

**Town of Valdese  
Town Council Meeting  
Valdese Town Hall  
102 Massel Avenue SW, Valdese  
Tuesday, September 4, 2018  
6:00 P.M.**

- 1. Call Meeting to Order**
- 2. Invocation**
- 3. Pledge of Allegiance**

**4. Informational Items:**

- A. Communication Notes
- B. Reading Material

**5. Open Forum/Public Comment**

**6. Consent Agenda**

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

- A. Approval of Special Meeting Minutes of August 2, 2018
- B. Approval of Regular Meeting Minutes of August 6, 2018
- C. Renewal of Lease Agreement at Old Rock School with P&W Railroad Club
- D. Approval of BDI Bylaws

**7. New Business**

- A. Introduction of New Employee
- B. Appointment to Fill Ward 1 Vacancy
- C. Burke Transit Update
- D. Beautification Campaign Presentation
- E. Second CDBG Public Hearing – Neighborhood Revitalization Program
- F. Authorizing Resolution to Submit an Application for Department of Commerce Funding- Neighborhood Revitalization
- G. Resolution for Sale of Harris Avenue Property
- H. Charge to Collect Taxes
- I. Tax Statement Annual Settlement for 2017
- J. Alba Waldensian Mill Demolition Project Capital Project Ordinance
- K. AIA State Funding Resolution – Water System Asset Management Program

**8. Manager's Report**

- A. Next Regular Council meeting scheduled for Monday, October 1, 2018, 6 p.m.
- B. Family Friday Nights will be held through September 28, 2018
- C. Fall Litter Sweep, September 15-29, 2018
- D. Update on Public Safety Building

**9. Mayor and Council Comments**

**10. Adjournment**

## COMMUNICATION NOTES

**To:** Mayor Black  
Town Council

**From:** Seth Eckard, Town Manager

**Date:** August 31, 2018

**Subject:** Tuesday, September 4, 2018 Council Meeting

### 6. Consent Agenda:

#### A. Approval of Special Meeting Minutes of August 2, 2018

#### B. Approval of Regular Meeting Minutes of August 6, 2018

#### C. Renewal of Lease Agreement at Old Rock School with P&W Railroad Club

Enclosed in the agenda packet is an annual lease agreement at Old Rock School with P&W Railroad Club. As per the lease agreement, payment in the amount of \$210 is due monthly.

#### D. Approval of BDI Bylaws

Enclosed in the agenda packet is a copy of the amended bylaws for BDI. On June 22nd, the BDI Board of Directors adopted new bylaws which removed the reference of the "Committee of 100" and replaced it with "Thrive'22".

**Requested Action:** Staff recommends that Council approve the amended bylaws as presented.

### 7. New Business

#### A. Introduction of New Employee

Police Chief Jack Moss will introduce Police Officer Heath Newton.

#### B. Appointment to Fill Ward 1 Vacancy

Mayor Black will discuss the appointment to fill the Ward 1 vacancy with Council.

**Requested Action:** Direction from Council.

#### C. Burke Transit Update

The Community Foundation of Burke County and the Western Piedmont Council of Governments secured grant funding to begin two deviated fixed routes in Burke County. Enclosed in the agenda packet is an update on the Burke Transit project. WPCOG

Transportation Planner Brian Horton will be at the meeting to share details and answer questions about this project.

#### **D. Beautification Campaign Presentation**

Enclosed in the agenda packet is a memo from Community Affairs Director Morrissa Angi regarding the Keep Valdese Clean & Green Campaign. Ms. Angi will provide a presentation on this beautification campaign.

#### **E. Second CDBG Public Hearing – Neighborhood Revitalization Program**

Enclosed in the agenda packet is a copy of the notice calling for a second public hearing for the discussion of a CDBG grant request. WPCOG Community and Economic Development Administrator Lisa Helton will be at the meeting to discuss the purpose of the second CDBG Public Hearing.

**Requested Action:** Mayor Black will need to accept public comment; after which, Council would need to adopt the authorizing resolution to submit an application for CDBG funding.

#### **F. Authorizing Resolution to Submit an Application for Department of Commerce Funding-Neighborhood Revitalization**

Enclosed in the agenda packet is an authorizing resolution to submit a formal application to the NC Department of Commerce for a NC Neighborhood Revitalization Scattered-Site Housing Project with Community Development Block Grant (CDBG-NR) funds in the amount of \$350,600. Funds will be used for the rehabilitation of twelve (12) low/moderate income, owner occupied homes scattered throughout the town limits of Valdese. Staff is also requesting a local commitment of \$25,000 if the housing project is awarded grant funding. Also enclosed in the agenda packet is the Residential Anti-Displacement & Relocation Plan, By-laws of Selection Committee, and Citizen Participation Plan. These documents will be submitted in conjunction with the grant application. Adoption of the aforementioned documents will assign more points to the Town's application.

**Requested Action:** Staff recommends that Council approve the resolution; provide a local commitment of \$25,000; adopt the following: Residential Anti-Displacement and Relocation Plan, By-laws of Selection Committee, and Citizen Participation Plan; and authorize Town Manager Seth Eckard to execute and file an application on behalf of the Town of Valdese with NC Department of Commerce for CDBG funding.

#### **G. Resolution for Sale of Harris Avenue Property**

At the August 6<sup>th</sup> meeting, Council adopted a resolution proposing the acceptance of an offer to purchase town-owned property located at 795 Harris Avenue NW, Valdese. In accordance with G.S. 160A-269, a notice was published detailing Council's intent to accept the offer and also informed the public that any person could raise the bid. After receiving no additional bids, the highest bid received was from Campfire Homes, LLC, in the amount of \$62,500.00. Enclosed in the agenda packet is a resolution approving the sale of the property and a development proposal and site plan submitted by Campfire Homes.

**Requested Action:** Staff recommends that Council approve the sale of the property located at 795 Harris Street NE, Valdese to Campfire Homes, LLC for the purchase price of \$62,500.00.

#### **H. Charge to Collect Taxes**

Mayor Black will offer the charge to Tax Collector Apryl Hardin to collect taxes for 2018 budget year, and Deputy Town Clerk Courtney Kennedy will administer the oath.

#### **I. Tax Statement Annual Settlement for 2017**

Enclosed in your packet is a report from Tax Collector Apryl Hardin concerning property and motor vehicle tax collection. Ms. Hardin will present the tax statement.

#### **J. Alba Waldensian Mill Demolition Project Capital Project Ordinance**

Enclosed in the agenda packet is a Capital Project Ordinance for the Alba Waldensian Mill Demolition Project. Finance Director Jerry LaMaster will be at the meeting to discuss the ordinance.

**Requested Action:** Staff recommends that Council adopt the Capital Project Ordinance as presented.

#### **K. AIA State Funding Resolution – Water System Asset Management Program**

Enclosed in the agenda packet is a resolution prepared by McGill Associates for a grant/loan application for the Water System Asset Management Program. This grant would be used to inventory and assess a portion of the water distribution system. Project Manager R.J. Mozeley of McGill Associates will be at the meeting to answer questions.

**Requested Action:** Staff requests that Council approve the resolution authorizing Town Manager Seth Eckard to execute and file an application with the State of North Carolina for a grant to aid in the implementation of the Water System Asset Management Program.

# READING MATERIAL

**VALDESE FIRE DEPARTMENT - MONTHLY ACTIVITY REPORT****June 1st-30th, 2018**

THE BELOW REPORT OUTLINES THE ACTIVITIES PERFORMED BY THE FIRE DEPARTMENT DURING THE MONTH OF JUNE, 2018. THE REPORT SHOWS THE AMOUNT OF TIME SPENT ON EACH ACTIVITY AND THE TYPE AND NUMBER OF EMERGENCY FIRE DEPARTMENT RESPONSES.

<b><u>ACTIVITY / FUNCTION</u></b>	<b><u>TOTAL HOURS</u></b>
STATION DUTY	83 HOURS
VEHICLE DUTY	98 HOURS
EQUIPMENT DUTY	28 HOURS
FIRE ADMINISTRATION	176 HOURS
TRAINING ADMINISTRATION	2 HOURS
MEETINGS	22 HOURS
FIRE PREVENTION ADMINISTRATION	66 HOURS
FIRE PREVENTION INSPECTIONS	11 HOURS
<b><u>TYPE / NUMBER OF INSPECTIONS:</u></b>	
ASSEMBLY	4
BUSINESS	0
EDUCATIONAL	0
FACTORY	2
FOSTER HOME	0
MERCANTILE	0
RESIDENTIAL	0
STORAGE	0
<b>TOTAL INSPECTIONS:</b>	<b>6</b>
<b><u>VIOLATIONS NOTED:</u></b>	<b>85</b>
SAFE KIDS ADMIN/CRS INSPECTIONS	10 HOURS
PUBLIC RELATIONS	2 HOURS
HYDRANT MAINTENANCE	21 HOURS
SAFETY ADMINISTRATION	30 HOURS
PHYSICAL TRAINING	14 HOURS
TRAINING	55 HOURS
ON-DUTY EMERGENCY RESPONSES	44 HOURS
OFF-DUTY EMERGENCY RESPONSES	37 HOURS
FIRE/MEDICAL STANDBY	23 HOURS
OFF-DUTY TRAINING	12 HOURS
<b>TOTAL TRAINING MANHOURS:</b>	<b>150 HOURS</b>
(INCLUDES VOLUNTEER FIREFIGHTERS)	

**FIRE DEPARTMENT EMERGENCY RESPONSES:****FIRE:**

ALARM	1
SMOKE	1
TREE/LINE DOWN	2
MUTUAL AID TO STATION 64	2
MUTUAL AID TO STATION 66	1
GOOD INTENT	1
SERVICE CALL	0
ANIMAL RESCUE	1
OUTSIDE FIRE	<u>1</u>
	<b>10</b>

**MEDICAL:**

ABDOMINAL PAIN	1
ANIMAL BITE	1
ASSAULT	1
ASSIST EMS	0
BACK PAIN	0
CANCELLED ENROUTE	0
CARDIAC	1
CHEST PAIN	3
CHOKING	0
CODE BLUE	0
DIABETIC	1
DOA	1
FAINTING	2
FALL	3
HEADACHE	0
LACERATION/HEMORRAGE	2
MOTOR VEHICLE ACCIDENT	1
OTHER	3
OVERDOSE/INTOXICATED	1
PREGNACY	0
PSYCHIATRIC	1
RESPIRATORY	4
SEIZURE	1
SICK	7
STABBING	0
STROKE	3
TRAUMATIC INJURY	1
UNCONSCIOUS	<u>3</u>
	<b>41</b>

**FIRE AND MEDICAL:**

MVA	2
-----	---

**TOTAL: 53 RESPONSES**

Respectfully Submitted,  
Charles Watts, Chief  
Valdese Fire Department

**VALDESE FIRE DEPARTMENT - MONTHLY ACTIVITY REPORT****July 1st-31st, 2018**

THE BELOW REPORT OUTLINES THE ACTIVITIES PERFORMED BY THE FIRE DEPARTMENT DURING THE MONTH OF JULY, 2018. THE REPORT SHOWS THE AMOUNT OF TIME SPENT ON EACH ACTIVITY AND THE TYPE AND NUMBER OF EMERGENCY FIRE DEPARTMENT RESPONSES.

<b><u>ACTIVITY / FUNCTION</u></b>	<b><u>TOTAL HOURS</u></b>
STATION DUTY	96 HOURS
VEHICLE DUTY	132 HOURS
EQUIPMENT DUTY	43 HOURS
FIRE ADMINISTRATION	180 HOURS
TRAINING ADMINISTRATION	29 HOURS
MEETINGS	24 HOURS
FIRE PREVENTION ADMINISTRATION	20 HOURS
FIRE PREVENTION INSPECTIONS	24 HOURS
<b><u>TYPE / NUMBER OF INSPECTIONS:</u></b>	
ASSEMBLY	4
BUSINESS	3
DAYCARE	2
FACTORY	2
INSTITUTIONAL	4
MERCANTILE	0
RESIDENTIAL	0
STORAGE	0
<b>TOTAL INSPECTIONS:</b>	<b>15</b>
<b><u>VIOLATIONS NOTED:</u></b>	<b>166</b>
SAFE KIDS ADMIN/CRS INSPECTIONS	6 HOURS
PUBLIC RELATIONS	2 HOURS
HYDRANT MAINTENANCE	0 HOURS
SAFETY ADMINISTRATION	20 HOURS
PHYSICAL TRAINING	15 HOURS
TRAINING	125 HOURS
ON-DUTY EMERGENCY RESPONSES	44 HOURS
OFF-DUTY EMERGENCY RESPONSES	74 HOURS
FIRE/MEDICAL STANDBY	0 HOURS
OFF-DUTY TRAINING	4 HOURS
<b>TOTAL TRAINING MANHOURS:</b>	<b>150 HOURS</b>



**FIRE DEPARTMENT EMERGENCY RESPONSES:****FIRE:**

ALARM	5
SMOKE	1
TREE/LINE DOWN	1
MUTUAL AID TO STATION 63	1
MUTUAL AID TO STATION 66	1
GOOD INTENT	2
SERVICE CALL	3
CARBON MONOXIDE LEAK	1
ELECTRICAL	1
STRUCTURE	2
OUTSIDE FIRE	<u>1</u>
	<b>19</b>

**MEDICAL:**

ABDOMINAL PAIN	0
ANIMAL BITE	0
ASSAULT	0
ASSIST EMS	1
BACK PAIN	1
CANCELLED ENROUTE	2
CARDIAC	0
CHEST PAIN	3
CHOKING	1
CODE BLUE	2
DIABETIC	0
DOA	0
FAINTING	0
FALL	7
HEADACHE	0
LACERATION/HEMORRAGE	1
MOTOR VEHICLE ACCIDENT	1
OTHER	2
OVERDOSE/INTOXICATED	2
PREGNACY	0
PSYCHIATRIC	2
RESPIRATORY	2
SEIZURE	3
SICK	8
STABBING	0
STROKE	0
TRAUMATIC INJURY	0
UNCONSCIOUS	<u>3</u>
	<b>41</b>

**FIRE AND MEDICAL:****0****TOTAL: 60 RESPONSES**

Respectfully Submitted,  
Charles Watts, Chief  
Valdese Fire Department



STATE OF NORTH CAROLINA  
OFFICE OF STATE BUDGET AND MANAGEMENT

ROY COOPER  
GOVERNOR

CHARLES PERUSSE  
STATE BUDGET DIRECTOR

August 27, 2018

MEMORANDUM

TO: Municipal Official

FROM: Michael E. Cline, PhD  
State Demographer  
Office of State Budget and Management

SUBJECT: Preliminary 2017 Municipal Population Estimates

The purpose of this memo is to give you a chance to preview the Certified Estimate of the July 1, 2017 permanent resident population of your municipality. This estimate is used for the purpose of distributing state-shared revenues to municipalities and will be featured in the Municipal Estimates section of the OSBM Demographics website; to view go to view previous estimates go to [www.osbm.nc.gov/facts-figures/demographics](http://www.osbm.nc.gov/facts-figures/demographics).

---

Valdese ,Burke County

July 1, 2017 Certified Population Estimate: 4,465

---

If you have questions or comments concerning this information, wish help in interpreting the estimates, or would like clarification of the methods used in preparing the estimates, please contact me (20320 Mail Service Center, Raleigh, NC, 27699-0320. Telephone 919-807-4756, [michael.cline@osbm.nc.gov](mailto:michael.cline@osbm.nc.gov))

DEADLINE FOR REVIEW: September 10, 2018

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

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

Absent: None.

A quorum was present.

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

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

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

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

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

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

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

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

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

---

Town Clerk

---

Mayor

**TOWN OF VALDESE  
TOWN COUNCIL SPECIAL MEETING  
AUGUST 6, 2018**

The Town of Valdese Town Council met on Monday, August 6, 2018, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The following were present: Mayor John F. “Chip” Black, Jr., Councilwoman Frances Hildebran, Councilwoman Susan Stevenson, and Councilman Roy F. Sweezy. Also present were: Town Attorney Marc Mitchell, Town Manager Seth Eckard, Deputy Town Clerk Courtney Kennedy, and various department heads.

Absent: Councilman Keith Ogle

A quorum was present.

Mayor Black 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:**

**RESOLUTION OF APPRECIATION FOR GARY L. DELP** Mayor Black presented the following resolution to Gary Delp:

**RESOLUTION OF APPRECIATION FOR GARY L. DELP**

**WHEREAS**, Gary L. Delp began his service as Councilman for Ward 1 on May 4, 2009; and

**WHEREAS**, Gary L. Delp for the past 9 years has served the Town of Valdese with distinction as a committed and dedicated Councilmember; and

**WHEREAS**, these 9 years of service have been marked by exemplary dedication to the best interests of the community as he has worked constantly for the betterment of its cultural and aesthetic development; and

**WHEREAS**, Gary L. Delp served on numerous boards and commissions including the Recreation Commission, Public Art Commission, Planning Board, and Street Paving Committee; and

**WHEREAS**, Gary L. Delp was instrumental in the organization of a flower bulb planting project and coordinated a birdhouse project with the local Girls Scout Troup at McGalliard Falls Park; and

**WHEREAS**, Gary L. Delp leaves behind a legacy through art by contributing his mind and talents to many public art projects and by hiding his face jug pottery in numerous locations throughout the town; and

**WHEREAS**, Gary L., Delp has earned the admiration and high regard of those with whom he has encountered and he also earned the affection of his fellow public servants, who are proud to call him “friend.”

**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 **GARY L. DELP** for his outstanding contributions to the Council, Staff and Citizens 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 Gary L. Delp for his leadership and guidance to the Town of Valdese during the past 9 years as its Ward 1 Councilmember and extends congratulations and best wishes as he begins a new chapter in his life called, “Retirement.”

Adopted this the 6<sup>th</sup> day of August, 2018.

/s/ John F. “Chip” Black, Jr., Mayor

**RECOGNITION OF BIMBO – PARKS AND RECREATION DIRECTOR DOUG KNIGHT:** Mr. Knight shared that Bimbo Bakeries sent approximately 30 volunteers to help give Children’s Memorial Park a facelift on June 15<sup>th</sup>. With their

assistance, staff was able to repaint the original children's park sign, bridge railing and score table shelter. The group placed new borders around the playground equipment and spread new mulch in the bordered areas, created a new sandbox play area, provided new swing seats on all swings, placed heavy rubber mats below swings and slides and cleaned the picnic area and cleaned up excessive growth around the memorial. Mr. Knight informed Council that this is the second year in a row that Bimbo Bakeries has helped the Parks and Recreation Department. Last year Bimbo Bakeries helped supply and plant landscaping and mulch at the new splash park. The project last year was awarded one of the top projects for all Bimbo Good Neighbor Projects and allowed them more funding to do a larger job with the Town this year. Mr. Knight would like to recognize Bimbo Bakeries for the extraordinary service to the town.

**EAGLE SCOUT PROJECT-TOMMY BLACKWELL, 1000 WOODLAND STREET SE, VALDESE** Mr. Blackwell informed Council that he is completing his Eagle Scout project at the Rec Center. Mr. Blackwell shared that he would like to landscape the grassy knoll behind the pool. Mr. Blackwell contacted Settlemeyre Nursery and asked for their help to create a preliminary design. Mr. Blackwell shared that the plants that will be placed in the area are tolerant to drought and erosion and will not require much maintenance. Mr. Blackwell hopes to add mulch and a permanent barrier. The cost is approximately \$1,800, which Mr. Blackwell hopes to raise through private donations.

**BURKE YOUTH HEALTH COALITION** The Burke County Youth Health Coalition informed Council of various projects they are working on; a nicotine campaign is their most recent project. As part of this campaign, the Coalition has evaluated many parks and businesses, such as McGalliard Falls Park and Dollar General. The Coalition would like Council to consider forbidding all smoking in town parks. Currently at Children's Park there are signs that are inconsistent within the park regarding smoking. One sign says that smoking is prohibited within 50 feet of a building, others say no smoking. The Coalition would also like to place two recycling bins in the park to help reduce litter.

**LITTLE LIBRARY-LINDA MORSE 508 ITALY STREET NE, VALDESE** Ms. Morse informed Council that she is speaking on behalf of the Libro Club, a book club in Valdese. The Club is seeking permission to erect a little free library. A small weather proof box will be placed near or on Main Street. The Concept is to place books in the bins, allowing patrons to take a book, leave a book. A possible location for this may be in a flower bed at the Wells Fargo parking lot.

**STREET CONCERNS-GLENN HARVEY, 404 LOUISE AVE, VALDESE:** Mr. Harvey wished to discuss concerns with the streets in Valdese through a PowerPoint presentation; however, the computer had technical difficulties and would not load the file. Mr. Harvey offered to provide this presentation at the next meeting.

**CONSENT AGENDA:** (enacted by one motion)

**APPROVED MINUTES OF REGULAR MEETING AND CLOSED SESSION MINUTES OF JUNE 25, 2018**

**APPROVED APPOINTMENT OF COUNCILMAN ROY SWEEZY AS TOWN TREASURER**

**RESOLUTION FOR SMALL UNDERPAYMENTS AND OVERPAYMENTS, TAXES UNDER \$5.00, AND OVERPAYMENTS OF LESS THAN \$15.00**

#### RESOLUTIONS

(Small Underpayments & Overpayments of Property Taxes,  
Directing the Tax Collector Not to Collect Minimum Taxes in the  
Amount of \$5.00 or Less, and Authorizing the Tax Collector  
Not to Refund Overpayments of Less Than \$15.00)

WHEREAS, G.S. 105-357(c) authorizes a local government to adopt a resolution that eliminates the need to collect small underpayments of \$1.00 or less and that eliminates the need to refund small overpayments of \$1.00 or less unless the taxpayer requests a refund of the overpayment before the end of the fiscal year in which the small overpayment is made; and

WHEREAS, G.S. 105-321(f) authorizes a local government to adopt a resolution directing its tax collector not to collect minimal taxes in the amount of \$5.00 or less; and

WHEREAS, G.S.105-321(g) authorizes a local government to adopt a resolution directing its tax collector not to mail a refund of an overpayment if the refund is less than \$15; and

WHEREAS, G.S. 105-321(g) provides that upon adoption of a resolution authorizing the tax collector not to make a refund of an overpayment if the refund is less than \$15, the tax collector shall make a report of the amount of these refunds to the Town Council, implement a system by which payment of the refund may be made to a taxpayer who comes into the office of the Tax Collector seeking the refund, and as to refunds that are not requested in person by the end of the fiscal year, implement a system to apply the minimal refund as a credit against the tax liability of the taxpayer for taxes due for the next succeeding year; and

WHEREAS, the Town Council has decided to adopt these authorized resolutions;

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. Pursuant to G.S. 105-357(c) the Town Council hereby directs the Town of Valdese Tax Collector to treat small underpayments of \$1.00 or less as fully paid and not to refund small overpayments of \$1.00 or less unless the taxpayer requests a refund of the overpayment before the end of the fiscal year in which the small overpayment is made.

2. Pursuant to G.S. 105-321(f) the Town Council hereby directs the Town of Valdese Tax Collector not to collect minimal taxes. Minimal taxes for these purposes are defined as the total principal amount of \$5.00 in ad valorem taxes on a tax receipt billed and collected by the Tax Collector.

3. Pursuant to G.S. 105-321(g) the Town Council hereby authorizes the Town of Valdese Tax Collector not to mail a refund of any overpayment if the refund is less than \$15. The Tax Collector is directed to implement those systems required by G.S. 105-321(g).

4. These resolutions shall remain in effect until repealed or amended by resolution of the Town Council.

THESE RESOLUTIONS ARE ADOPTED THIS 6<sup>TH</sup> DAY OF AUGUST, 2018.

/s/ John F. Black, Jr., Mayor

ATTEST: /s/ Town Clerk

**APPROVED RESOLUTION APPROVING WATER SHORTAGE RESPONSE PLAN**

**RESOLUTION APPROVING WATER SHORTAGE RESPONSE PLAN**

WHEREAS, North Carolina General Statute 143-355 (l) requires that each unit of local government that provides public water service and each large community water system shall develop and implement water conservation measures to respond to drought or other water shortage conditions as set out in a Water Shortage Response Plan and submitted to the Department for review and approval; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Water Shortage Response Plan for Town of Valdese, has been developed and submitted to the Valdese Town Council for approval; and

WHEREAS, the Valdese Town Council finds that the Water Shortage Response 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, as well as useful information to the Department of Environment and Natural Resources for the development of a state water supply plan as required by statute;

NOW, THEREFORE, BE IT RESOLVED by the Valdese Town Council of Town of Valdese that the Water Shortage Response Plan entitled, WATER SHORTAGE MANAGEMENT PLAN dated March 17, 2018, is hereby approved and shall be submitted to the Department of Environment and Natural Resources, Division of Water Resources; and BE IT FURTHER RESOLVED that the Valdese Town Council 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 6<sup>th</sup> day of August, 2018.

/s/ John F. Black Jr., Mayor

ATTEST: /s/ Frances Hildebran, Town Clerk



**APPROVED ORDINANCE FOR STREET CLOSURE – DRAUGHN HIGH SCHOOL HOMECOMING PARADE ON TUESDAY, OCTOBER 2, 2018**

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

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, October 2, 2018; 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 PARADE**

DATE: Tuesday, October 2, 2018

TIME: 6:30 p.m. – 7:30 p.m.

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 6<sup>th</sup> day of August, 2018.

/s/ John F. Black, Jr., Mayor

/s/ Town Clerk

**APPROVED ORDINANCE SETTING SPEED LIMIT ON POWELL AVE**

**AN ORDINANCE SETTING THE SPEED LIMIT FOR POWELL AVE AT 25 MPH**

WHEREAS, there has been some question as to whether the speed limit for Powell Ave is 25 mph for both north and south bound lanes; and

WHEREAS, the town council intends that the speed limit for Powell Ave be 25 miles per hour, and it is therefore adopting this ordinance in order to confirm that the speed limit for Powell Ave, both north and south bound, shall be 25 miles per hour;

NOW, THEREFORE, be it ordained by the Valdese Town Council that Powell Ave is added to Appendix I, Section 116, of the Code of Ordinances, the section where streets with a 25 mile per hour speed limit are listed. This ordinance shall become effective upon adoption.

ADOPTED this 6th day of August, 2018.

/s/ John F. Black, Jr., Mayor

ATTEST: /s/ Town Clerk

**APPROVED AGREEMENT WITH WPCOG FOR GIS MAINTENANCE AND AS-BUILT SCANNING** The agreement with the WPCOG for GIS Maintenance and As-built Scanning for FY 18-19 to maintain the utility and cemetery GIS database in the amount of \$8,682.

Councilwoman Stevenson made a motion to approve the aforementioned items on the Consent Agenda, seconded by Councilman Sweezy. The vote was unanimous.

***End Consent Agenda***

**ITEMS REMOVED FROM CONSENT AGENDA:**

**RESOLUTION ESTABLISHING CHECK PROCEDURES, AUTHORIZING THE USE OF SIGNATURE STAMPS, AND CONFIRMING BB&T AS AN OFFICIAL DEPOSITORY OF TOWN FUNDS:** Councilwoman Hildebran requested additional information on this item. Town Manager Seth Eckard informed Council that this item is being presented, after receiving input from the previous town treasurer, with the intent to create efficiencies with the use of signature stamps, under the guidance of the finance director, by appointing other staff and councilmembers to have check signing authority and to create a threshold to establish a policy that any payment under \$1000 does not have to be signed by a second signature, with the exception of travel reimbursement or employee reimbursements. After further discussion, Councilwoman Hildebran made a motion to table this item until a later day, seconded by Councilwoman Stevenson. The vote was unanimous.

**RESOLUTION ADOPTING UNIFORM GUIDANCE PROCUREMENT POLICY AND UNIFORM GUIDANCE CONFLICTS AND GIFTS POLICY:** Town Manager Seth Eckard informed Council that the federal government has proposed new procurement regulations for local governments to adopt if they want to comply with certain grant requirements. Councilwoman Hildebran asked if the town had a purchasing department, as referenced in the policy. Mr. Eckard shared that these documents will be maintained through the finance department.

Town Attorney Marc Mitchell shared that these policies are model policies that the School of Government created. Mr. Mitchell shared that everyone has to adopt these, or something like them to comply with new regulations.

**RESOLUTION ADOPTING UNIFORM GUIDANCE PROCUREMENT POLICY AND UNIFORM GUIDANCE CONFLICTS AND GIFTS POLICY**

WHEREAS, the Town of Valdese from time to time receives grants or other payments that are funded through federal government supported programs; and

WHEREAS, the federal government has adopted extensive guidelines and standards that the recipients of federal grants or other funds must follow with regard to procurement and contracting; and

WHEREAS, federal regulations have established uniform guidance for the use of federal funds with regard to procurement and contracting; and

WHEREAS, town staff has prepared a Uniform Guidance Procurement Policy for dealing with federal funds, which will assure that the town is in compliance with federal law; and

WHEREAS, the federal government has also adopted certain rules and regulations regarding the acceptance of gifts and the avoidance of conflicts of interest in the use of federal funds for procurement and contracting; and

WHEREAS, town staff has also prepared a Uniform Guidance Conflicts and Gifts Policy, which will assure the town is in compliance with the federal guidelines with regard to those matters; and

WHEREAS, the town council desires to adopt these policies as prepared by town staff.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. That the Uniform Guidance Procurement Policy and the Uniform Guidance Conflicts and Gifts Policy are hereby adopted.
2. This resolution shall take effect upon its passage.

THIS RESOLUTION WAS ADOPTED BY THE TOWN COUNCIL AT ITS AUGUST 6, 2018, MEETING.

/s/ John F. Black Jr., Mayor

Attest: /s/ Frances Hildebran, Town Clerk

Councilman Sweezy made a motion to approve the aforementioned resolution, seconded by Councilwoman Stevenson. The vote was unanimous.



**INTRODUCTION OF NEW EMPLOYEES:** Parks and Recreation Director Doug Knight introduced Athletic Programs Supervisor Jesse Bunton. Fire Chief Charlie Watts introduced Fire Engineer M. Truman Walton.

**SAFETY AWARDS PRESENTATION:** Fire Chief Charlie Watts shared that the goal of the Safety Awards Program is to recognize facilities, towns, and companies that go the extra mile to ensure their employees have a safe workplace. The Town of Valdese has achieved that in several departments. This is due, in part, because our department heads take such initiative in ensuring employees safety and employees are taking initiative to ensure their own safety. Mr. Watts presented the following safety awards: Administration – 30th consecutive year, Police – 4th consecutive year, Water - 1st year gold, Wastewater – 2nd consecutive year, Fire – 3rd consecutive year, Community Affairs – 7th consecutive year, and Parks & Recreation – 7th consecutive year.

**PRESENTATION OF AWOP AWARD TO WATER PLANT SUPERINTENDENT JERRY CONLEY:** Water Superintended Jerry Conley informed Council that this is the second consecutive year that the Town of Valdese has received an award from the Area Wide Optimization Program (AWOP). The AWOP, award was created by the EPA in 2002 and is awarded to water treatment facilities which consistently achieve an enhanced level of water treatment that exceeds regulatory standards during any given calendar year. Mayor Black congratulated Mr. Conley and his staff for receiving this award.

**CDBG GRANT AGREEMENT (16-E-2910) FROM NC DEPARTMENT OF COMMERCE FOR ALBA WALDENSIAN MILL DEMOLITION PROJECT:** Town Manager Seth Eckard informed Council that the Town has been awarded a CDBG grant in the amount of \$500,000 from the NC Department of Commerce for the demolition of the Alba Waldensian building. The company will pay all match funds for the grant, the town will manage the project, the company and town will be required to meet the terms of the MOU throughout the process as the project moves along.

Mr. Eckard shared that the town will have another opportunity to cancel the project shall they wish to do so, once the town receives bids. Council will need to accept or reject bids for the demolition. At that time Council may cancel the project. Sixty days prior to enter into a contract with the town, Valdese Water Recycling is required to provide many documents to the town, including engineering reports, architectural plans and specifications, time for schedule for redevelopment activities and other significant information.

Attorney Chad Donnahoo of Campbell Shatley, PLLC informed Council that their approval this evening authorizes the town to receive the grant funds. There are still several actions that need to occur before the town receives the grant funds. Once the money is available, the council will need to enter into a more formalized contract with Valdese Water Recycling, the company will need to provide 25% match funds.

Councilman Sweezy made a motion to approve the aforementioned grant agreement, seconded by Councilwoman Hildebran. The vote was unanimous.

**VACANT HOUSING REPORT:** Technical Assistance Planner Becca Bleich of WPCOG informed Council that the 2018 Vacant Housing Workshop was held on June 26, 2018 at the WPCOG Office. Ms. Bleich stated, “this report will be brief because I did not find a lot of the information shared there to be relevant to Valdese. Valdese does not have a huge vacant housing, abandoned or dilapidated housing issue.”

Ms. Bleich provided the following presentation:

**2018 VACANT HOUSING WORKSHOP**  
JUNE 26, 2018

**THE IMPORTANCE OF ABATEMENT**

- "Physical blight, as evident in dilapidated housing, is also associated with increased criminal activity. Signs of physical disorder are a signal to criminals that residents are not invested in a neighborhood and are therefore less likely to report crimes."
- "Research shows that vacant properties, which often deteriorate in physical quality and leave fewer 'eyes on the street,' contribute to increased crime, including assault and arson."

**SPECIAL ASSESSMENT FORECLOSURE (TAX LIEN)**

- Not the same as a "regular" bank loan, which does not extinguish tax liens
- Minimum bid cannot be imposed, but same effect if local government submits its own bid
  - G.S. 105-376
- Winning bidder takes property "free and clear of all claims, rights, interests, and liens" except certain tax liens
  - G.S. 105-374.8 & 105-375
- Dispose at a private sale
  - G.S. 153A-163

## LAND BANKING

- What is a land bank?
  - "A governmental entity or nonprofit focused on converting vacant, abandoned, and/or tax delinquent properties into productive use"
  - Funded through general fund appropriations, grants, and sale of properties
- Actions:
  - Acquire problem property
  - Eliminate the liabilities associated with property
  - Transfer the properties to new owners in a way consistent with community-based plans

## GS 160A-44: UNFIT FOR HUMAN HABITATION

- Dilapidation
- Increased risk of fire, accidents, or "other calamities"
- Lack of ventilation, light, or sanitary facilities
- Other conditions dangerous or detrimental to health, safety, morals, or otherwise inimical to citizen welfare

## STRATEGIC CODE ENFORCEMENT ACTIVITIES

- Improve collaboration
  - Code enforcement, legal, tax office, police, fire
- Establish inspection, permit, and registration programs
  - Require vacant properties to be registered
  - Define program of inspections for each reasonable cause
- Fully implement minimum housing ordinance
  - Further define "unfit for human habitation"
  - Increase percentage for reasonable cost repair

## LAND BANK V. LAND TRUST

- Land Bank
  - Turning back to the private sector
- Land Trust
  - Acquiring for a specific purpose

## REPAIR V. DEMOLISH

- Repair (Vacate and Close)
  - If repair, alteration, or improvement ordered would cost **less than X%** of the present building value
- Demolish
  - If repair, alteration, or improvement ordered would cost an amount **equal to or in excess of X%** of the building value

## QUESTIONS?

- Becca Bleich
  - Becca.bleich@wpcog.org
  - 828-485-4231

**RESOLUTION FOR OFFER TO PURCHASE TOWN-OWNED PROPERTY LOCATED AT 795 HARRIS AVE NW:****RESOLUTION  
(Sale of Property at 795 Harris Avenue NW)**

WHEREAS, Campfire Homes, LLC (Campfire Homes) has offered to purchase from the Town of Valdese for the sum of \$62,500 that parcel containing 19.68 acres more or less, which has been assigned REID No. 38611 and PIN 2733599862 by the Burke County Tax Office (the property); and

WHEREAS, the town council proposes to accept Campfire Homes' offer; and

WHEREAS, pursuant to G.S. 160A-269, Campfire Homes is required to deposit with the town clerk an amount equal to 5% of its bid; and

WHEREAS, the town council is required to publish a notice containing a general description of the property, the amount and terms of the offer and notice that within ten (10) days any person may raise the bid as provided by G.S. 160A-269;

IT IS THEREFORE RESOLVED AS FOLLOWS:

- The town council authorizes the sale of the property through the upset bid procedure of N.C. General Statute §160A-269.
- The town clerk shall cause a notice of the proposed sale to be published as required by G.S. 160A-269.
- Any person may submit an upset bid to the office of the town clerk within ten (10) days after the notice of sale is published. Once a qualifying high bid has been received, that bid will become the new offer.
- 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 ten (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.
- A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000 of that offer and 5% of the remainder of that offer.
- A qualifying higher bid must 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 certified check. The town will return any 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, (b) title will be conveyed by special warranty deed subject to all existing easements, if any, and (c) the buyer must pay the entire purchase price at the time of closing.

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

ADOPTED THIS, THE 6<sup>TH</sup> DAY OF AUGUST, 2018.

/s/ John F. Black, Jr., Mayor

ATTEST: /s/ Town Clerk

Councilman Sweezy made a motion to approve the aforementioned resolution, seconded by Councilwoman Stevenson. The vote was unanimous.

**PUBLIC SAFETY BUILDING DISCUSSION** During the presentation of the feasibility study conducted by SCN-Architects, Council was informed that the BB&T building would not be suitable for the police or fire departments. Councilwoman Hildebran made a motion to cancel the offer to purchase the BB&T bank building, seconded by Councilman Sweezy. The vote was unanimous.

Town Manager Seth Eckard will contact representatives with BB&T to inform them of Council's decision regarding the property located at 225 Main Street E, Valdese.

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

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

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

Chief Watts shared that Option A would be a long-term fix, that with proper maintenance, could be effective for up to 50 years.

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

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

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

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

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

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

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

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

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

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

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

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 6th day of August, 2018

/s/ John F. Black, Jr., Mayor

ATTEST: /s/ Town Clerk

Councilwoman Stevenson made a motion to approve the aforementioned resolution, seconded by Councilwoman Hildebran. The vote was unanimous.

**RESOLUTION ACCEPTING FUNDS FOR METER REPLACEMENT PROJECT** Water Resources Director Greg Padgett informed Council that the Town has been approved for a State Loan & Grant from the Water Infrastructure Fund in the amount of \$2,265,386; \$1,699,039 in the form of a loan and \$566,347 as a grant. Funds will be used for the meter replacement project.

**RESOLUTION  
(Accepting State Funds for Meter Replacement Project)**

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

WHEREAS, the North Carolina Department of Environmental Quality has offered a State Reserve Grant in the amount of \$566,347, and a State Reserve Loan in the amount of \$1,699,039 for the replacement of approximately 5,784 water service meters with Advanced Metering Infrastructure (AMI) technology, including communication equipment and software, and replacement meter box lids.

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 Grant offer of \$566,347 and accepts the State Reserve Loan offer of \$1,699,039.

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

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

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 6th day of August, 2018.

/s/ John F. Black, Jr., Mayor

ATTEST: /s/ Town Clerk

Councilman Sweezy made a motion to approve the aforementioned resolution, seconded by Councilwoman Hildebran. The vote was unanimous.

**CAPITAL PROJECT ORDINANCES FOR ST. GERMAIN WATER SYSTEM IMPROVEMENTS PROJECT, 2018 WATER SYSTEM IMPROVEMENTS PROJECT, PLANT MCC REPLACEMENT, AND AMI METER REPLACEMENT**

Water Resources Director Greg Padgett presented the following capital project ordinances:

TOWN OF VALDESE  
ST. GERMAIN AVE. WATER SYSTEM IMPROVEMENTS PROJECT (WIF 1924)  
CAPITAL PROJECT BUDGET ORDINANCE

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

Section 1. The project authorized is the **St. Germain Ave. Water System Improvements (WIF 1924)** consisting of replacing approximately 1,350 feet of 6-inch cast iron water main and 475 feet of 2-inch galvanized pipe, including valves, valve boxes and other appurtenances along St. Germain Avenue and Rodoret Street. The project is to be financed by a loan and by Town of Valdese contributions.

Section 2. The officers of the Town are hereby directed to proceed with the capital project within the terms of the project 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
Valdese Utility Fund	\$6,273	
DWSRF Principal Forgiveness Loan	156,828	
DWSRF Loan (zero interest loan)	156,828	
<b>Total</b>	<b>\$319,929</b>	

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

Source	Amount	Assigned Account Number
Design	\$23,500	

Land Surveying	5,000
Loan Administration	5,000
ER/EID Preparation	6,000
Construction Administration	6,700
Construction Observation	6,000
Construction	237,555
Contingencies	23,700
Permit Fees & Advertising	201
NCDEQ Loan Administration Fee	6,273
<b>Total</b>	<b>\$319,929</b>

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 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 6th day of August, 2018.

/s/ John F. Black, Jr., Mayor

/s/ Courtney Kennedy, Deputy Town Clerk

TOWN OF VALDESE  
2018 WATER SYSTEM IMPROVEMENTS PROJECT (WIF 1933)  
CAPITAL PROJECT BUDGET ORDINANCE

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

Section 1. The project authorized is the **2018 Water System Improvements (WIF 1933)** consisting of replacing waterlines in the Eastwood Subdivision, along Hill Drive, Lakeview Acres Drive, and Logan Drive and the installation of two altitude valves – one at the Logan Drive water storage tank, and one at the Drexel Road water storage tank. The project is to be financed by a loan and by Town of Valdese contributions.

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

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

<b>Source</b>	<b>Amount</b>	<b>Assigned Account Number</b>
Valdese Utility Fund	\$23,634	
DWSRF Principal Forgiveness Loan	500,000	
DWSRF Loan (zero interest loan)	681,700	
<b>Total</b>	<b>\$1,205,334</b>	

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



<b>Source</b>	<b>Amount</b>	<b>Assigned Account Number</b>
Engineering Design	\$60,000	
Land Surveying	10,000	
Loan Administration	15,000	
Engineering & Environmental Report	10,000	
Construction Administration	15,000	
Construction Observation	20,000	
Construction	955,450	
Contingencies	95,500	
Permit Fees & Advertising	750	
NCDEQ Loan Administration Fee	23,634	
<b>Total</b>	<b>\$1,205,334</b>	

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 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 6th day of August, 2018.

/s/ John F. Black, Jr., Mayor

/s/ Courtney Kennedy, Deputy Town Clerk

TOWN OF VALDESE  
WATER PLANT UPGRADES – MCC –  
WATER SYSTEM IMPROVEMENTS PROJECT (H-SRP-D-17-0151)  
CAPITAL PROJECT BUDGET ORDINANCE

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

Section 1. The project authorized is the **Water Plant Upgrades – MCC Raw Water and Finish Water (H-SRP-D-17-0151)** consisting of replacing unrepairable motor control centers at the raw water and finished water pump stations at the Valdese Water Treatment Plant. The project is to be financed by a State Reserve Project Grant and State Reserve Loan and by Town of Valdese contributions.

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

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

<b>Source</b>	<b>Amount</b>	<b>Assigned Account Number</b>
Valdese Utility Fund	\$16,000	
25% State Reserve Grant Max State	210,692	

State Reserve Loan (0% interest loan)	632,078
<b>Total</b>	<b>\$858,770</b>

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

<b>Source</b>	<b>Amount</b>	<b>Assigned Account Number</b>
Engineering	\$88,000	
Loan Administration	40,000	
ER/EID Preparation	10,000	
Construction	704,770	
NCDEQ Loan Administration Fee	16,000	
<b>Total</b>	<b>\$858,770</b>	

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 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 6th day of August, 2018.

/s/ John F. Black, Jr., Mayor

/s/ Courtney Kennedy, Deputy Town Clerk

TOWN OF VALDESE  
 WATER METER REPLACEMENT PROJECT  
 CAPITAL PROJECT BUDGET ORDINANCE  
 DWI PROJECT NO. H-SRP-D-17-0096

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 funds for the Water Meter Replacement Project. The project is to be financed by a loan and grant by SRP.

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

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

<b>Source</b>	<b>Amount</b>	<b>Assigned Account Number</b>
SRP Loan	\$1,699,039	
SRP Grant	\$ 566,347	
<b>Total</b>	<b>\$2,265,386</b>	

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



Source	Amount	Assigned Account Number
Construction	\$2,026,970	
Administration & Professional Services	<u>\$ 238,416</u>	
<b>TOTAL</b>	<b>\$2,265,386</b>	

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 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 6th day of August, 2018.

/s/ John F. Black, Jr., Mayor

/s/ Courtney Kennedy, Deputy Town Clerk

Councilwoman Hildebran made a motion to approve the four aforementioned project ordinances, seconded by Councilwoman Stevenson.

**BUDGET AMENDMENTS:** Finance Director Jerry LaMaster presented the following budget amendments:

Valdese Town Council Meeting Monday, August 06, 2018

Budget Amendment No. 01

Subject: Donation to HVF

Memorandum:

As per discussions held in previous council meetings pertaining to the subject, the following budget amendment is essential in order to appropriate the necessary funds.

Action Suggested:

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2018:

Section 1. To amend the General Fund, the expenditures are to be changed as follows:

Acct. No.		<u>Debit</u>	<u>Credit</u>
10.6250.450	Contract Services	6,550	
Total		\$ 6,550	\$
		=====	=====

This will result in a net increase of \$ 6,550 in the expenditures of the General Fund. To provide funding for the above, the following revenue budgets will be increased.

These additional revenues have already been received.

Acct.		
<u>No.</u>		
10.3350.000 Donations		6,550
	-----	-----
Total	\$	\$ 6,550
	=====	=====

Section 2. 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.

Valdese Town Council Meeting Monday, August 06, 2018

Budget Amendment No. 02

Subject: Inter-Departmental Transfer - Wellness

Memorandum:

As per discussions held in previous council meetings pertaining to the subject, the following budget amendment is essential in order to appropriate the necessary funds.

Action Suggested:

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2019:

Section 1. To amend the General Fund, the expenditures are to be changed as follows:

Acct.		<u>Debit</u>	<u>Credit</u>
<u>No.</u>			
10.4200.572 Admin Dept			7,750
10.6250.572 Community Affairs		7,750	
		-----	-----
Total		\$ 7,750	\$ 7,750
		=====	=====

This will result in a net increase of \$0 in the expenditures of the General Fund. To provide funding for the above, the following revenue budgets will be increased. These additional revenues have already been received.

Acct.		
<u>No.</u>		
10.3970.302 Capital Project Fund		0
	-----	-----
Total	\$	\$ 0
	=====	=====

Section 2. 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.

Valdese Town Council Meeting Monday, August 06, 2018

Budget Amendment No. 03

Subject: Train and Gazebo Art Project

Memorandum:

As per discussions held in previous council meetings pertaining to the subject, the following budget amendment is essential in order to appropriate the necessary funds.

Action Suggested:

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2018:

Section 1. To amend the General Fund, the expenditures are to be changed as follows:

<u>Acct.</u> <u>No.</u>	<u>Debit</u>	<u>Credit</u>
10.6250.450 Contract Services	60,437	
	-----	-----
Total	\$ 60,437	\$
	=====	=====

This will result in a net increase of \$60,437 in the expenditures of the General Fund. To provide funding for the above, the following revenue budgets will be increased. These additional revenues have already been received.

<u>Acct.</u> <u>No.</u>	<u>Debit</u>	<u>Credit</u>
10.3350.000 Donations/Grants		60,437
	-----	-----
Total	\$	\$60,437
	=====	=====

Section 2. 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 Sweezy made a motion to adopt the three aforementioned budget amendments, seconded by Councilwoman Stevenson. The vote was unanimous.

**MANAGER'S REPORT:** Mr. Eckard made the following announcements:

The 43rd Annual Waldensian Festival and Footrace is being held on August 10 & 11, 2018

Public Art Commission Project Update – Community Affairs Director Morrissa Angi shared that the dedication of the train, “The Arrival”, will be held on Saturday, August 11, 2018 at 9:00 a.m.

Town Offices will be closed on Monday, September 3, 2018 in Observance of Labor Day

The next regular Council meeting is scheduled for Tuesday, September 4, 2018, 6 p.m., due to Labor Day Holiday

Mr. Eckard was recently appointed by the Burke Development Inc. Board of Directors to serve as their Chairman.

**MAYOR AND COUNCIL COMMENTS:**

Councilwoman Stevenson commented that she went to see “From This Day Forward” recently and shared that it was wonderful and encouraged everyone to attend. Ms. Stevenson requested an update on the Valdese Youth Council.

Councilwoman Hildebran asked who was responsible for the upkeep of the bank near Tiger Gym. Staff will look into this matter.

Councilman Sweezy commented that many citizens are present at this meeting and they all seem to want to make Valdese even better. Mr. Sweezy commented that this is a great little town that we live in.

**ADJOURNMENT**

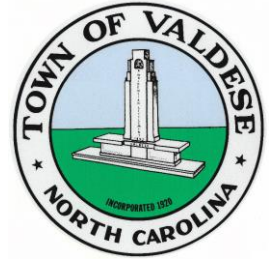
At 7:34 p.m., there being no further business to come before Council, a motion was made by Councilman Sweezy to adjourn, seconded by Councilwoman Hildebran. The vote was unanimous.

\_\_\_\_\_  
Town Clerk  
ck

\_\_\_\_\_  
Mayor



State of North Carolina – County of Burke  
**Town of Valdese Lease Agreement**



THIS AGREEMENT, made and entered into this **First** day of **October 2018**, by and between the TOWN OF VALDESE, hereinafter called “Lessor” and **P&W Railroad Club** hereinafter called “Lessee”; Lessor and Lessee are hereinafter referred to collectively as the “Parties”.

**ARTICLE 1.00**

**Creation of Tenancy, Term and General Conditions**

- 1.01 **DEMISE OF PREMISES:** Lessor, for and in consideration of the rentals hereinafter provided and in further consideration of the covenants, conditions, and provisions hereinafter contained, does hereby demise and lease unto Lessee the property (hereinafter called “Premises”) located in that building known as the Valdese Old Rock School, Main Street, Valdese, Burke County, North Carolina, and being Suite(s) **23, 26, 30, 27, 28, & Workshop** as described on the attached Exhibit “A,” together with the right of access and use to the common areas of the building and parking, subject to the restrictions hereinafter set out.
- 1.02 **TERM:** The Lessee shall have and hold the premises for a period of time commencing the **First** day of **October 2018** and extending to the **30<sup>th</sup>** day of **September 2019**.
- 1.03 **RENT:** Lessee agrees to pay Lessor a monthly rent of **\$210.00**. The first month’s rent shall be due and payable at the time of execution of this Lease, with each subsequent monthly rent being due and payable on the first day of the month for each and every month thereafter during the Lease term. In addition, the Lessee shall pay to the Lessor a deposit in the sum equal to one month’s rent. Said sum will be held by the Lessor and applied as a payment or partial payment of any damages that might occur by reason of a default under this agreement.
- 1.04 **UTILITIES:** During the term of this Lease the Lessor shall provide heating and air conditioning Monday through Friday of each week from 8:00 A.M. until 5:00 P.M., and such other times in the Lessor’s sole discretion. The Lessee shall be responsible for all other utilities, including electricity (other than lights) and telephone.
- 1.05 **TAXES:** During the term of this Lease the Lessor shall pay any taxes which might come due on the real property, however, the Lessee shall be responsible for all taxes on the personalty located on the premises.

1.06 <sup>30 of 84</sup> **GENERAL CONDITIONS:** This Lease is made by Lessor and accepted by Lessee subject to the following:

1.01.1 All zoning regulations affecting the premises now or hereafter in force.

1.01.2 All ordinances, statutes, and regulations, and any presently existing violations thereof, whether or not of record.

1.01.3 The existing condition and state of repair of the premises.

## **ARTICLE 2.00**

### **Use of Premises**

#### **2.01 CHARACTER OF USE:**

2.01.1 The premises shall be used by the Lessee for a **Railroad Museum** and shall not be used by Lessee for any other purpose without the prior written consent of the Lessor.

2.01.2 Lessee covenants and agrees to comply with all legal requirements of the City, County, State and Federal Governments respecting any operation conducted, or any equipment installations or property located at the premises, and Lessee further covenants and agrees not to create or permit the creation of any nuisance on the premises, or to make any other offensive use thereof.

**2.02 IMPROVEMENT AND ALTERATION OF PREMISES:** Lessee shall not make, and shall not have the right to make any alterations, changes or improvements, structural, or otherwise in or to the premises without Lessor's prior written consent, provided, that if such consent is given, all such alterations, changes, and improvements shall be at Lessee's expense and shall become the property of Lessor at the termination of the Lease. The granting or denial of consent as provided for in this section shall be the subject of Lessor's sole and absolute discretion.

**2.03 TRADE FIXTURES:** Lessee will be permitted to install trade fixtures on the premises without necessity of written consent by Lessor, and shall be permitted to remove such fixtures upon the expiration of the Lease term, provided that the removal of such fixtures will not permanently damage the premises, and provided that Lessee shall return the premises to their condition at the commencement of this Lease.

## **ARTICLE 3.00**

### **Condition of Premises**

**3.01 ACCEPTANCE OF PREMISES:** Lessee acknowledges that the act of taking possession of the premises shall constitute conclusive evidence that Lessee has inspected and examined the premises, and that the same were and are in good and satisfactory condition.

31 of 84  
**3.02 MAINTENANCE:** Lessee covenants and agrees to maintain said premises in their present condition, reasonable wear and tear excepted, during the term of this Lease or any extension thereof at Lessee's own cost and expense. Lessor shall maintain the roof, exterior walls, plumbing, heating and electrical system except to the extent that the same shall be damaged by the negligence, misuse or overuse by Lessee in which case Lessee shall make said repairs.

In addition, the Lessor shall be responsible for and maintain all common areas in the building, which shall consist of halls and restrooms. The Lessee and its guests may use such common areas, but will make no business use of or store any property in any common areas.

**3.03 PARKING:** The Lessee and its guests and/or customers, may use the parking lot adjacent to the building between the hours of 7:30 A.M. and 6:00 P.M. on Monday through Friday, and such other times subject to regulations and restrictions as may be determined by the Lessor.

**3.04 ACCESS:** The Lessee shall have access to the building between the hours of 7:30 A.M. and 6:00 P.M. on Monday through Friday (except on Holidays) and such other times subject to regulations and the Lessor may determine restrictions. The Lessor reserves the right to secure and lock the building and otherwise limit access, as it should determine advisable during other hours.

**3.05 CONDITIONS UPON TERMINATION:** Upon the expiration, termination or acceleration of Lessee's obligations under this Lease, Lessee shall return the premises to a condition at least as good as their condition upon the commencement of this Lease, ordinary wear and tear accepted.

## **ARTICLE 4.00**

### **Insurance, Liability of Parties**

**4.01 CASUALTY INSURANCE:** Lessor shall carry, at Lessor's expense, fire insurance with extended coverage insuring loss or damage to the premises. Lessee shall be responsible for insuring Lessee's personal property on the premises.

**4.02 LIABILITY INSURANCE:** Throughout the continuance of this Lease, Lessee shall keep the premises insured, at Lessee's sole cost and expense, against claims for personal injury or property damage under a policy of general liability insurance, with a single limit of at least \$500,000.

**4.03 INDEMNIFICATION:** The Lessee will protect, indemnify, save and hold harmless the Lessor, its officers, agents, servants, and employees, from and against any and all claims, demands, expense, and liability, arising out of injury or property which may occur on or in the demised premises or which may arise, or in any way grow out of any act or omission of the Lessee, its (his) agents, subcontractors, servants, and employees of the use and occupancy of the demised premises by the Lessee or anyone using or occupying said premises as a guest, patron, or invitee of Lessee.

**4.04 WAIVERS:** Insofar as it may be permitted by the terms of the fire or extended coverage insurance policy carried by the Lessor or Lessee, each party hereby releases the other with respect to any claim

(including a claim for negligence) that it might have against the other party for loss, damage or destruction with respect to its property by fire or other casualty (including rental value or business interruption, as the case may be) occurring during the term of this Lease. In the event one or both of the parties' insurance policies do not permit this waiver, such party will immediately give notice of such denial to the other party and upon such request shall cause the other party to be named in such policy or policies as one of the name insured.

## **ARTICLE 5.00**

### **Termination, Default, Remedies**

- 5.01 HOLDOVER TENANCY:** In the event that Lessee remains in possession after the expiration of the term hereof or the validly commenced extension thereof and without the execution of a new Lease, Lessee shall not acquire any right, title or interest in or to the premises and in such event Lessee shall occupy the premises as Lessee from month to month and be subject to all conditions, provisions, and obligations of this Lease in so far as the same shall be applicable.
- 5.02 DEFAULT OR BREACH OF COVENANT:** If Lessee shall fail to timely make any payment of rent herein provided for, or promptly perform any other covenant or obligation imposed upon it hereunder and shall fail to make good such Default within ten (10) days after written notice from the Lessor to Lessee, Lessor may enter the premises and expel Lessee therefrom without prejudice to any and all other remedies that may be available to Lessor under the laws.
- 5.03 REMEDIES ARE CUMULATIVE:** To the extent that the remedies provided for under this Lease are not clearly inconsistent, they shall be cumulative, and Lessor shall be entitled to pursue all or any part of the remedies provided herein. The remedies specified in this Lease are in addition to, and not in lieu of any remedies otherwise available to Lessor by law or in equity. Pursuit of any remedy by Lessor shall not constitute a binding election of such remedy or prevent Lessor from seeking other relief.
- 5.04 COSTS AND ATTORNEYS FEES:** In addition to any other damages sustained by Lessor as a result of Lessee's Default, Lessor shall be entitled to recover of Lessee all reasonable attorneys fees and costs incurred in pursuit of Lessor's remedies.
- 5.05 ACCEPTANCE OF SURRENDER:** No act or conduct of Lessor, including without limitation, the acceptance of the keys to the premises shall constitute an acceptance of the surrender of the premises by Lessor before the expiration of the term. Only a Notice from Lessor to Lessee shall constitute acceptance of the surrender of the Premises and accomplish a termination of this Lease.

## **ARTICLE 6.00**

### **Destruction of Taking of Premises**



**6.01** <sup>33 of 84</sup> **DAMAGE BY CASUALTY OR FIRE:** If said premises should be damaged or destroyed by casualty, explosion or fire, as to be unfit for Lessee's continued use, then this Lease shall thereupon be terminated and the rent for the month in which the damage occurred shall be apportioned and refunded to Lessee; but if said premises should be damaged or destroyed by casualty, explosion or fire, however caused or by the elements, or any cause or happening and still be fit for Lessee's continued use, then the same shall be promptly restored by Lessor to their previous condition and a just and fair proportion of the rent herein reserved shall abate until the same have been completely restored, and a like proportion of any rent unpaid in advance shall be refunded to Lessee.

The Lessor may, following damage as above provided, elect to terminate this Lease by providing the Lessee with written notice of its election within ninety (90) days of the occurrence of the damage.

## **ARTICLE 7.00**

### **Additional Provisions**

**7.01 ASSIGNMENT AND SUBLETTING:** Lessee shall not have the right to assign or sublet the within Lease or sublet the premises in whole or in part without first obtaining the written consent of the Lessor. No approval of assignment or subletting shall be effective until the prospective assignee or Sublessee shall have given Lessor Notice acknowledging familiarity with the terms of this Lease and evidencing agreement to be bound thereby. Any assignment or subletting in violation of this provision shall be void and the discretion of the Lessor as to whether to permit such assignment or sublease is absolute.

**7.02 RIGHT OF ENTRY:** Lessor shall have the right at all reasonable times to enter and inspect the premises, and to take any action which Lessor reasonably believes to be necessary to protect the premises from damage.

## **ARTICLE 8.00**

### **Special Provisions**

**8.01 RELATIONSHIP OF PARTIES:** It is specifically understood that the parties hereto have created a Lessor-Lessee relationship with respect to the demised premises and that the Lessor shall in no way control or be responsible for the acts of the Lessee with respect to the operations carried out on the demised premises. The Lessee specifically agrees to indemnify and hold harmless the Lessor from any loss by reason of operation on the premises and it is further agreed to erect a suitable sign to be placed in a visible located on the demised premises indicating the name and ownership of the business being rented upon the property and further the Lessee agrees not to take any action that might in any way indicate any involvement by Lessor in the Lessee's business except as hereinafter set out.

## **ARTICLE 9.00**

### **Interpretation, Execution**

**9.01 GOVERNING LAW:** The laws and decisions of the State of North Carolina will govern and control the construction, enforceability, validity, and interpretation of this Lease and of all agreements, instruments and documents heretofore, now or hereafter executed by Lessee and delivered to Lessor pertaining or relating to this Lease or the transaction contemplated herein.

**9.02 MODIFICATION:** This Lease, together with the schedules and exhibits attached hereto, contains the full, final and exclusive statement of the Lease between Lessor and Lessee relating to the leasing of the premises and cannot be amended, altered, modified or terminated except by a written agreement signed by both Lessor and Lessee. The parties hereto specifically relinquish any rights they may have to orally rescind or otherwise terminate this Lease and acknowledge that they will not rely upon any such oral agreements.

**9.03 SEVERABILITY:** If any clause or provision of this Lease is illegal, invalid or unenforceable under present or future laws effective during the term of extensions thereof, in that event it is the intention of the Parties hereto that the remainder of this Lease shall not be affected thereby.

**9.04 CAPTIONS:** The caption of each Section is added as a matter of convenience only, and shall be considered of no effect in the construction of any provision of this Lease.

**9.05 WORD USAGE:** Throughout this Lease, the masculine gender shall include the plural and vice versa, wherever the context requires such construction.

**9.06 EFFECT UPON SUCCESSORS:** This Lease shall inure to the benefit of and shall be binding upon the heirs, executors, administrators, conservators, guardians, or other legal representatives and assigns of each party.

**9.07 MULTIPLE SIGNATURES:** If there is more than one signer (exclusive of Lessor) of this Lease, whether as Lessee or a co-signer, their obligations will joint and several, and term "Lessee" will include each such party, jointly and severally.

**9.08 QUIET ENJOYMENT:** The Lessor agrees that Lessee on paying the stipulated rental and keeping and performing the agreement and covenants herein contained, shall hold and enjoy the premises for the term aforesaid, subject however to the terms of this Lease, and further warrants that the use of the premises called for herein do not violate the terms of any zoning affecting the premises.

X \_\_\_\_\_

*Town of Valdese*  
Seth Eckard, Town Manager

Lessor

X \_\_\_\_\_

*P&W RR Museum Representative*

Lessee

X \_\_\_\_\_

Witness (Attest)

X \_\_\_\_\_

Witness

**BYLAWS OF THE  
BURKE PARTNERSHIP FOR ECONOMIC DEVELOPMENT, INC. DBA Burke  
Development (BDI)**

Article I.  
Name

The name of the corporation is Burke Partnership for Economic Development, Inc.; however, the corporation is currently doing business as Burke Development Inc. (BDI).

Article II.  
Offices

A. Principal Office. The principal office of the corporation is currently located at 2128 S. Sterling Street, Suite 150, Morganton, Burke County, North Carolina. The principal office of the corporation may be located at any place within Burke County, North Carolina.

B. Registered Office. The registered office of the corporation required by law to be maintained in the State of North Carolina, may be, but not need be, identical with the principal office.

C. Other Offices. The corporation may have offices at such other places, either within or without the State of North Carolina, as the Board of Directors may, from time to time, determine or as the affairs of the corporation may require.

Article III.  
Purposes

The purposes for which the corporation is organized are:

A. To promote industrial growth and support commercial growth of Burke County;

B. To encourage and support tourism and retirement living in a non-monetary manner in Burke County;

C. To assist, encourage and promote new and start-up businesses in Burke County;

D. To assist the labor pool and workforce of Burke County by raising the awareness of and assisting the workforce in training and retraining and encourage the efficiency and productivity of the workforce;

E. To assist in diversifying the economic base of Burke County.

F. To improve job opportunities for the citizens of Burke County and especially to assist in providing employment opportunities for the underemployed, the unemployed and to lessen the impact of unemployment in Burke County through providing improved job opportunities and engaging in educational and charitable services to such individuals;

G. In order to carry out these above purposes, BDI may buy, hold, sell, improve, develop, mortgage and/or lease real and personal property;

H. To engage in any other lawful activity which substantially furthers one or more of those purposes and are permitted under Section 501(c)(3) of the Internal Revenue Code; and

I. To solicit, receive and administer grants, gifts, donations, bequests and devises of funds, including money and property, for the charitable and religious purposes specified above and to that end, to take and hold by gift or otherwise, absolutely or jointly, any real or personal, tangible or intangible property or interest therein in furtherance of these purposes and to pledge, hypothecate, mortgage or grant security interest in such property and to sell and dispose of such property;

J. To maintain a staff of employees and/or volunteers as may be needed in order to carry out the objectives and purposes of said corporation;

K. To make contracts and incur liabilities, borrow money, issue notes, bonds, and other obligations and secure any of the obligation by mortgage or pledge of any of its property and income as the Board of Directors may direct.

#### Article IV. Membership

A. Composition. The Partnership will be composed of members representing industries, businesses, local governments, organizations and individuals committed to supporting the Partnership's purposes and paying the appropriate membership fee as set out in these bylaws.

B. Application. Any industry, business, local government, organization or individual supporting the purposes of the Partnership and desiring to become a member shall submit an application for membership provided by the Partnership. Industries, businesses, local governments and organizations shall submit the names of individuals to represent them. The application shall also identify the individual who will cast the ballot for Board of Directors elections. Upon submission of the application with payment of dues, and upon approval by the Board of Directors, such applicant shall become a member and shall be entitled to the benefits of such membership.

C. Resignation and Reinstatement. The following policy on resignations and reinstatements are prescribed:

(1) Any member may resign from membership by giving written notice to the Board of Directors. Such resignation shall then become effective immediately, and no reimbursement of dues shall be made to such member.

(2) A member who resigns may be reinstated after application and payment of full dues for the fiscal year in which applying. A member who is expelled may be reinstated by a two-thirds vote for reinstatement by the Board of Directors after application and payment of full dues for the fiscal year in which applying.

#### Article V. Membership Meetings

A. Annual Meetings. There shall be held an annual meeting of the Partnership membership each fiscal year.

(1) The annual meeting shall be held in Burke County or designated location on a date designated by the Board of Directors as near to the beginning of the fiscal year as practicable. Notice of the annual meeting shall be mailed, emailed or faxed to each member of the Partnership at least fourteen (14) days prior to the date thereof at the last known address of each member.

(2) The purposes of the annual meeting are to provide financial and activity reports for the past year, to present a plan and budget for the new year's activities as approved by the Board of Directors, to present to the membership those Directors who have been recommended by the nominating committee, to elect the Board of Directors and to conduct other business as determined by the Board of Directors.

B. Special Meetings.

(1) Special meetings of the membership may be called by the Chairman or upon the written request of a majority of the Board of Directors or of the membership.

(2) Notice of special meeting will state the purposes of the meeting and shall be mailed to each member of the Partnership at least forty-eight (48) hours prior to the date thereof at the last known address of each member, or notice may be given by email, fax, telephone or orally in person.

C. Annual and Special Meeting Quorums. A quorum at any membership meeting shall consist of at least 15 percent of the total number of members who are represented in person at the meeting.

#### Article VI. Dues and Voting

A. Dues, Categories of Membership and Number of Votes.

(1) The minimum dues of Board members shall be at such rates as the Board of Directors may from time to time determine. These dues shall be payable quarterly. Members representing entities providing public funding shall not pay dues. Memberships shall be automatically renewed each year upon payment of dues until membership is cancelled by a written resignation or otherwise terminated by the Board of Directors.

(2) Dues shall be payable for a full year upon application for membership if submitted between July 1 and December 31. One-half of the amount for dues will be payable if the application for membership is submitted between January 1 and June 30. Thereafter dues are payable quarterly by the beginning of the fiscal year, July 1<sup>st</sup>. Supporters of the Thrive '22 Capital Campaign (afterwards known as Thrive '22) will pay dues as agreed in pledge documents signed. Thrive '22 will have four (4) seats on the Board of Directors and maintain those seats subject to rules provided in the Corporations by-laws as long as minimum dues are paid as designated.

(3) Each member, as shown on the official records of the Corporation specifically including each entity providing public funding, shall be entitled to one vote on each item of business brought before the membership at the annual or any special meeting thereof. For election of Directors, each member shall have one vote for each Director to be elected; however cumulative voting shall not be allowed. The membership application shall appoint a representative to act and/or vote on behalf of that Member. The representative so appointed may be changed at anytime by filing a writing with the Secretary of the Corporation designating a new or different representative. In appropriate cases, the Board of Directors may arrange for the membership to vote on issues by written ballot, with or without the necessity of a membership meeting, when time is of the essences or when a quorum cannot be obtained or other unusual circumstance.

## Article VII. Board of Directors

A. General Powers. The business and affairs of the corporation shall be governed by fifteen (15) elected and appointed members of the Board of Directors. Except as otherwise expressly provided by law or these Bylaws, all of the powers of the corporation shall be vested in the Board of Directors.

### B. Directors and Terms.

(1) The County Commissioners of Burke shall appoint a total of three

(2) Directors, one to be the Chairman of the County Commission or designee (designee becomes board member). One Director shall be the county manager and one Director shall be an at large member (not to be an elected or government employee appointment). All appointments will be for a three-year time period and they shall serve until their successors are appointed.

(3) The City of Morganton shall appoint a total of two (2) Directors, one to be the Mayor of Morganton or designee (designee becomes board member). One Director shall be the City Manager. All appointments will be for a three-year time period and they shall serve until their successors are appointed.

(4) The Town of Valdese shall appoint a total of two (2) Directors, one to be the Mayor of Valdese or designee (designee becomes board member). One Director shall be the Town Manager. All appointments will be for a three-year time period and they shall serve until their successors are appointed.

(5) The Towns of Drexel and Rutherford College shall appoint one (1) Director each being the Town Managers. All appointments will be for a three-year time period and they shall serve until their successors are appointed.

(6) The Towns of Hildebran and Connelly Springs shall each appoint one (1) Director, to be the Mayor or designee (designee becomes Board member). All appointments will be for a three-year time period and they shall serve until their successors are appointed.

(7) As set out above in Article VII, Section B, Subsections 1, 2 3, and 5 the Chairman of the Burke County Board of Commissioners and the Mayors of Morganton, Valdese, Hildebran, and Connelly Springs shall be on the Board of Directors. In lieu of actually serving themselves, the Chairman and Mayors may designate a replacement. This shall be made in writing to the Board of Directors. This replacement shall serve until either revoked in writing by the Chairman or Mayors or until the Chairman or Mayors become ineligible to serve.

(8) Thrive '22 (Founders and Platinum level members shall have first option, then Gold members, etc.) shall appoint four (4) members to the Board of Directors. These four (4) members shall serve three (3) year terms and meet all other conditions of the Corporation's by-laws. There are no term limits as long as funding remains above Gold (see attached pledge form).

(9) The Superintendent of the Burke County Public Schools and the President of Western Piedmont Community College will be non-voting ex-officio members unless they are selected to the Board as a voting member.

### C. General Provisions.

(1) Except for the Executive Director of the Partnership who shall be a non-voting member, all elected and appointed Directors shall have all the rights and privileges as voting members of the Board of Directors.

(2) An appointed Director shall serve as a Director for a term of three years or until his or her death, resignation, retirement or cancellation of membership or except as provided herein of removal.

(3) There will be no term limits.



(4) The Chairman of the Burke County Board of Commissioners or designee, the Mayors of Morganton, Valdese, Hildebran and Connelly Springs or designee shall remain a Director so long as he or she hold the designated office to which he or she was elected or appointed, except as provided herein for removal.

(5) The Executive Director of the Partnership shall be an ex-officio non-voting member who shall serve as staff liaison to the Board of Directors and its Committees and the Executive Director may appoint any member of the Partnership staff to provide additional administrative services.

#### D. Meetings of the Board of Directors and Quorum.

(1) The Board of Directors shall meet regularly, normally monthly at such place, date and time as they shall fix by resolution and no further notice of regular meetings shall be required.

(2) Special meetings of the Board of Directors may be called by the Chairman or by a majority of the members of the Board eligible to vote, provided that at least forty-eight (48) hours notice is given to Directors. The meeting notice will fix the place, date and hour of such meeting, which notice may be delivered by mail, email, fax, telephone or orally in person.

(3) Quorum at any Board of Directors meeting shall consist of at least one-half of the total number of the current Directors.

#### E. Removal and Vacancies.

(1) Any Director may be expelled for a cause by resolution passed by two-thirds vote of the Board of Directors present at any regular or special meeting of the Board of Directors. A vote will be taken only after the member has been given the opportunity of a hearing before the Board of Directors. Said member may not vote on his expulsion.

(2) Any Director may be expelled for reasons of criminal acts of moral turpitude, fraud or breach of confidentiality. If an appointing body's Director is removed, that authority shall be notified and asked to provide a replacement.

(3) Two (2) unexcused absences by a Director from scheduled Director meetings during a year or, four (4) total absences would be cause for review by the Board of Directors.

(4) If, by change in the Bylaws, the number of Directors is increased, the new seats created shall be filled by an election held at an annual or special meeting of the membership. For all other vacancies, the partial terms shall be filled by appointment of the Board of Director's appointing body.

#### F. Compensation, Loans and Conflict of Interest for Board of Directors.

(1) Directors shall serve without compensation. The Board of Directors shall not be empowered to give or lend Partnership funds or property to any director, officer or employee of the corporation other than established compensation for employees and payment of travel and miscellaneous



expenses of officers and directors on Partnership business as specifically authorized by the Board of Directors.

(2) Directors shall participate in activities and decisions of the Board of Directors and its Committees with due regard for any matter that may be perceived to be in conflict with their personal or business interests and shall ask the Board to be excused from any meeting when such conflict, or appearance of conflict, may arise. A Director representing a funding entity shall be not be deemed to have a conflict of interest solely by virtue of representing the interest of the funding entity. The Board may excuse the Director or may rule that such conflict does not exist and permit the Director to participate in the discussion and vote on the matter.

#### Article VIII. Committees

##### A. Authority and Members.

(1) The Officers of BDI will consist of Board of Director members and will include a Chairman, Vice-Chairman and Secretary/Treasurer. Officers shall be elected annually by the Board of Directors.

#### Article IX. Officers

##### A. Number and Titles

(1) The Partnership shall have a minimum of three officers: Chairman, Vice Chairman and Secretary/Treasurer. If considered necessary by the Board of Directors from time to time other officers required for specific functions may be added by resolution.

(2) During the temporary absence of an officer from a meeting or meetings, or on an occasion that an official duty of the office is to be performed when the officer is absent, the Board of Directors may, by resolution, temporarily transfer the powers or duties of the office to any other officer of the organization or to a member of the Board of Directors.

B. Officers Powers and Duties. The Partnership will have three officers all of whom shall be elected by the Board of Directors and shall serve as officers of the Board of Directors.

(1) The Chairman, when present, shall establish the agenda and preside at all meetings of the Board of Directors and shall have the customary powers and duties incident to the office of Chairman and such other powers and duties as may be assigned him or her by these Bylaws or the Board of Directors.

(2) The Vice-Chairman: In the absence of the Chairman, the Vice-Chairman shall perform the duties of the Chairman and when so acting shall have all the powers of and be subject to all the restrictions upon the Chairman. The Vice-Chairman shall perform such other duties as from

time to time may be assigned to him/her by the Chairman of the Board of Directors.

(3) The Secretary/Treasurer shall be responsible for the tasks set forth herein, but may delegate the tasks to the Executive Director. The Secretary/Treasurer shall keep or cause to be kept the minutes and records of all the proceedings of the annual and any other membership meetings, meetings of the Board of Directors. The Secretary/Treasurer shall ensure that notices are given in accordance with these Bylaws and as required by law. He or she shall have charge of the seal, books, records and papers of the corporation and shall ensure that the seal is affixed to all documents the execution of which on behalf of the corporation under its seal is duly authorized, and shall sign such instruments as may require his or her signature. The Secretary/Treasurer shall perform all duties incident to the office of Secretary/Treasurer and such other duties as may be assigned to him or her by the Chairman or Board of Directors. The Secretary/Treasurer shall be responsible for the tasks set forth herein, but may delegate the tasks to the Executive Director. The Secretary/Treasurer shall have charge of and be primarily responsible for all moneys, funds, securities, receipts and disbursements of the corporation, and shall deposit or cause to be deposited said properties with such banks as the Board of Directors shall designate in the name of the corporation. The Secretary/Treasurer shall perform all duties incident to the office of Treasurer and such other duties as may be assigned to him or her by the Chairman or Board of Directors.

(4) The Executive Director shall be the Chief Executive Officer of the corporation, responsible for its proper management and administration. The Executive Director may sign and execute instruments in the name of the corporation except in cases where the signing and execution thereof is expressly assigned to another officer or agent by the Board of Directors. The Executive Director shall have all powers and perform all duties incident to the office of Chief Executive Officers, and he or she shall perform such other duties as may be assigned to him or her by the Chairman of the Board of Directors.

#### C. Elections and Terms.

(1) Officers shall be elected annually and shall hold office for a period of one year or until his or her death, resignation, retirement, removal or disqualification and his or her successor is elected and qualifies.

(2) Officers may not serve for more than two (2) consecutive one (1) year terms in the same office. An officer appointed to fill a part year vacancy shall be eligible for election to two (2) consecutive full terms.

Article X.  
Financial Control

A. Budget. A request for payment shall be based upon a pro-rata share of County population based on the previous year's numbers provided by the Western Piedmont Council of Governments. The amount requested will be following calculations of the total budget decreased by the funds allocated by Thrive '22. The Thrive '22 contributions shall be established on an annual basis and approved by the BDI Board of Directors.

The failure of the County, a municipality or Thrive '22 to pay the full appropriation to the corporation may cause a suspension of its rights to participate in the affairs of the corporation including the right to have Directors appointed by that local government attend meetings.

B. Contracts, Loans, Checks and Deposits.

(1) The Board of Directors may authorize any officer or officers, agents, to enter into any contract or execute or deliver any instrument in the name of and on behalf of the corporation and such authority may be general or confined to specific instances. No loan shall be contracted on behalf of the corporation unless authorized by resolution of the Board of Directors. All checks, drafts and other orders for payment of money shall be signed with two signatures. The Executive Director and any officer or officers of the corporation as directed by the Board of Directors shall be authorized to sign checks, drafts, and other orders of payment. All funds of the corporation not otherwise employed shall be deposited to the credit of the corporation in such depositories as the Board of Directors may designate. The Board of Directors may contract with a bonded accounting firm to maintain the financial records of the corporation.

C. Gifts. The Board of Directors may accept on behalf of the corporation any contribution, gift, bequest, donation or devise for the general purposes or for any special purpose of the corporation.

D. Books and Records. The corporation shall keep correct and complete books and records of accounts and shall also keep minutes of the proceedings of its Board and committees and shall keep at a registered or principal office a record giving the names and addresses of each of the Directors then in office. All books and records of the corporation may be inspected by any member or his agent or attorney for any proper purpose at any reasonable time.

E. Seal. The Board shall adopt a corporate seal, which shall be in the form of a circle and shall have inscribed therein the name of the corporation and the words "corporate seal".

F. Conflict of Interest. A Director having a conflict of interest or a conflict in responsibility on any matter involving the corporation and any other business or person

shall refrain from voting on such matter. No Director or officer shall use his or her position as a Director or officer of the corporation for his or her own direct or indirect financial gain. Any Board member noting a potential conflict of interest should advise the Board of Directors prior to the item being discussed or voting.

G. Indemnification. Any person who at any time serves or has served as a Director or officer of the corporation, or in such capacity at the request of the corporation, shall have the right to be indemnified for the corporation to the fullest extent permitted by law against (i) reasonable expenses, including attorney fees, actually or necessarily incurred by him or her in connection with any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative, and whether or not brought by or on behalf of the corporation, seeking to hold him or her liable by reason of a fact that he or she was acting in such capacity, and (ii) for reasonable payments made by him or her in satisfaction of any judgment, money decree, fine, penalty, or settlement for which he or she may become liable in any such action or proceeding.

The Board of Directors of the corporation shall take all such action as may be necessary and appropriate to authorize the corporation to pay the indemnification required by this bylaw, including, without limitation, to the extent needed, making a good faith evaluation of the manner in which the claimant for indemnity acted and of the reasonable amount of indemnity due to him and giving notice to and obtaining approval by, the Directors of the corporation.

However, notwithstanding the above, this section shall not be applicable and no Director or officer may be indemnified for matters involving criminal conduct, or wanton or negligent misconduct and malfeasance in office.

This section shall not be deemed to be exclusive of any other rights to which a Director or officer may be entitled under the vote of the Board of Directors or member, or otherwise. At the discretion of the Board of Directors, the corporation may provide liability insurance coverage for its Directors and officers.

H. The fiscal year of the corporation shall begin July 1 and end the following June 30.

#### Article XI. Dissolution

Upon the dissolution of the corporation, the Board of Directors shall first pay or make provision for the payment of all liabilities of the corporation and shall then dispose of all assets of the corporation exclusively for purposes of the corporation in such manner or to such organization or organizations operated exclusively for charitable and educational purposes as the Board of Directors shall determine to be in compliance with the laws of the State of North Carolina, the Internal Revenue Code, as amended, and its Articles of Incorporation. None of the assets shall be disposed of or diverted to any

other purpose and shall in no manner be disposed of, distributed or paid out in a manner so as to accrue to the benefit of any Director or officer of the corporation.

Article XII.  
Amendments

These Bylaws may be amended or repealed upon the recommendation of not less than two-thirds (2/3) vote of the Members present at any annual, regular or special meeting of the Membership or at any special meeting of the Board of Directors called for such purpose provided proper notice has been given. Notice to the Members of any amendment to the Bylaws to be offered at any meeting shall be given not less than seven (7) nor more than thirty (30) days prior to such meeting and shall set forth the proposed amendment.

Article XII.  
Adoption

These Bylaws shall become effective immediately upon approval of those governmental and appointing bodies having the right to participate in the appointment of members.

*(Signatures on the following 2 pages)*

Approved and issued as follows:

BURKE COUNTY BOARD OF COUNTY  
COMMISSIONERS

By: \_\_\_\_\_  
Chairman

Attest:

\_\_\_\_\_  
Clerk

Date: \_\_\_\_\_

CITY OF MORGANTON

By: \_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Clerk

Date: \_\_\_\_\_

TOWN OF VALDESE

By: \_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Clerk

Date: \_\_\_\_\_

TOWN OF RUTHERFORD COLLEGE

By: \_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Clerk

Date: \_\_\_\_\_

TOWN OF DREXEL

By: \_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Clerk

Date: \_\_\_\_\_

TOWN OF HILDEBRAN

By: \_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Clerk

Date: \_\_\_\_\_

TOWN OF CONNELLY SPRINGS

By: \_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Clerk

Date: \_\_\_\_\_

Thrive '22

By: \_\_\_\_\_  
Co-Chair

Attest:

\_\_\_\_\_  
Clerk

Date: \_\_\_\_\_







50 of 84

**Western Piedmont**  
Council of Governments

*Creative Regional Solutions Since 1968*



# Burke Transit Update

Valdese Town Council

September 4, 2018

- Appalachian Regional Commission
- Blue Cross and Blue Shield of North Carolina Foundation
- Burke County United Way
- Burke Women's Fund
- Carolinas HealthCare System Blue Ridge
- Community Foundation of Burke County
- Community Foundation of Western North Carolina
- Kate B. Reynolds Foundation
- Western Piedmont Foundation at Western Piedmont Community College
- Burke County
- City of Morganton
- Town of Drexel
- Town of Rutherford College
- Town of Valdese

## Healthy Place and Community Initiatives required transportation to:

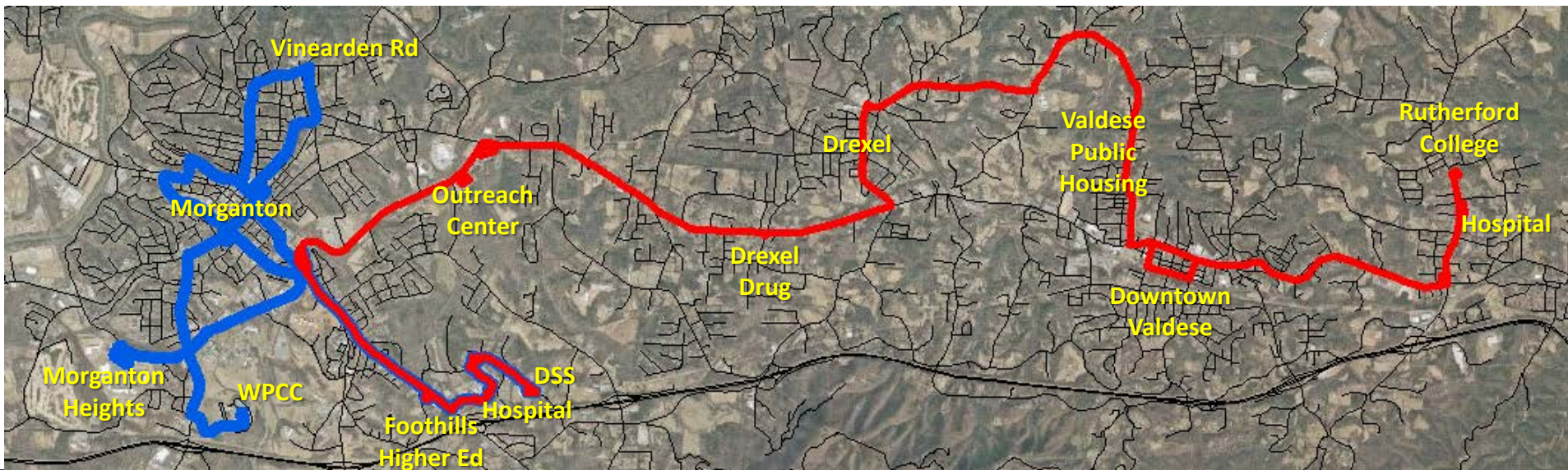
- Medical Facilities
- Grocery Stores and Healthy Food Options
- Employment
- Education
- Social Services
- Low Income Housing

Year 1 Budget			
Funder	Covers	Amount	Year Rec'd
Kate B. Reynolds (KBR)	Personnel Salaries	\$120,000	1
Appalachian Regional Commission (ARC)	Contractual Reimbursement	\$137,665	1
Federal Transit Authority (FTA)	N/A	\$268,920	1
Community Foundation of Western NC (CFWNC)	Marketing, etc.	\$20,000	1
<b>Total Revenue:</b>	<b>\$546,585</b>		
<b>Total Expenses:</b>	<b>\$537,840</b>		
<b>Difference:</b>	<b>\$8,745</b>		

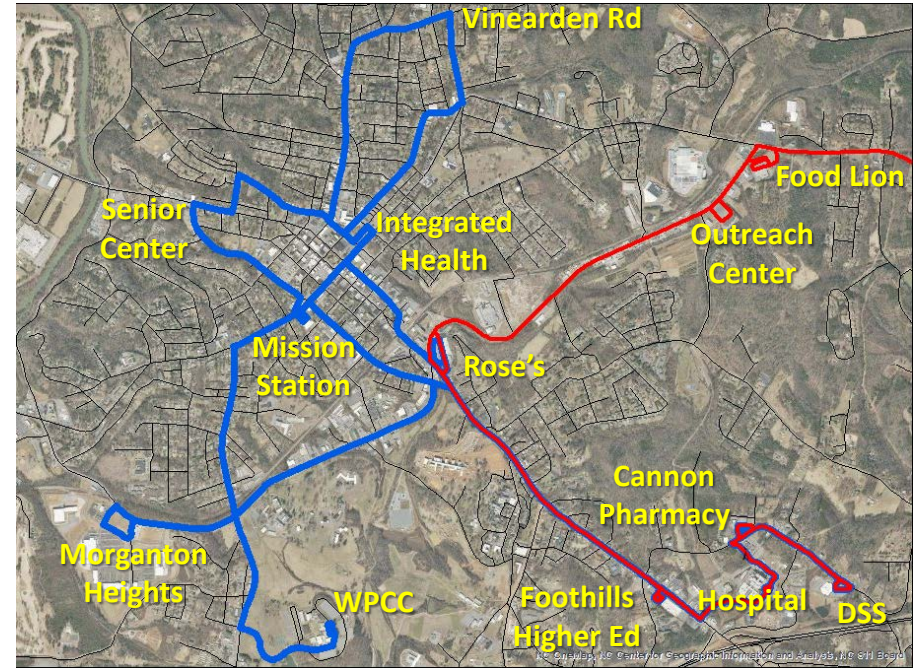
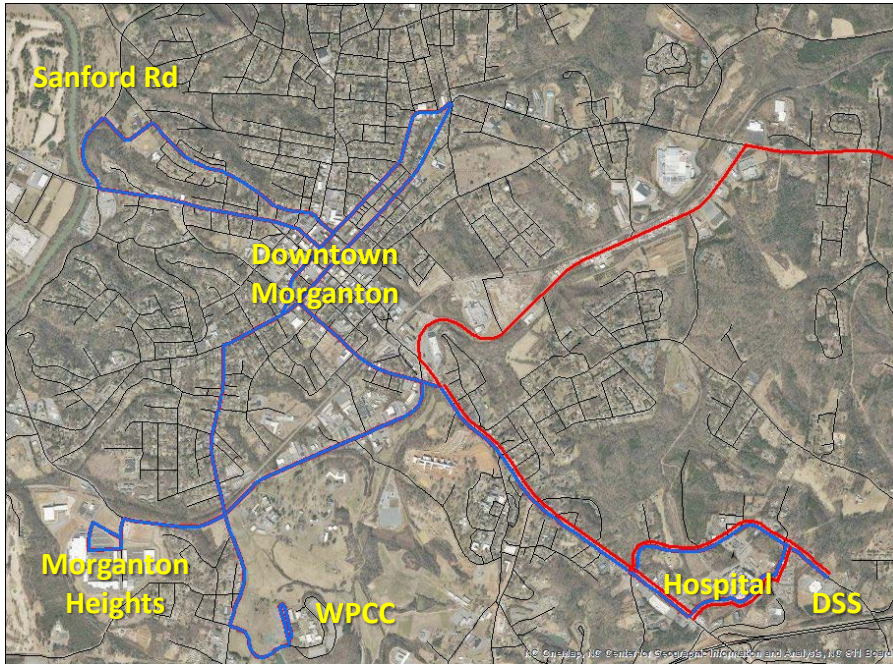
Year 2 Budget			
Funder	Covers	Amount	Year Rec'd
KBR	Personnel Salaries	\$120,000	2
	Contractual Reimbursement	\$137,665	2
ARC			
FTA	N/A	\$268,920	2
Western Piedmont Community College	N/A	\$5,000	1 & 2
Year 1 Difference	N/A	\$8,745	
<b>Total Revenue:</b>	<b>\$540,330</b>		
<b>Total Expenses:</b>	<b>\$537,840</b>		
<b>Difference:</b>	<b>\$2,490</b>		

Year 3 Funds			
Funder	Covers	Amount	Year Rec'd
Blue Cross and Blue Shield of North Carolina Foundation	Fuel, and other eligible expenses	\$50,000	1 & 2
Community Foundation of Burke County	N/A	\$60,000	1 & 2
Carolinas HealthCare System Blue Ridge	N/A	\$50,000	1
Burke Women's Fund	N/A	\$10,000	1
Burke County United Way	N/A	\$5,000	1 & 2
FTA	N/A	\$268,920	3
Private Donor	N/A	\$1,000	1
Municipalities	N/A	\$63,000	1 & 2
Year 2 Difference	N/A	\$2,490	
<b>Total Revenue:</b>		<b>\$510,410</b>	
<b>Total Expenses:</b>		<b>\$537,840</b>	
<b>Potential Difference:</b>		<b>\$27,430</b>	

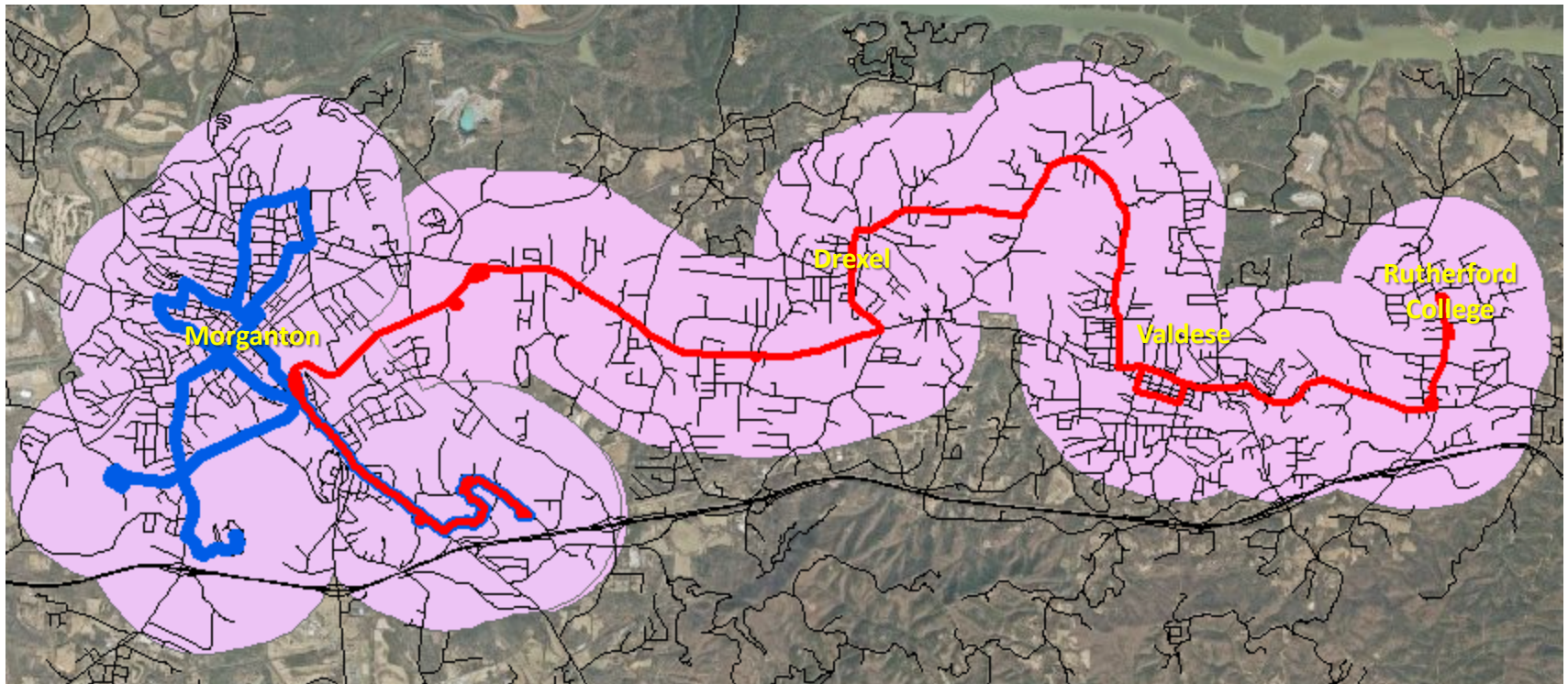


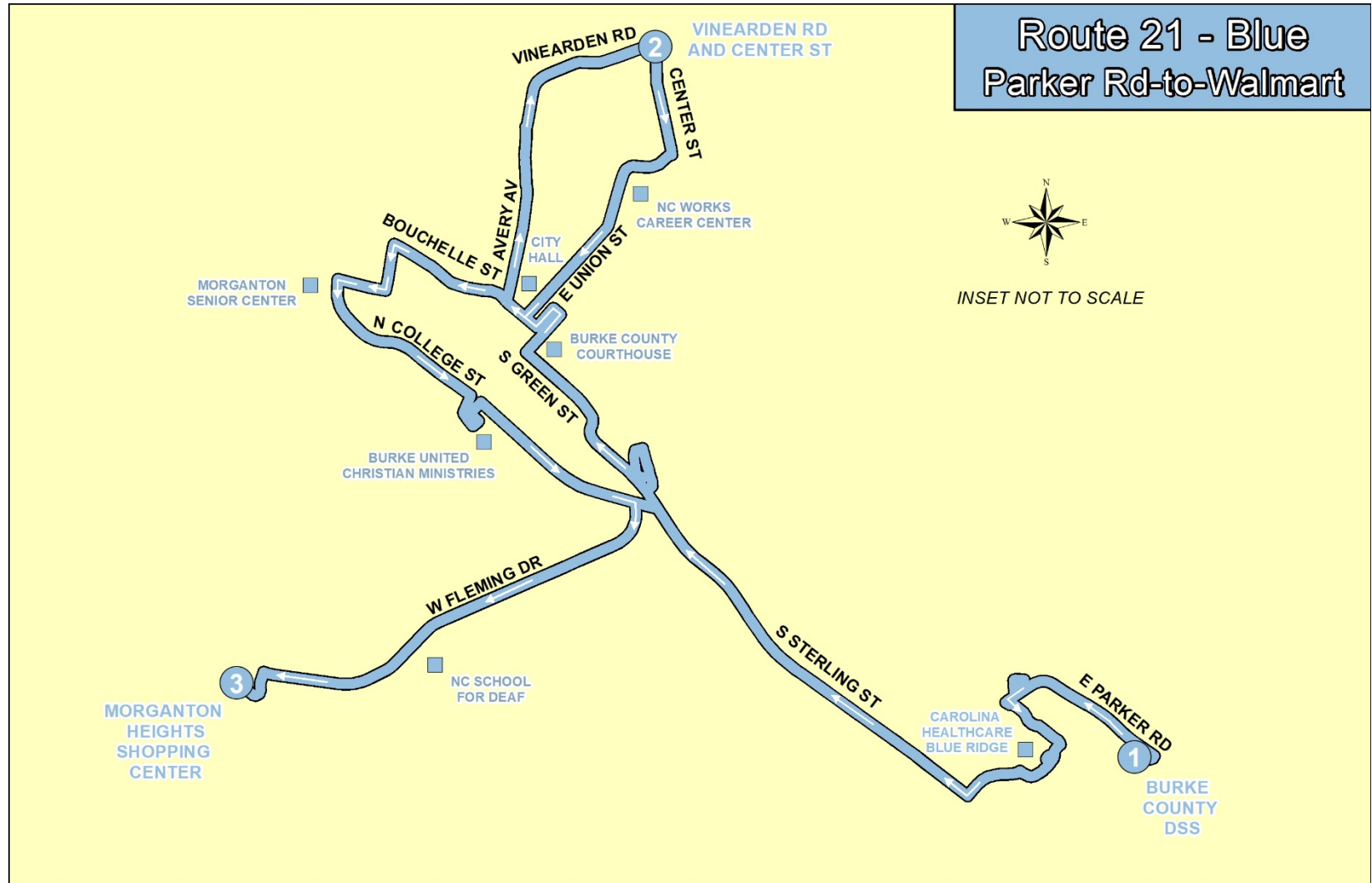


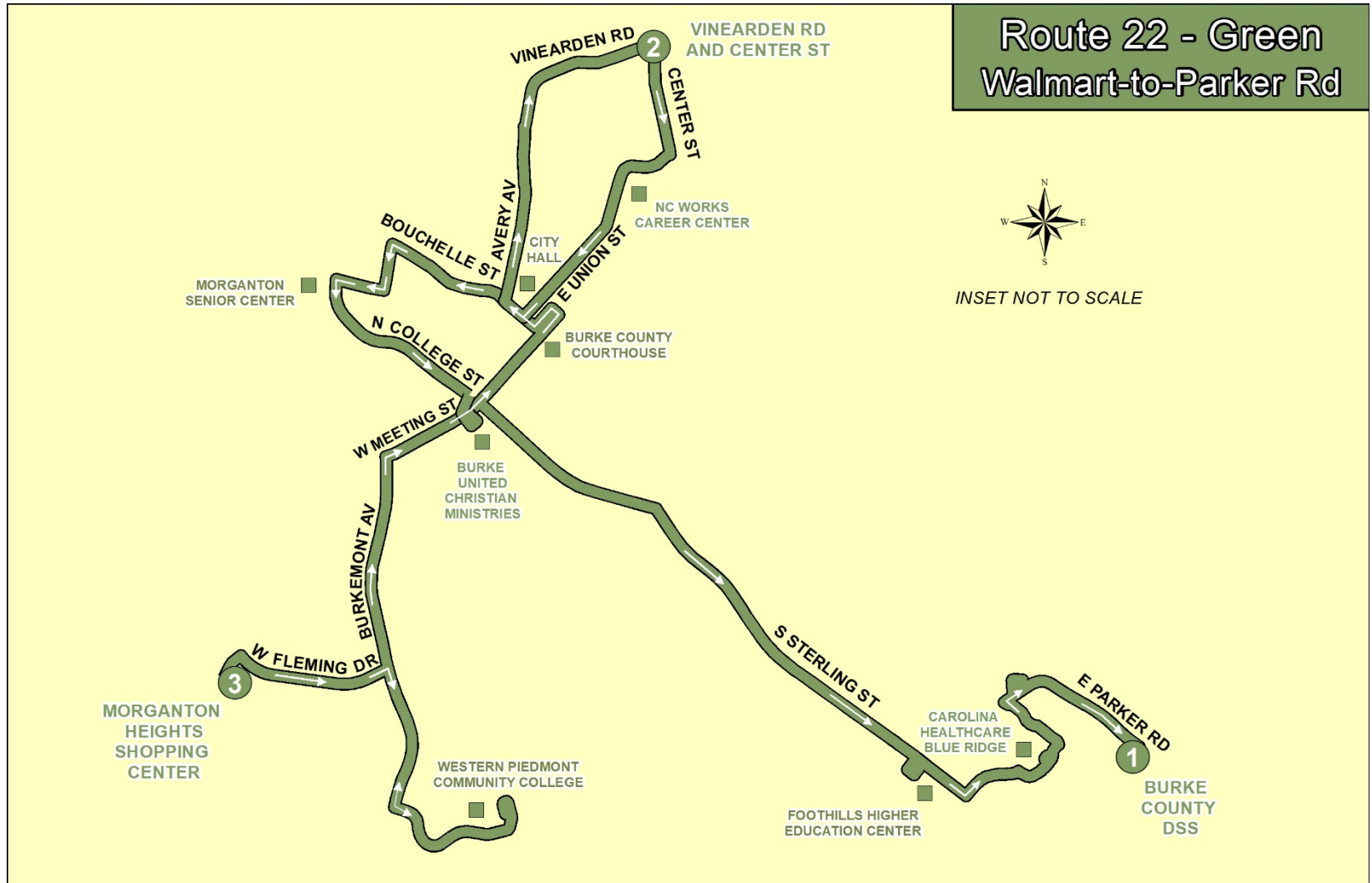


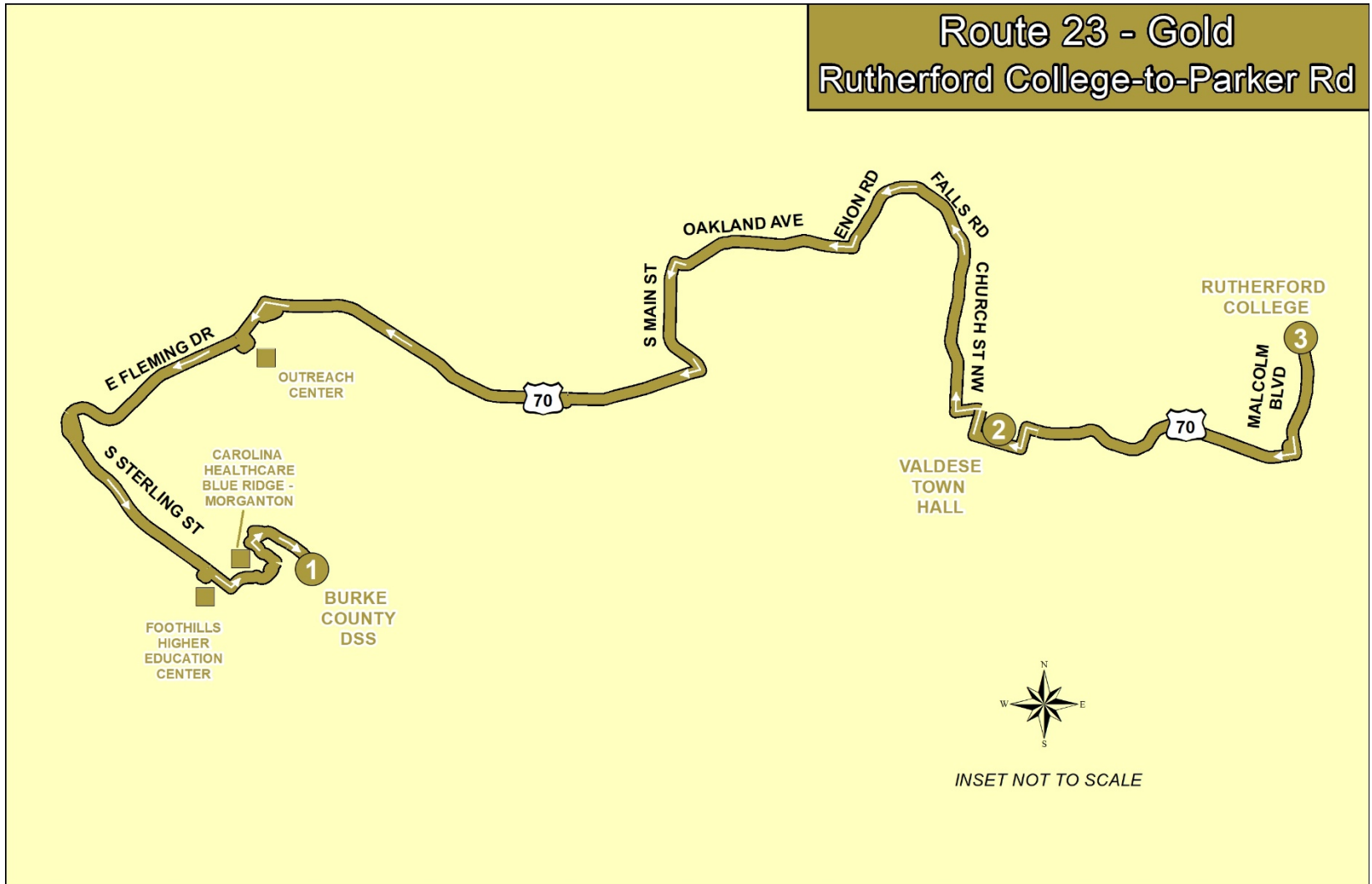


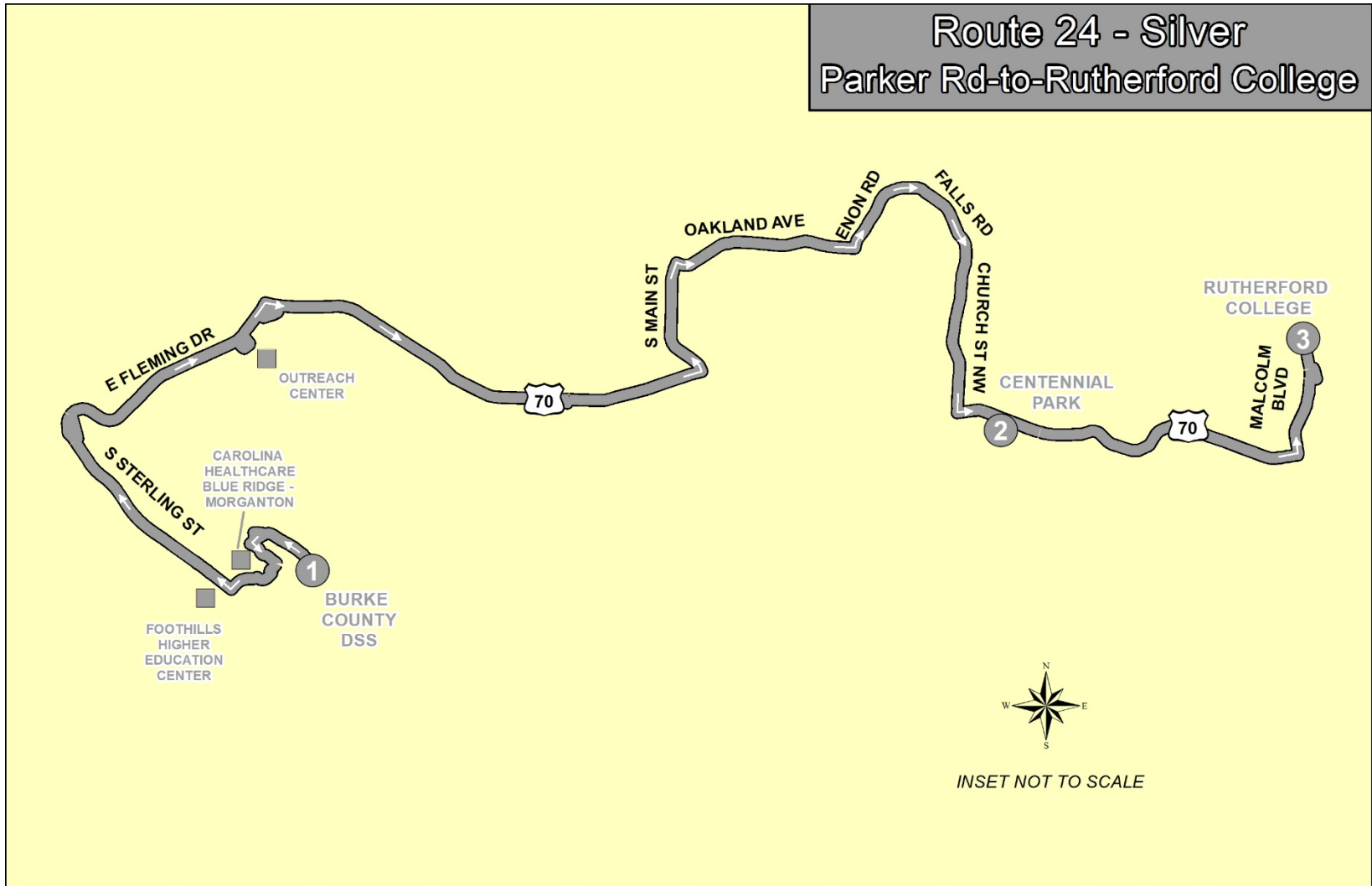












## Presentations to community boards and civic organizations:

- Town of Drexel – September 4
- Town of Valdese – September 4
- Burke United Way Bus Tour – September 17
- Burke County Commission – September 18
- Community Forum – September 19
- Carolinas Health Care – September 19
- City of Morganton – October 1
- Town of Rutherford College – October 1

## Upcoming community events with project information:

- Historic Morganton Festival – September 7 & 8
- Burke Recovery Rally – September 16
- Western Piedmont Community College Fall Fest – September 27
- Morganton Farmers Market – Wednesdays & Saturdays
- Valdese Farmers Market – Fridays





63 of 84

**Western Piedmont**  
Council of Governments

*Creative Regional Solutions Since 1968*



# Questions?

Brian Horton, Transportation Manager  
Averi Ritchie, Transportation Planner  
Duncan Cavanaugh, Transportation Analyst

Camille Sterling, Executive Director  
Patti Nelson, Operations Manager  
Amelia Bostic, Mobility Manager

WPCOG / GHMPO  
828-322-9191

Greenway Public Transportation  
828-465-7634

# Memo

To: Mayor & Town Council

From: Morrissa Angi

cc: Seth Eckard

Date: August 30, 2018

Re: Keep Valdese Clean & Green Campaign

---

In effort to inform our citizens of the need to Keep Valdese Clean & Green, I developed a community outreach campaign. The campaign included the following:

- Created over 50 welcome bags for new residents that will be given from Town Hall front office. These bags include our quarterly newsletter, attraction brochures, department contact lists, information on grease disposal, recycling & trash collection schedules, annual event calendar, county maps, CodeRED subscriber information, emergency contact postcard and more.
- Developed a “Best Ways to Keep Valdese Clean & Green” flyer. This information was shared on our social media, Town website, and featured in our quarterly newsletter that was mailed in August.
- Stickers were ordered to hand out at the Waldensian Festival information booth and other Town offices that say “Keep Valdese Clean & Green” – shown above.



I will continue to push our campaign in as many ways as possible. Attached is the flyer that was mentioned above.





# BEST WAYS TO **KEEP** VALDESE CLEAN & GREEN

## **Recycle all EMPTY CLEAN & DRY items below:**

**Paper:** Newspaper, Envelopes, Junk Mail, Phone Books, Brochures, Magazines

**Aluminum:** Aluminum Beverage Cans, Food Cans

**Cardboard:** File Folders, Ream Wrappers, Frozen Food Boxes, Cardboard Boxes, Milk Cartons

**Glass:** Beverage Containers, Glass Food Jars

**Plastic:** Water Bottles, Soda Bottles

## **Bag ALL trash before it is placed in Trash Cart**

Return your Trash Cart from the curb within 24 hours of its collection. Use reusable shopping bags.

## **Dispose of Grease Properly:**

Allow grease to cool to a safe temperature after cooking

Use a container with a re-sealable lid

Pour the cooled oil and grease into the container

Place lid on container and dispose in the garbage

Scrape or wipe cookware using a paper towel or spatula into the garbage before washing

## **Organize a Litter Pickup Program in your Neighborhood**

Call the Valdese Public Works Department 828-879-2128 to schedule your event and the Town of Valdese will provide litter bags for your use.

## **Reduce your Energy Bill**

Air dry your dishes instead of using dry cycle on your dishwasher, Wash clothes in cold water, Use power strips and turn them off when not in use, Install low flow shower heads, Add insulating blanket to older water heaters, Replace filters in your furnace every 3 months, and Clean dryer lint filter regularly.

**For more tips on keeping Valdese Clean & Green go to [townofvaldese.com](http://townofvaldese.com)**

Town of Valdese  
Community Development Block Grant  
Neighborhood Revitalization  
Scattered-Site Housing Project  
Notice of Second Public Hearing

The Town of Valdese is holding a Second Public Hearing in order to receive citizen input in the development and submission of a NC Neighborhood Revitalization Scattered-Site Housing Project with Community Development Block Grant (CDBG-NR) funds. CDBG-NR funds will be used for the rehabilitation of twelve (12) low/moderate income, owner occupied homes scattered throughout the town limits of Valdese. Applications will be submitted to the North Carolina Department of Commerce. Total amount of CDBG-NR funds requested will be \$350,600.

The Public Hearing will be held before the Valdese Town Council on Tuesday, September 4, 2018 at 6:00 PM at the Council Chamber located at 102 Massel Avenue SW, Valdese, North Carolina. Any interested citizens are encouraged to attend this Public Hearing.

The Town of Valdese holds all public meetings in accessible rooms. Special requests for accommodations should be submitted by individuals at least 48 hours before the scheduled meeting time. Contact Courtney Kennedy, Town Clerk at 828 879-2120 or TDD 1-800-735-2962 for additional information.

This information is available in Spanish or any other language upon request. Please contact Lisa Helton at 828-485-4281 or WPCOG, 1880 2<sup>nd</sup> Ave., NW, Hickory, NC (PO Box 9026, Hickory, NC 28603) for accommodations for this request.

Esta información está disponible en español o en cualquier otro idioma a pedido. Comuníquese con Lisa Helton al 828-485-4281 o WPCOG, 1880 2nd Ave., NW, Hickory, NC (PO Box 9026, Hickory, NC 28603) para obtener los arreglos necesarios para esta solicitud.

---

Publish One Time on: August 23, 2018

Affidavit Required.

Non-legal block ad.

Fair Housing and HUD logos.

**RESOLUTION FOR THE TOWN VALDESE  
APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING  
NORTH CAROLINA DEPARTMENT OF COMMERCE  
NEIGHBORHOOD REVITALIZATION DEVELOPMENT**

**WHEREAS**, the Town Council has indicated its desire to assist in housing rehabilitation within the Town; and,

**WHEREAS**, the Town Council has held two public hearings concerning the proposed application for Community Development Block Grant funding to benefit low/moderate income residents of Valdese with housing repairs; and,

**WHEREAS**, the Town Council wishes the Town of Valdese to pursue a formal application for Community Development Block Grant funding to benefit low/moderate income residence with housing rehabilitation; and will invest monies in the amount of twenty-five thousand dollars (\$25,000) into the project as its commitment to the application; and

**WHEREAS**, the Town Council certifies it will meet all federal regulatory and statutory requirements of the State of North Carolina Community Development Block Grant Program,

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council that the Town of Valdese is authorized to submit a formal application to the North Carolina Department of Commerce for approval of a Community Development Block Grant for the North Carolina Neighborhood Program.

Adopted this the 4<sup>th</sup> day of September, 2018 in Valdese, North Carolina.

---

John F. Black, Jr., Mayor

ATTEST:

---

Frances Hildebran, Clerk to the Board

## **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 our CDBG<sub>1</sub> 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: *(The steps provided below are examples only, each jurisdiction must determine the actions it will take based on local needs and priorities.)*

- 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.
- Other: *(Describe)*

---

---

---

---

---

---

---

---

---

---

### **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**

The 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 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 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 Valdeese 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**

Lisa Helton, Project Administrator, Project Administrator (828-485-4281) is responsible for tracking the replacement of lower income dwelling units and ensuring that they are provided within the required period. Lisa Helton, Project Administrator (828-485-4281) 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_  
(Clerk)



**BY-LAWS  
OF  
TOWN OF VALDESE  
COMMUNITY DEVELOPMENT BLOCK GRANT  
NC NEIGHBORHOOD REVITALIZATION  
SCATTERED SITE HOUSING SELECTION COMMITTEE**

**ARTICLE I: NAME AND PURPOSE**

**Section 1. Name:** The name of this Committee is the Town of Valdese NC Neighborhood Revitalization Community Development Block Grant (CDBG-NR) Scattered Site Housing Selection Committee.

**Section 2. Purpose:** The primary objective of the Town of Valdese CDBG-NR Scattered Site Housing Selection Committee is to improve the housing conditions of low-and moderate-income households with incomes at or below 80% of the area median income. All programs developed using CDBG-NR funds, including SSH, will promote the goals of the North Carolina Consolidated Plan.

**ARTICLE II: MEMBERS**

**Section 1. Number and Composition:** This Committee shall consist of the Town’s SSH Project Administrator, Rehabilitation Specialist, the Town’s Planning Director and two citizens.

**Section 2. Addition of Members:** Additional members may be added from time to time as needed.

**ARTICLE III: MEETINGS**

**Section 1. Meetings:** The CDBG-NR Scattered Site Selection Committee shall meet as often as necessary. The Project Administrator and Rehabilitation Specialist will be responsible for the schedule and the conduct of all meetings.

**Section 2. Responsibilities:** The Town of Valdese CDBG Site Selection Committee shall assist the Project Administrator in the publicity of this program, shall recommend homeowners for assistance, and shall make the final recommendation to the City Manager or his designee on the homes to be rehabilitated.

Adopted this \_\_\_\_\_ of \_\_\_\_\_, 2018

\_\_\_\_\_  
Mayor, Town of Valdese

\_\_\_\_\_  
Clerk to the Board

## **CITIZEN PARTICIPATION PLAN**

This plan describes how the Town of Valdese will involve citizens in the planning, implementation and assessment 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 and design of changes 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. 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. He will respond in writing within ten (10) days. If the response is unsatisfactory, the complainant should write directly to 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 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 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 the Town Office 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 Town Office 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
*Mayor, Town of Valdese*

\_\_\_\_\_  
*Clerk, Town of Valdese*

RESOLUTION  
(Sale of Property at 795 Harris Avenue NW)

WHEREAS, Campfire Homes, LLC (Campfire Homes) offered to purchase from the Town of Valdese for the sum of \$62,500 that parcel containing 19.68 acres more or less, which has been assigned REID No. 38611 and PIN 2733599862 by the Burke County Tax Office (the property); and

WHEREAS, at its August 6, 2018, regular meeting, the town council adopted a resolution proposing to accept Campfire Homes' offer; and

WHEREAS, the town council directed town representatives to publish notice of the town's intent to accept the offer and notice that any person could raise the bid as required by G.S. 160A-269, and that notice was published; and

WHEREAS, more than ten (10) days expired without there being an upset bid and Campfire Homes' bid is the last and high bid for the Property; and

WHEREAS, the town does not need the Property, and the town therefore desires to accept the offer made by Campfire Homes' and sell the Property upon the terms hereafter set forth:

IT IS THEREFORE RESOLVED pursuant to G.S. 160A-269 that the sale of the Property to Campfire Homes for the purchase price of \$62,500 is approved. The town shall reserve easements for the maintenance and repair of all town utility lines lying within the property and the town shall reserve all of the town's right, title and interest in improvements lying within the property. The proper officers of the town are authorized and directed to deliver and execute to Campfire Homes, LLC a deed for the Property upon receipt of the \$62,500 purchase price.

This resolution was adopted this 4<sup>th</sup> day of September, 2018.

\_\_\_\_\_  
John F. Black, Jr., Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk

(corporate seal)



## **Development Proposal**

*Town of Valdese Retired Wastewater Treatment Facility*

### **1.0 The Property**

*795 Harris Ave NW  
Valdese, NC 28607  
PIN #2733599862*

### **1.1 Characteristics of the development and construction:**

- 19.68 private acres with cul-de-sac off of town maintained road
- The property has city sewer, water, trash pickup, recycling provided
- The majority of the land hasn't been utilized in over 30 years
- An environmental study has already been conducted
- A survey has been ordered and will be conducted within the next couple of weeks
- Over 13 acres is common area which will include a walking/running trail
- An estimated fifteen 1200-1500 square foot single family stick built homes will be built
- The target sales price point is \$150,000 - \$200,000

### **1.2 Preliminary Site Plan – Please see attached PDF**

### 1.3 Two recently constructed homes we are considering for spec homes:



### 1.4 Two plans we are considering for spec homes – 1300-1500 sf:



### 1.5 Strategic Analysis - Location & Economic Profile

The property of about twenty acres has roughly seven acres which will be used for 15 single family homes, and two dilapidated brick buildings that may be repurposed into a single family residence with a detached garage. The remaining space, which primarily falls within a flood plain, will include a nice walking trail.

The property is about a one mile walk or bike into town on a sidewalk along Church Street. It's also about one mile to McGalliard Falls Park and a few miles to the new Lake Rhodhiss Park entrance. Valdese Elementary, Heritage Middle, and Draughn High Schools are all within 1-3 miles.

According to a recent study conducted by Bowen National Research for the Burke County Board of Realtors, only 3.4% of the 2,166 homes sold in Burke County since January 2014, were built after 2010. The documented demand for new, affordable, construction housing is what prompted us to change our initial plans for a tiny home community into a single family housing subdivision.

## 2.0 Development Timeline

Development Timeline	Start Date	End Date
Town council meeting to propose development	09/04/2018	09/04/2018
Finalize survey and site plan	09/05/2018	09/30/2018
Locate water, sewer, electric & record	10/01/2018	10/31/2018
Begin grading lots and re-purposing brick buildings	10/01/2018	_____
Begin work on trails and new construction	11/01/2018	_____

## 3.0 Associates and Consultants:

The following consultants may assist with this real estate development project:

- Development Design: Mark Rostan – Campfire Homes, LLC
- Contractor: Drew Estes - NC Building Contractor - #43664
- Development, Permitting: Town of Valdese
- Survey: Don Bolick – Land Surveyor
- Site Plan – subdividing lots: Bakhtiar S. Alam, AIA – Elan Architect
- House design, plans: Bakhtiar S. Alam, AIA – Elan Architect
- Structural Engineer: Ray Burris
- Marketing & Sales Plan: Mark Rostan – Campfire Homes, LLC
- Project Management: Michael Brown - Campfire Homes, LLC

## 4.0 Conclusion

The proposed site on Harris Street for a single family housing development is an opportunity for the Town of Valdese to repurpose a retired wastewater plant facility into an affordable housing solution that continues to be in demand.

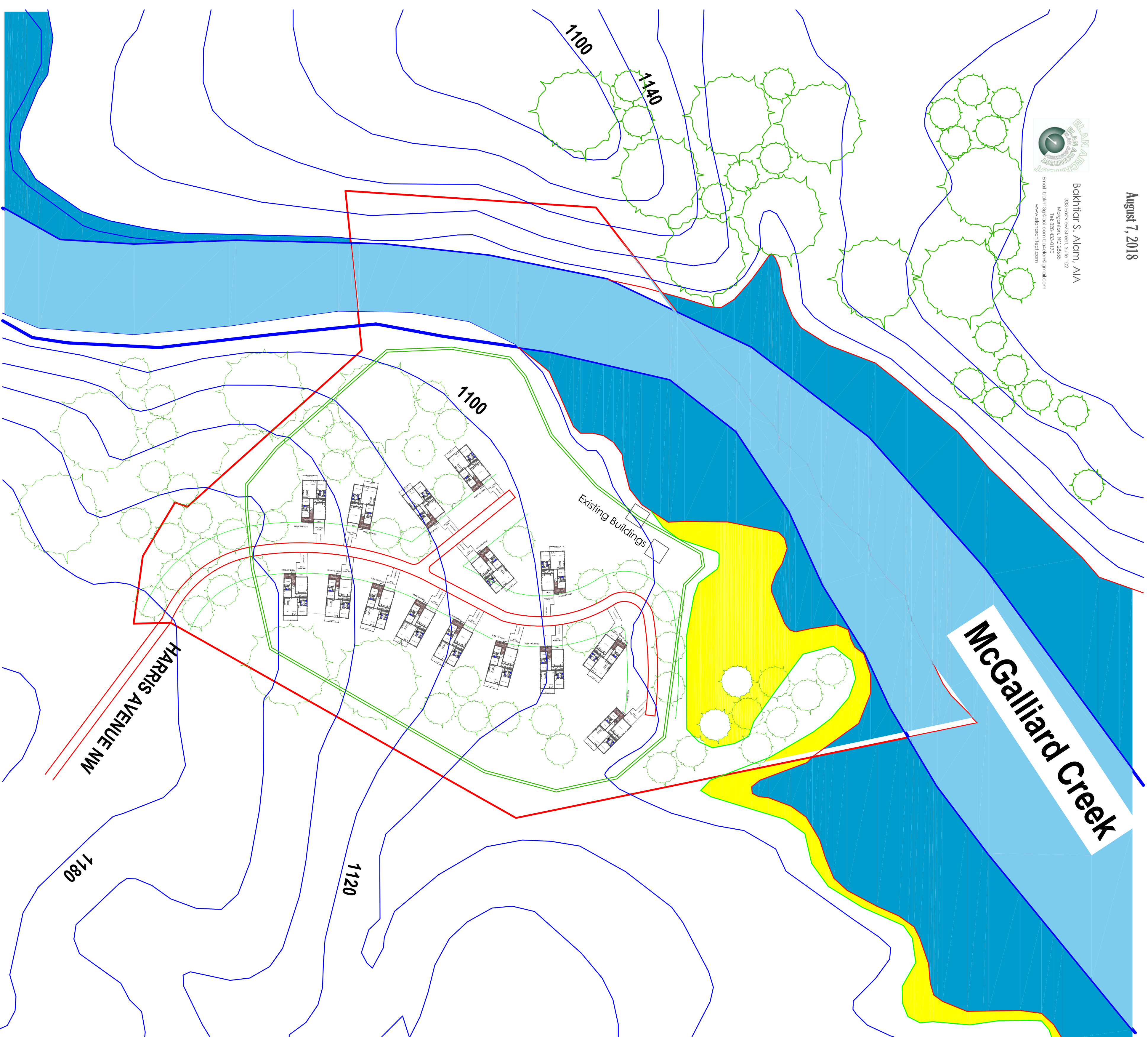


**HARRIS AVENUE SINGLE FAMILY HOMES**  
**795 Harris Avenue NW, Valdese, Nc 28690**  
**Conceptual Design for CAMPFIRE HOMES**  
**Project Principal: Mark Rostan**

August 7, 2018



**SINGLE FAMILY HOMES ON A 20 ACRE TRACK OF LAND**  
**15 HOMES of VARIOUS SIZES from 1,400 SF to 1,500 SF**  
**One Story Homes with Front Covered Porch; Rear Porch/Deck; Common Areas,**  
**Picnic/Garden within the Complex and Nature 2,400 FT Walking Trails**



**State of North Carolina  
County of Burke**

**To the Tax Collector of the Town of Valdese,**

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the records filed in the tax receipts herewith delivered to you, in the amount and from the taxpayers likewise there in set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the Town of Valdese and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with the law.

**Oath of Office:**

I, Apryl Hardin, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as Tax Collector, so help me God.

I, Apryl Hardin, will not allow my actions as tax collector to be influenced by personal or political friendships or obligations.

Witness my hand and official seal this 4<sup>th</sup> day of September 2018.

---

Apryl Hardin, Tax Collector

---

Courtney Kennedy, Deputy Town Clerk



**Tax Statement for 2017 Property & Motor Vehicle****Property Valuations:**

<b>Real Estate:</b>	<b>\$266,820,179</b>
<b>Personal:</b>	<b>\$ 71,091,300</b>
<b>Senior Citizen Exemptions:</b>	<b>\$ 4,654,251-</b>
<b>Total Property Valuation Subject to Tax Rate:</b>	<b>\$333,257,228</b>

<b>Levy:</b>	<b>\$ 1,815,440</b>
<b>Discoveries:</b>	<b>\$ 58,341</b>
<b>Late List Penalties</b>	<b>\$ 1,819</b>
<b>Total Levy:</b>	<b>\$ 1,875,600</b>
<b>Less Collected as of 6/30/17:</b>	<b>\$ 1,822,129</b>
<b>Uncollected 2017:</b>	<b>\$ 53,471</b>
<b>Ratio of Taxes Collected to Total Levy</b>	<b>97.0 %</b>

**Motor Vehicle:**

<b>Levy:</b>	<b>\$136,608</b>
<b>2017 Collection by Burke County:</b>	<b>\$178,023</b>
<b>Collection Costs</b>	<b>\$ 2,730</b>

TOWN OF VALDESE  
ALBA WALDENSIAN BUILDING DEMOLITION PROJECT  
CDBG GRANT FUND  
CAPITAL PROJECT BUDGET ORDINANCE

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

Section 1. The project authorized is established to finance the demolition of a building for a project known as **Alba Waldensian Building Demolition Project** and is to be financed by a CDBG grant and the property owner, Valdese Water Recycling, LLC.

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:

CDBG Grant	\$ 500,000	69,3480.001
Valdese Water Recycling, LLC	<u>175,000</u>	69,3480.002
	\$ 675,000	
	=====	

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

Administration	\$ 25,000	69,8120.040
Demolition, Clearance Activities	650,000	69,8120.720
	-----	
	\$ 675,000	
	=====	

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 4<sup>th</sup> day of September, 2018

---

John F. Black, Jr., Mayor

---

Frances Hildebran, Clerk to the Board

## RESOLUTION BY TOWN OF VALDESE

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of creating an Asset Inventory Assessment for the water distribution system, and

WHEREAS, The Town of Valdese has need for and intends to create an Asset Inventory Assessment of the Town's Water System described as to develop asset inventories, condition assessment of critical assets, and other components of a comprehensive asset management program for water, and

WHEREAS, The Town of Valdese intends to request state grant assistance for the project,

### **NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF THE TOWN OF VALDESE:**

That the Town of Valdese, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State grant award.

That 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 Seth Eckard, Town Manager, is the **Authorized Official**, and successors so titled, is 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 Official**, 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 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 \_\_\_\_\_ day of September 2018 at Town Hall, Valdese, North Carolina.

---

(Signature of Chief Executive Officer)

Town Manager, Town of Valdese

---

(Title)

**CERTIFICATION BY RECORDING OFFICER**

The undersigned duly qualified and acting Clerk to the Council Members 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 of Valdese duly held on the \_\_\_\_\_ day of September 2018; 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 \_\_\_\_\_ day of September 2018.

\_\_\_\_\_  
(Signature of Recording Officer)

Town Clerk

\_\_\_\_\_  
(Title of Recording Officer)

Notary

North Carolina, \_\_\_\_\_ County

I, \_\_\_\_\_ a Notary Public for \_\_\_\_\_ County, North Carolina, do hereby certify that \_\_\_\_\_ personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal this the \_\_\_\_\_ day of \_\_\_\_\_ 2018.

\_\_\_\_\_  
(Signature of Notary)

My commission expires: \_\_\_\_\_