(a)(3) to consult with an attorney retained by the Town in order to preserve the attorney-client privilege between the Town attorney and the Town Council, which privilege is hereby acknowledged.

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

Seconded by Councilwoman Ward. The vote was unanimous.

At 10:35 a.m., Councilwoman Lowman made a motion to return to open session, seconded by Councilwoman Ward. The vote was unanimous.

ADJOURNMENT: At 10:37 a.m., there being no further business to come before Council, Councilwoman Ward made a motion to adjourn, seconded by Councilman Harvey. The vote was unanimous.

_____ _____

Town Clerk Mayor

jl