

**TOWN OF VALDESE
TOWN COUNCIL REGULAR MEETING
MAY 6, 2024**

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

Absent: None

A quorum was present.

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

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

RESOLUTION OF APPRECIATION - WT SORRELL Mayor Watts presented the following Resolution of Appreciation to W.T. Sorrell:

**OF APPRECIATION FOR
WILLIE THOMAS (W.T.) SORRELL, III**

WHEREAS, W.T. Sorrell, for the past eight years has served the Town of Valdese with distinction as a committed and dedicated Board Member with the Valdese ABC Board; and

WHEREAS, W.T.'s eight years of service have been marked by exemplary dedication, integrity, and professionalism to serve the best interests of the community, our citizens, and the Valdese ABC Board; and

WHEREAS, W.T. has earned the admiration and high regard of those with whom he has worked and the members of the public with whom he has served these past eight years; and

WHEREAS, W.T. began serving the Valdese ABC Board as a Board Member at a time when the organization was still seeking profitability; and through his leadership realized the promise of quarterly distributions from the Valdese ABC Board to the Town of Valdese and its' citizens; and

WHEREAS, W.T. has been instrumental in the operational oversight of the Valdese ABC Board, establishing a strong foundation of wisdom, integrity, and experience.

WHEREAS, W.T. has been instrumental in securing a promising future for the Valdese ABC Board by recruiting and hiring staff members who are qualified, committed, and progressive in improving the quality of experience for customers and community; and

WHEREAS, W.T. has demonstrated a career of accomplishment and distinction in industry, local government administration, and strong leadership to those who he has served.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Valdese as we take this occasion to express honor, respect, and admiration to W.T. Sorrell for his outstanding contributions to the Valdese ABC Board and the Town of Valdese.

BE IT FURTHER RESOLVED, that the Town Council of the Town of Valdese, North Carolina, hereby expresses its sincere appreciation and gratitude to W.T. Sorrell for his service and leadership to the Valdese ABC Board and the Town of Valdese during the past eight years and extends congratulations and best wishes upon expiration of his term.

Adopted this the 1st day of April, 2024.

Charles Watts, Mayor

VALDESE PILOT CLUB AED PRESENTATION Julie Huffman, President of the Valdese Pilot Club said, "One of the members of our club is an active participant in the aquatics program at the Valdese Rec Center. It was brought to her attention by a lifeguard, Mr. Elisa Phipps, that there was not an AED at the Splash Pad Building. With many children continually using the Splash Pad and numerous exercise classes in the Splash Pad building, it was apparent an accident might be waiting to happen. So, with the assistance of Mayor Watts and the Valdese Fire Department plus a matching grant from Pilot International, the Pilot Club of Valdese was able to purchase two AED's with matching first aid attachments. It is my privilege as President of the Pilot Club of Valdese to present these AED's to the Town of Valdese. One to be housed in the Splash Pad Building and other at the Old Rock School. This will make our eighth and ninth AED we have contributed to the community." Mayor Watts thanked the Pilot Club of Valdese for what they do and said that this program has saved lives.

FOOTHILLS BROADBAND – RONNIE HARMON, 904 CHURCH ST NW, VALDESE: Mr. Harmon has lived in Valdese for many years, and this is the first time he has addressed Council. Mr. Harmon moved his business from Morganton to Valdese a year ago. Mr. Harmon said his business provides IT support to many businesses in North Carolina and the local community. Mr. Harmon shared how important Foothills Broadband is to his company and that he never thought he would get internet in his building. Mr. Harmon called several internet service providers, but the speeds would not be what they needed. Mr. Harmon had to send employees home to work. Mr. Harmon said Foothills Broadband entered Town and got them a fiber internet connection, allowing them to service more people. Mr. Harmon said we have to have them and that the owners are good people. Mr. Harmon encouraged the Council to work with them.

FOOTHILLS BROADBAND – RICK MCCLURD, 408 GARROU AVE SE, VALDESE: Mr. McClurd has worked with Ronnie Harmon and also worked at Corning. Mr. McClurd shared that everything he has done has had technology tied to it. Mr. McClurd has fiber optic experience and says technology is here to stay. Mr. McClurd knows what Foothills Broadband can do for us. Mr. McClurd noted that the Town Council only gave Mr. Chiz a one-year lease contract which was a problem from the beginning. Mr. McClurd encouraged the Council to work with him and get this problem solved.

FOOTHILLS BROADBAND – JIM JACUMIN, 3690 MILLER BRIDGE RD, CONNELLY SPRINGS: Mr. Jacumin thanked the Council for all the additional paperwork that shows someone has been working hard. Mr. Jacumin says that the new Police Chief is working on the vagrant problem, and town-owned property is being sold, which is commendable. Mr. Jacumin noted that we did not do our thinking when we started Broadband and shared the six P's: previous, prior, planning, prevents, poorer, and performance. Mr. Jacumin asked the Council to think about every individual who pays taxes when you do negotiating. Mr. Jacumin said if it takes another month, do that, take your time, and negotiate this out where it is fair to Valdese and this gentleman.

FOOTHILLS BROADBAND – ZACH CHIZ, 103 MAIN ST W, VALDESE: Mr. Chiz read two letters to the Council, one from a business owner in Valdese, Dallas Stoudemire and one from a resident on Flap Gap mountain, Willie Bradshaw. Both individuals were in support of Foothills Broadband.

FUN THINGS – TIM BARUS, 998 LAUREL ST NE, VALDESE: Mr. Barus provided a copy of his public comment to the Town Clerk:

First, I would like to say thank you to the town employees. Most of you struggle to live with today's inflation and the best way to really say thank you is to pay you for your service, dedication, loyalty, credentials, knowledge, and experience that you give to Valdese each day. 5% Does not cover the cost of living.

This council agreed during the Strategic Planning that one of the top Priorities Identified was the Recruitment and Retention of employees.

How will we remain competitive in today's job market? What are the plans for the future?

Let's take a moment and look at the factors the pertain to the budget.

MOST citizens remember more than just the campaign promise of a 41.5 tax rate.

-The promise of Transparency was exhibited all over town

-Citizens were also promised a tax refund

- a 10% raise was promised to the staff

Previously on March 4th, I spoke to you about the fees being charged for emails and records requests. Let me be clear again, the reason for the request was and is the citizens' concern for LACK OF TRANSPARENCY that was promised to the citizens. I have also requested the Town's Attorney Invoices for the months of December 23, Jan, Feb, and March 2024.

May 6, 2024, MB#32

After receiving the requested emails, it was rather disheartening to read the public records filled with disgusting, immoral, dishonorable, passive aggressive and bullying content.

Out of respect for the council members mentioned, their innocent family members, and employees, These emails will not be read this evening.

These documents are public record and are clear evidence that there will be little to no TRANSPARENCY and professionalism.

Let us now take a look at the Attorney Invoice Breakdown:

The data was collected from the Invoices from the 4 months mentioned earlier.

2-Council Emails	1- Phone Calls	3-MEETINGS
(42 Emails)	(11)	(11 Meetings)
Billable Hours 39.7	Billable Hours 2.6	Billable Hours 47.4
Total= \$9,357.00	Total = \$611.00	Total = \$12,220.00

*Most of these charges are from a single council member.

Parks and Rec Project = \$2,652.50

News Media request = Approximately \$4,100.00

Citizens requests = \$752.00 *Invoice was not itemized, Not accurate Should be between 2,000 to 2,500

From Dec 2022 to Nov 2023 \$35,537.51 *One YEAR FROM DEC 2023 TO MARCH 2024 = \$41,939.19

Instead of a \$80,000.00 Attorney Fee Increase to the budget, how about being mindful of how you spend the town's money. We must take care of our precious resource and those that actually carry out our services. We have a lot of our employees struggling to live on their salaries as the cost of living continues to rise.

THEY HAVE SERVED YOU, NOW IT IS TIME TO SERVE THEM.

It costs \$26,000.00 per each percent for employee raises, so Take the attorney fees and give them a 7% raise, something that will make a little difference.

The Behavior towards Town Employees, Businessmen, Citizens, and other Professionals that is being displayed at Public meetings is abhorrent, repugnant and inconsistent with the values of the citizens of Valdese

I think we the citizens of Valdese, would like to know, what are the plans for the future? 41.5 tax rate this year, is it the plan to maintain this rate or is this a only for one year?

Please answer the question.

CONSENT AGENDA: (enacted by one motion)

APPROVED AGENDA REVIEW MEETING MINUTES OF MARCH 25, 2024

APPROVED REGULAR MEETING MINUTES OF APRIL 1, 2024

APPROVED BUDGET RETREAT MINUTES OF APRIL 15 &16, 2024

APPROVED SPECIAL CALLED MEETING MINUTES OF APRIL 22, 2024

APPROVED CLOSED SESSION MINUTES OF APRIL 22, 2024

APPROVED BUDGET REVIEW MINUTES OF APRIL 22, 2024

APPROVED AMENDED RESOLUTION TO THE DRUG & HOMELESS TASK FORCE

A RESOLUTION AMENDING MEMBERSHIP OF THE AD HOC DRUG AND HOMELESS ADVISORY TASK FORCE COMMITTEE

WHEREAS, Town Council for the Town of Valdese is committed to making the Town of Valdese a desirable and inviting community for all citizens; and

WHEREAS, by Resolution dated January 8, 2024, Town Council established an Ad Hoc Drug and Homeless Advisory Task Force Committee (the "Committee") tasked with exploring ways to address substance abuse and homelessness in the Town of Valdese; and

May 6, 2024, MB#32

WHEREAS, the Committee is currently limited to five (5) members; and

WHEREAS, the Town Council desires increase the Committee's membership so that it will hereinafter consist of a *minimum* of five (5) members who shall be appointed by Town Council.

NOW, THEREFORE, BE IT RESOLVED that membership of the Committee shall include a minimum of five (5) members who shall be citizens of the Town of Valdese having special interest, experience and/or expertise in addressing homelessness and/or the issues surrounding drug use and related criminal activity and who shall be appointed by Town Council.

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

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:

/s/ Town Clerk

APPROVED APPOINTMENT OF POLICE CHIEF MARC SHARPE TO THE DRUG & HOMELESS TASK FORCE Councilwoman Heather Ward has put forward the nomination of Valdese Police Chief Marc Sharpe to serve on the Drug & Alcohol Task Force. If appointed, Chief Sharpe will serve as co-chair alongside Valdese Police Sergeant William Beck.

APPROVED PRELIMINARY PLAT FOR VALDESE BLUFFS Due to the removal of a marina, multi-family units, and commercial development, Valdese Bluffs is now considered a major subdivision instead of a planned unit development residential.

APPROVED CAPITAL PROJECT ORDINANCE AMENDMENT FOR LAKESIDE PARK PAVILION

Capital Project Ordinance Amendment # 4-34

Subject: Lakeside Park Pavilion

Description: This amendment transfers private donations from the McGalliard Bridge project to Lakeside Park project.

Proposed Action:

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

Section I:

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

Account	Description	Decrease/ Debit	Increase/ Credit
33.3970.001	Donations	18,722.35	
34.3970.003	Donations		18,722.35
Total		\$18,722.35	\$18,722.35

Amounts appropriated for capital projects are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
33.6200.760	Construction		155.53
33.6200.040	Professional Services		18,566.82
34.6200.760	Construction	18,722.35	
Total		\$18,722.35	\$18,722.35

Section II:

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

APPROVED RESOLUTION EXEMPTING ENGINEERING SERVICES FOR 102 TORRE PELLICE ST. SE CULVERT

RESOLUTION EXEMPTING ENGINEERING SERVICES FOR 102 TORRE PELLICE ST SE, VALDESE, NC (REID: 38617) FROM G.S. 143-64.31

WHEREAS, G.S. 143-64.31 requires the initial solicitation and evaluation of firms to perform architectural, engineering, surveying, construction management-at-risk services, and design-build services (collectively "design services") to be based on qualifications and without regard to fee; and

WHEREAS, the Town of Valdese proposes to enter into a contract for engineering services for work on 102 Torre Pellice St SE, Valdese, NC; and

WHEREAS, G.S. 143-64.32 authorizes units of local government to exempt contracts for design services from the qualifications-based selection requirements of G.S. 143-64.31 if the estimated fee is less than \$50,000; and

WHEREAS, the estimated fee for design services for the above-described project is less than \$50,000.

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

Section 1. The above-described project is hereby made exempt from the provisions of G.S. 143-64.31.

May 6, 2024, MB#32

Section 2. This resolution shall be effective upon adoption.

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

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

APPROVED RESOLUTION OF SALE OF TOWN-OWNED PROPERTY – 118 FAT AVE.

RESOLUTION AUTHORIZING SALE OF REAL PROPERTY

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

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

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

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

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

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

WHEREAS, at its February 16, 2024 regular meeting, Town Council adopted a Resolution Authorizing Upset Bid Process authorizing the sale of the Property through the upset bid procedure of North Carolina General Statute § 160A-269;

WHEREAS, as required by N.C.G.S. § 160A-269, the Town Council directed Town representatives to publish notice of the Town's intent to accept the offer and notice that persons could raise the bid, and that notice was published;

WHEREAS, the offer of T.L. Norman Land Company for \$14,000.00 is the last and highest bid for the Property; and

WHEREAS, the Town does not need the Property, and the Town therefore desires to accept the offer made by T.L. Norman Land Company and sell the Property to T.L. Norman Land Company upon the terms hereafter set forth; and

May 6, 2024, MB#32

WHEREAS, T.L. Norman Land Company will be responsible for all legal fees associated with preparing the closing documents and all closing costs necessary to transfer ownership from the Town to T.L. Norman Land Company.

IT IS THEREFORE RESOLVED that, pursuant to N.C.G.S. § 160A-269, the sale of the Property to T.L. Norman Land Company for the purchase price of \$14,000.00 is approved and the Town Manager is hereby authorized and directed to deliver to T.L. Norman Land Company a special warranty deed for the Property upon receipt of the purchase price, subject to the following terms and conditions: that the Property shall be sold "as is" and subject to all existing easements; that the Town shall reserve easements for all Town utility lines located on or under the property, if any; that T.L. Norman Land Company pay all legal fees associated with preparation of the closing documents and all closing costs necessary to transfer ownership from the Town to T.L. Norman Land Company.

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

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

APPROVED RESOLUTION OF SALE OF TOWN-OWNED PROPERTY – 104 ROLLER ST. SW

RESOLUTION AUTHORIZING SALE OF REAL PROPERTY

Sale of 2.09 Acre Tract at 104 Roller Street SW, Valdese, NC (REID: 30985)

WHEREAS, the Town of Valdese (the "Town") is the owner of that certain tract or parcel of real property (the "Property") situated in Lovelady Township, Valdese, North Carolina commonly known as 104 Roller Street SW, Valdese, North Carolina, PIN: 2733654336, REID: 30985, which Property is more particularly described in Deed Book 2078, Pages 494, Burke County Registry as follows:

BEING ALL of Tract 3, containing 2.730 acres, more or less, as shown on that certain plat entitled "Property to be conveyed to Solely DG, LLC", prepared by Douglas A. Garber, PLS, dated October 27, 2011, as recorded in Plat Book 41, Page 234, Burke County Registry.

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

WHEREAS, on or about March 13, 2024, the Town received an offer to purchase the Property from Barktopia Stay & Play Pet Resort & Daycamp, LLC for \$35,000.00; and

WHEREAS, at its April 1 2024 regular meeting, Town Council adopted a Resolution Authorizing Upset Bid Process authorizing the sale of the Property through the upset bid procedure of North Carolina General Statute § 160A-269;

WHEREAS, as required by N.C.G.S. § 160A-269, the Town Council directed Town representatives to publish notice of the Town's intent to accept the offer and notice that persons could raise the bid, and that notice was published;

WHEREAS, no upset bids were received within the ten (10) day upset bid period and the offer of Barktopia Stay & Play Pet Resort & Daycamp, LLC for \$35,000.00 is the last and highest bid for the Property; and

WHEREAS, the Town does not need the Property, and the Town therefore desires to accept the offer made by Barktopia Stay & Play Pet Resort & Daycamp, LLC and sell the Property to Barktopia Stay & Play Pet Resort & Daycamp, LLC upon the terms hereafter set forth; and

May 6, 2024, MB#32

WHEREAS, Barktopia Stay & Play Pet Resort & Daycamp, LLC will be responsible for all legal fees associated with preparing the closing documents and all closing costs necessary to transfer ownership from the Town to Barktopia Stay & Play Pet Resort & Daycamp, LLC.

IT IS THEREFORE RESOLVED that, pursuant to N.C.G.S. § 160A-269, the sale of the Property to Barktopia Stay & Play Pet Resort & Daycamp, LLC for the purchase price of \$35,000.00 is approved and the Town Manager is hereby authorized and directed to deliver to Barktopia Stay & Play Pet Resort & Daycamp, LLC a special warranty deed for the Property upon receipt of the purchase price, subject to the following terms and conditions: that the Property shall be sold "as is" and subject to all existing easements; that the Town shall reserve easements for all Town utility lines located on or under the property, if any; that Barktopia Stay & Play Pet Resort & Daycamp, LLC pay all legal fees associated with preparation of the closing documents and all closing costs necessary to transfer ownership from the Town to Barktopia Stay & Play Pet Resort & Daycamp, LLC.

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

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

APPROVED RESOLUTION AUTHORIZING UPSET BID PROCESS FOR THE SALE OF TOWN-OWNED PROPERTY – 308 STUART AVE SE

RESOLUTION AUTHORIZING UPSET BID PROCESS

Sale of 1.00 +/- Acre Tract at 308 Stuart Ave SE, Valdese, NC (REID: 10507)

WHEREAS, the Town of Valdese (the "Town") is the owner of that certain tract or parcel of real property (the "Property") situated in Lovelady Township, Valdese, North Carolina commonly known as 308 Stuart Ave SE, Valdese, North Carolina, PIN: 2743526258, REID: 10507, which Property is more particularly described in Deed Book 1044, Pages 150-152, Burke County Registry as follows:

BEGINNING on iron stake at the intersection of the new road and runs then North 76° East with north margin of said new road, 18½ poles to stake, a corner of Lot No 3, then with Lot No. 3, 24 poles more or less to a stake in the road, then with the road, 26 poles to the point of BEGINNING, containing 1 acre, more or less, being Lot No 4 of Report of Commissioners Deed.

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

WHEREAS, on or about March 25, 2024, the Town received an offer to purchase the Property from Michael R. Abee for \$10,000.00; and

WHEREAS, Michael R. Abee has deposited five percent (5%) of its bid with the town clerk.

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

1. The Town Council authorizes sale of the Property through the upset bid procedure of North Carolina General Statute §160A-269.
2. The Town Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the Property and the amount of the offer and shall state the terms under which the offer may be upset.
3. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the Town Clerk within ten (10) days after the notice of sale is

May 6, 2024, MB#32

published. At the conclusion of the 10-day period, the Town Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

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

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

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

APPROVED RESOLUTION AUTHORIZING UPSET BID PROCESS FOR THE SALE OF TOWN-OWNED PROPERTY – 317 STUART AVE SE

RESOLUTION AUTHORIZING UPSET BID PROCESS

Sale of 3.28 +/- Acre Tract at 317 Stuart Ave SE, Valdese, NC (REID: 38623)

WHEREAS, the Town of Valdese (the "Town") is the owner of that certain tract or parcel of real property (the "Property") situated in Lovelady Township, Valdese, North Carolina commonly known as 317 Stuart Ave SE, Valdese, North Carolina, PIN: 2743528801, REID: 38623, which Property is more particularly described in Deed Book 112, Page 522, Burke County Registry as follows:

Beginning at a point in center of road in line of the Town of Valdese, Impounding Basin and runs with the said line the following courses and distances, North 32 deg. 0' West 71.1 feet; North 41 deg. and 52' East 65 feet to the center of creek; thence down the meanders of said creek and the line of Valdese Property line, approximately North 25 deg. West 435 feet to a point in creek, their corner; thence down the meanders of the present creek as now runs North 32 deg. and 30' West 180 feet to the mouth of Culvert over the Railroad; the same course North 32 deg. and 30' West 50 feet to a point in center of Creek over the Culvert of the Southern Railroad track; thence with the center of Southern Railroad tract North 86 deg. West 240

May 6, 2024, MB#32

feet to a point in said tract; thence leaving the railroad and running South 6 deg. East 51 feet to a white oak a new marked corner 3 hacks; thence with a new line South 18 deg. and 0' East 560 feet to a point in center of road leading across the Impounding Water Basin of the Tom of Valdese; thence with the said road approximately 330 feet to the point of Beginning, and containing 4 acres more or less, as surveyed by James A. Harbison, County Surveyor, December 22, 1951.

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

WHEREAS, on or about March 25, 2024, the Town received an offer to purchase the Property from Michael R. Abee for \$20,000.00; and

WHEREAS, Michael R. Abee has deposited five percent (5%) of its bid with the town clerk.

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

9. The Town Council authorizes sale of the Property through the upset bid procedure of North Carolina General Statute §160A-269.
10. The Town Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the Property and the amount of the offer and shall state the terms under which the offer may be upset.
11. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the Town Clerk within ten (10) days after the notice of sale is published. At the conclusion of the 10-day period, the Town Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.
12. If a qualifying higher bid is received, the Town Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Town Council.
13. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.
14. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid. The deposit may be made by cashier's check or by certified check. The Town will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The Town will return the deposit of the final high bidder at closing.
15. The terms of the final sale are that:
 - (f) the Town Council must approve the final high offer before the sale is closed, which it will do within thirty (30) days after the final upset bid period has passed;
 - (g) the buyer must pay the purchase price in certified funds at the time of closing;
 - (h) the Property shall be sold "as is" and subject to all existing easements;
 - (i) the Town will reserve easements for all town utility lines located on or under the Property; and
 - (j) the Property shall be conveyed by special warranty deed.
16. The Town reserves the right to withdraw the Property from sale at any time before the final high bid is accepted and the right to reject all bids at any time.

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

Signature Appears on Following Page.

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

APPROVED RESOLUTION AUTHORIZING UPSET BID PROCESS FOR THE SALE OF TOWN-OWNED PROPERTY – 460 PERKINS RD SE

RESOLUTION AUTHORIZING UPSET BID PROCESS

Sale of 13.44 +/- Acre Tract at 460 Perkins Rd SE, Valdese, NC (REID: 38624)

WHEREAS, the Town of Valdese (the "Town") is the owner of that certain tract or parcel of real property (the "Property") situated in Lovelady Township, Valdese, North Carolina commonly known as 460 Perkins Rd SE, Valdese, North Carolina, PIN: 2743624062, REID: 38624; and

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

WHEREAS, on or about March 25, 2024, the Town received an offer to purchase the Property from Michael R. Abee for \$40,000.00; and

WHEREAS, Michael R. Abee has deposited five percent (5%) of its bid with the town clerk.

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

17. The Town Council authorizes sale of the Property through the upset bid procedure of North Carolina General Statute §160A-269.
18. The Town Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the Property and the amount of the offer and shall state the terms under which the offer may be upset.
19. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the Town Clerk within ten (10) days after the notice of sale is published. At the conclusion of the 10-day period, the Town Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.
20. If a qualifying higher bid is received, the Town Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Town Council.
21. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.
22. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid. The deposit may be made by cashier's check or by certified check. The Town will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The Town will return the deposit of the final high bidder at closing.
23. The terms of the final sale are that:

May 6, 2024, MB#32

- (k) the Town Council must approve the final high offer before the sale is closed, which it will do within thirty (30) days after the final upset bid period has passed;
 - (l) the buyer must pay the purchase price in certified funds at the time of closing;
 - (m) the Property shall be sold "as is" and subject to all existing easements;
 - (n) the Town will reserve easements for all town utility lines located on or under the Property; and
 - (o) the Property shall be conveyed by special warranty deed.
24. The Town reserves the right to withdraw the Property from sale at any time before the final high bid is accepted and the right to reject all bids at any time.

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

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

APPROVED RESOLUTION TO PARTICIPATE IN NC COOPERATIVE LIQUID ASSETS SECURITIES SYSTEM

Resolution to participate in North Carolina
Cooperative liquid assets securities systems

A resolution authorizing the Town of Valdese, North Carolina (the "Town") to join with other political subdivisions of the State of North Carolina as a Participant ("Participant") in the North Carolina Cooperative Liquid Assets Securities System (North Carolina CLASS) (the "Trust") to pool funds for investment.

WHEREAS, the provisions of Section 159-30 of the General Statutes of North Carolina, as amended ("N.C. Gen. Stat."), provide the guidelines for any local government or public authority of the State of North Carolina (a "Local Government" or "Local Government Unit") to invest idle funds;

WHEREAS, under N.C. Gen. Stat. § 159-30(c)(10), moneys may be invested in a commingled investment pool established by interlocal agreement pursuant to N.C. Gen. Stat. § 160A-460 through 160A-464 (a "Local Government Investment Pool"), if the investments of the Local Government Investment Pool are limited to those qualifying for investment under N.C. Gen. Stat. § 159-30(c) or other laws of the State of North Carolina governing the investment of monies of a Local Government Unit ("Permitted Investments"); WHEREAS, certain Local Government Units have executed an Interlocal Agreement dated March 1, 2023 (the "Original Interlocal Agreement" and as supplemented and amended the "Interlocal Agreement") for the purpose of creating the Trust or executed a joinder agreement for purposes of joining the Original Interlocal Agreement;

WHEREAS, the Trust is governed by the terms of an Indenture of Trust dated as of March 1, 2023 (the "Indenture"), which provides for the deposit of the pooled idle funds in the Trust and the investment of such funds in only Permitted Investments;

WHEREAS, the Town desires to become a party to the Interlocal Agreement and a Participant in the Trust. NOW, THEREFORE, it is hereby RESOLVED by the Town Council (the "Governing Body") of the Town as follows:

1. The Governing Body hereby approves the Town becoming a party to the Interlocal Agreement and its participation in the Trust, which is governed by the Indenture.
2. The Governing Body authorizes the execution and delivery of a joinder agreement to Interlocal Agreement (the "Joinder Agreement") substantially in the form presented at this meeting, together with such changes, modifications and deletions as may be approved by the Town's Chief Financial Officer (the "Finance Officer"). The approval of the Joinder Agreement will be evidenced conclusively by the execution and delivery of the Joinder Agreement by the Finance Officer.
3. The Finance Officer is hereby authorized to take or cause to be taken any and all such other actions as they may determine in their discretion to be to be necessary or advisable or in the best interest of the Town in order to effectuate, complete and carry out the intent and purposes of the foregoing resolutions and the management, supervision, and investment of the Town's idle funds, including, but not limited to, the execution of all depository forms or other documents required by the administrator, the custodian or the investment advisor of the Trust and execution of amendments to the Interlocal

May 6, 2024, MB#32

Agreement entered into for the purpose of (i) adding an additional Participant to the Trust or (ii) which do not have financial implications for the Town.

- 4. The Governing Body hereby approves the Finance Officer to serve as the Town's Authorized Representative under the Interlocal Agreement and the Indenture and in such capacity shall remain responsible for the management, supervision and investment of the Town's idle funds.

The undersigned hereby certifies that the Town Council has enacted this Resolution, or another form of Resolution, a copy of which is enclosed, and that such Resolution is a true and correct copy of the original which is in my possession.

/s/ Charles Watts, Mayor

APPROVED CAPITAL PROJECT ORDINANCE – HOYLE CREEK RESTORATION

**TOWN OF VALDESE
HOYLE CREEK RESTORATION
CAPITAL PROJECT ORDINANCE**

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

Section 1. The project authorized is the Hoyle Creek Restoration. The Town of Valdese currently owns property along Hoyle Creek from Lovelady Road to Lake Rhodhiss. The Town has received state funds in the amount of \$2.2 Million for creek restoration. Included in this project is building a natural surface ADA sidepath along the east side of the creek with potential overlooks and pedestrian bridges, terminating in at a future Wilderness Gateway State Trail trailhead with amenities located at Lovelady Road.

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

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

<u>Source</u>	<u>Amount</u>	<u>Assigned Account Number</u>
State Grant	\$ 2,200,000	32.3970.000

	\$ 2,200,000	
	=====	

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

<u>Source</u>	<u>Amount</u>	<u>Assigned Account Number</u>
Restoration	\$ 2,000,000	32.6200.150
Contingency	200,000	32.6200.900

	\$ 2,200,000	
	=====	

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

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

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

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

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

Adopted this 6th day of May 2024.

Charles Watts, Mayor

Jessica Lail, Town Clerk

APPROVED ATTORNEY FEE BUDGET AMENDMENT

Valdese Town Council Meeting

Monday, May 6, 2024

Budget Amendment # 13-10

Subject: Attorney Fees

Description: Attorney fees included in the budget are based on historical need of services billed on an hourly basis. The last few months have had triple the amount of use and associated fees. This results in shortage of funds to pay the Attorney for the final three months of this fiscal year.

Proposed Action:

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

Section I:

The following revenues available to the Town will be increased:

Account	Description	Decrease/ Debit	Increase/ Credit
10.3990.000	General Fund Balance Appr.		30,000
Total		\$0	\$30,000

Amounts appropriated for expenditure are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
10.4200.040	Professional Services	30,000	
Total		\$30,000	\$0

Section II:

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

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

End Consent Agenda

ITEMS REMOVED FROM CONSENT AGENDA: None

BURKE DEVELOPMENT, INC. UPDATE Alan Wood, Burke Development, Inc., President & CEO, gave the Council a BDI update.



Staff and Budget

President and CEO – Alan Wood *Recruitment, Product Development*
BRE Director – Hope Hopkins *Business Retention and Expansion*
Office Manager – Peggy Byrd *Finance and Administration*
Marketing Coordinator – Caleb Gardner *Marketing and Staff Support*



- Burke County
- City of Morganton
- Town of Valdese
- Town of Rutherford College
- Town of Hildebran
- Town of Drexel
- Town of Connelly Springs

Retreat Summary – Plan of Work

Overview
 Burke Development Incorporated had a planning retreat on June 1, 2023. The purpose of this retreat was to identify priorities for Burke Development's future growth and strategies to accomplish these priorities. Board members will share an overview of their portfolios in a group session that will include a strategic plan for Burke Development and a business plan for Burke Development.

1. Housing
 Housing is a critical component of Burke County. In order to plan for additional housing, Burke County needs to support existing businesses and attract new businesses. Burke County needs to have housing that meets the needs of the county's diverse population and to meet growing demand.

2. Marketing
 Burke County needs to have a marketing program to grow the county's economic base and attract new businesses. Marketing is a critical component of Burke County's economic development and to meet growing demand.

3. Infrastructure
 Burke County needs to have infrastructure that supports economic development and to meet growing demand. Infrastructure is a critical component of Burke County's economic development and to meet growing demand.

4. Sites & Buildings
 Burke County needs to have sites and buildings that support economic development and to meet growing demand. Sites and buildings are a critical component of Burke County's economic development and to meet growing demand.

5. Internships/Apprenticeships
 Burke County needs to have internships and apprenticeships that support economic development and to meet growing demand. Internships and apprenticeships are a critical component of Burke County's economic development and to meet growing demand.

6. Childcare
 Burke County needs to have childcare that supports economic development and to meet growing demand. Childcare is a critical component of Burke County's economic development and to meet growing demand.

2. Marketing
 Burke County needs to have a marketing program to grow the county's economic base and attract new businesses. Marketing is a critical component of Burke County's economic development and to meet growing demand.

3. Infrastructure
 Burke County needs to have infrastructure that supports economic development and to meet growing demand. Infrastructure is a critical component of Burke County's economic development and to meet growing demand.

4. Sites & Buildings
 Burke County needs to have sites and buildings that support economic development and to meet growing demand. Sites and buildings are a critical component of Burke County's economic development and to meet growing demand.

5. Internships/Apprenticeships
 Burke County needs to have internships and apprenticeships that support economic development and to meet growing demand. Internships and apprenticeships are a critical component of Burke County's economic development and to meet growing demand.

6. Childcare
 Burke County needs to have childcare that supports economic development and to meet growing demand. Childcare is a critical component of Burke County's economic development and to meet growing demand.

Business Retention and Expansion

Existing Industry – 131 Manufacturing Establishments



Recent Expansions and Locations

Company	Jobs	Company	Jobs
ZroDelta	151	Molded Fiberglass	30
Jackson Corrugated	62	Gerresheimer	100
Marves Industries	25	Unix (warehouse)	100
Unix Packaging	226	Maynard Electric	25
East Coast Bedding	19	Chaddock	25
JE Ekornes USA	102		
Homes Urban	-	Total Jobs Announced	1110
Synergy Labs	60		
EJ Victor	30		
Toner Machining	30		
Meritor	25		
Vanguard Furniture	100		

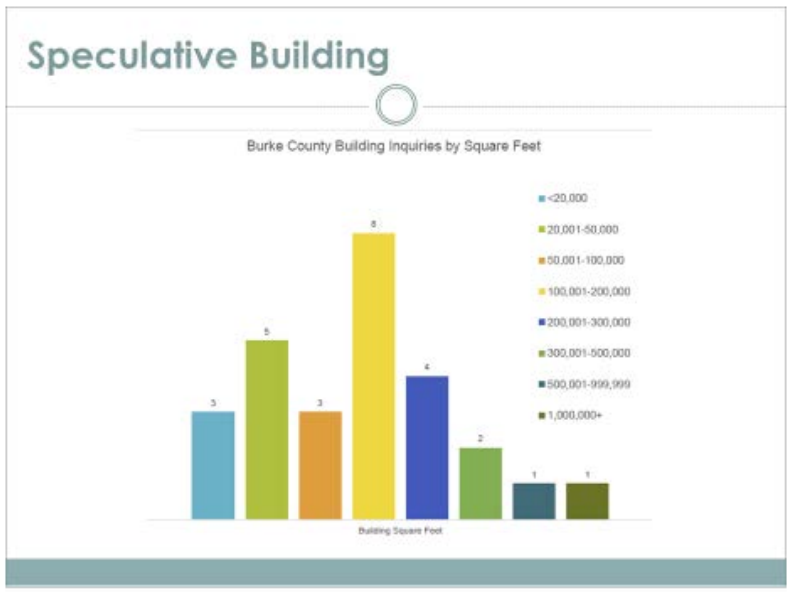
May 6, 2024, MB#32

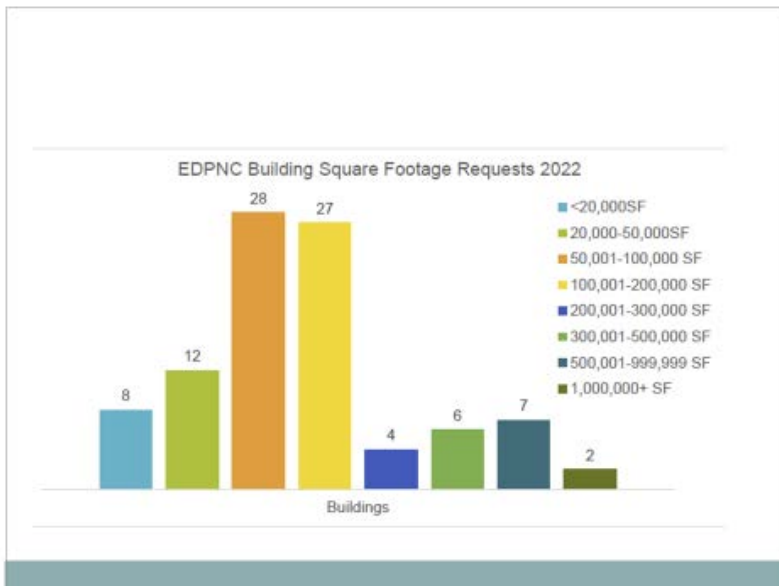
Average Private Sector Wages

2024 Year To Date		2024 Year To Date		2024 Year To Date	
County	Average Private Sector Wage	County	Average Private Sector Wage	County	Average Private Sector Wage
Alamance	\$42,710	Alamance	\$41,209	Watauga	\$48,445
Alexander	\$46,336	Alexander	\$41,662	Wayne	\$54,414
Ashe	\$38,594	Allegany	\$39,469	Catawba	\$49,058
Beaufort	\$45,394	Ash	\$41,500	Carrboro	\$48,179
Bertie	\$43,286	Avery	\$40,124	Cashier	\$41,189
Bladen	\$41,854	Bates	\$45,025	Chatham	\$48,414
Boone	\$48,204	Bay	\$41,411	Cherokee	\$42,863
Burke	\$42,854	Beaufort	\$41,211	Cleveland	\$49,788
Cabarrus	\$46,951	Bladen	\$44,424	Columbus	\$49,788
Caldwell	\$45,322	Camden	\$48,133	Cumberland	\$46,951
Catawba	\$43,021	Carteret	\$47,244	Dalhart	\$41,400
Chatham	\$48,205	Caswell	\$42,431	Davies	\$43,614
Cherokee	\$44,218	Catawba	\$41,201	DeWitt	\$41,889
Chowan	\$38,843	Cay	\$44,424	Dobson	\$41,797
Columbia	\$45,279	Chatham	\$46,248	Durham	\$51,842
Concord	\$45,912	Cherokee	\$45,284	Forsyth	\$48,414
Crawford	\$45,925	Cleveland	\$40,146	Franklin	\$41,889
Cumberland	\$48,218	Craig	\$41,439	Gaston	\$48,414
Dalhart	\$41,889	Cullman	\$48,414	Guilford	\$48,414
Davies	\$41,797	Dare	\$41,518	Harnett	\$41,518
Dobson	\$41,797	Davies	\$41,518	Henderson	\$41,518
Durham	\$51,842	Dawson	\$41,518	Hertford	\$41,518
Forsyth	\$48,414	DeWitt	\$41,518	Hoke	\$41,518
Franklin	\$41,889	Durham	\$41,518	Johnston	\$41,518
Gaston	\$48,414	Davies	\$41,518	Madison	\$41,518
Guilford	\$48,414	Durham	\$41,518	Martin	\$41,518
Harnett	\$41,518	Durham	\$41,518	Mecklenburg	\$41,518
Henderson	\$41,518	Durham	\$41,518	Monroe	\$41,518
Hertford	\$41,518	Durham	\$41,518	New Hanover	\$41,518
Hoke	\$41,518	Durham	\$41,518	Orange	\$41,518
Johnston	\$41,518	Durham	\$41,518	Pender	\$41,518
Madison	\$41,518	Durham	\$41,518	Person	\$41,518
Martin	\$41,518	Durham	\$41,518	Rockingham	\$41,518
Mecklenburg	\$41,518	Durham	\$41,518	Robeson	\$41,518
Monroe	\$41,518	Durham	\$41,518	Rowan	\$41,518
New Hanover	\$41,518	Durham	\$41,518	Sampson	\$41,518
Orange	\$41,518	Durham	\$41,518	Talbot	\$41,518
Pender	\$41,518	Durham	\$41,518	Taney	\$41,518
Person	\$41,518	Durham	\$41,518	Union	\$41,518
Rockingham	\$41,518	Durham	\$41,518	Wade	\$41,518
Robeson	\$41,518	Durham	\$41,518	Warren	\$41,518
Rowan	\$41,518	Durham	\$41,518	Washington	\$41,518
Sampson	\$41,518	Durham	\$41,518	Wayne	\$41,518
Talbot	\$41,518	Durham	\$41,518	Wilson	\$41,518
Taney	\$41,518	Durham	\$41,518	Wolfe	\$41,518
Union	\$41,518	Durham	\$41,518	Yamhill	\$41,518
Wade	\$41,518	Durham	\$41,518		
Warren	\$41,518	Durham	\$41,518		
Washington	\$41,518	Durham	\$41,518		
Wayne	\$41,518	Durham	\$41,518		
Wilson	\$41,518	Durham	\$41,518		
Wolfe	\$41,518	Durham	\$41,518		
Yamhill	\$41,518	Durham	\$41,518		

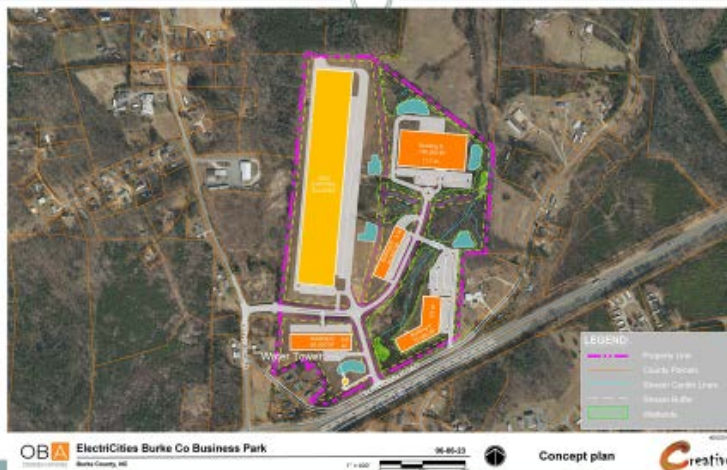
State Average Wage: \$65,409
 Burke Avg. Wage: \$45,083
 Catawba Avg. Wage: \$54,131
 Caldwell Avg. Wage: \$48,333

Product Development

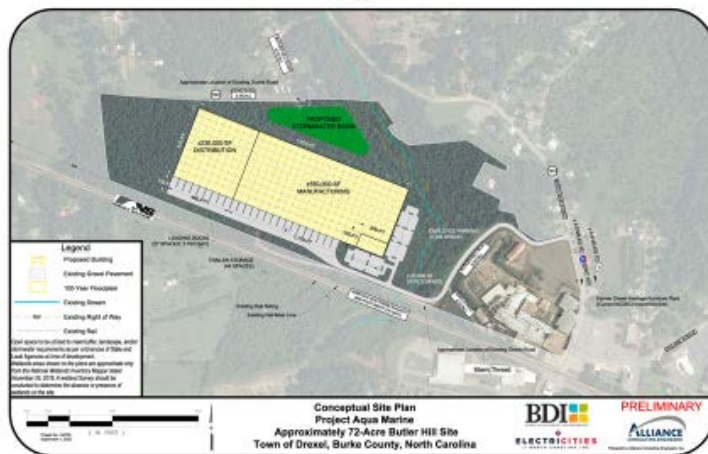




Burke Business Park

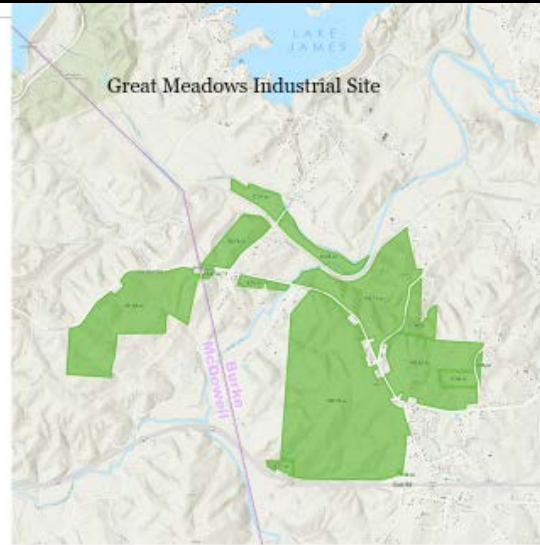


Drexel Business Park



Great Meadows Industrial Site

Western North Carolina Regional Analysis:



BDI Burke County, North Carolina

DISTANCE TO MANUFACTURING FACILITIES FROM GREAT MEADOWS SITE

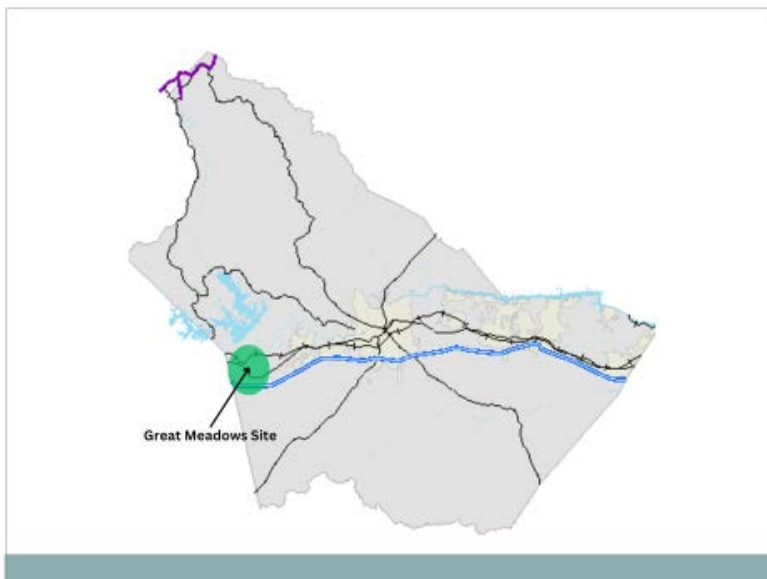


**Automaker announced electrification investment by region
North America, 2021—2023 YTD**

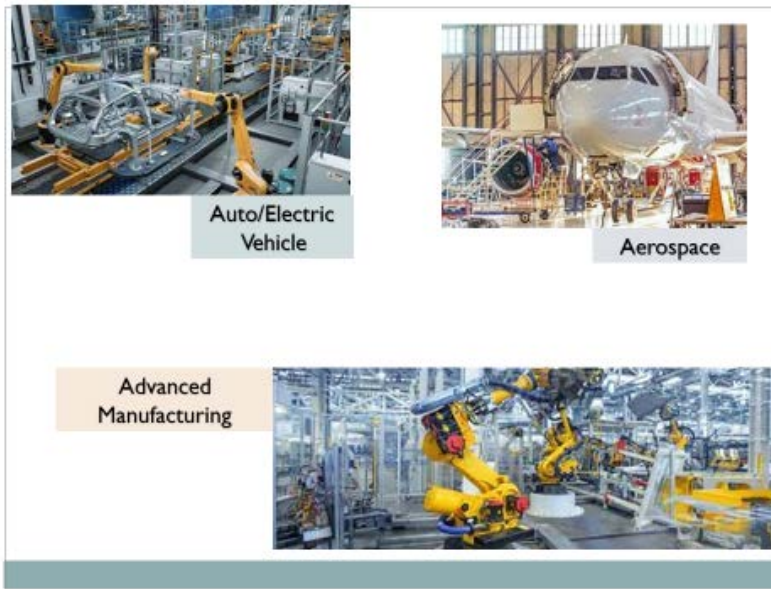
Region Amount (\$USD)	Investment
U.S. South	\$71.2 billion
U.S. Great Lakes	\$61.1 billion
U.S. Other	\$4.8 billion

Source: CAR





Target Industries



Workforce Development

Workforce Development Campaigns

Campaigns to educate students and parents about the jobs and education opportunities in Burke County



Housing



The housing study released in early 2024 shows a shortage of 5,000 units needed over the next four (4) years.

Our Mission



Burke Development, Inc. works to support and promote the development of jobs, investment and wealth in Burke County.



Alan Wood, President & CEO
Burke Development, Inc.
828.764.1818
alan@burkedevinc.com

EFFICIENCY TASK FORCE RECOMMENDATIONS Eddie Perrou, Chairman of the Efficiency Task Force provided the following update and provided a copy to the Town Clerk:

The Efficiency Committee meet at the Public Works Department at 11:30 on Friday May 3.

All members were in attendance and the Interim Town Manager was there for a while.

Councilwoman Rexanna Lowman was there for the entire duration of the meeting along with Mr. Bo Weichel.

Mr. Hudson spent time in his office explaining the many functions of his department and highlighted that he has a lot fewer employees than in the past.

When questioned about the Broadband Company he seemed very complimentary of how they have worked together with all the line breaks and road issues. He explained that having all the lines under the middle of the roads was just a bad situation.

Councilman Ogle went through nearly all the capital improvement items. The committee is most concerned about any potential safety issues. The lift that was put in at 40,000 dollars was questioned by

May 6, 2024, MB#32

committee member Tim Page who said that price was ridiculous. Upon further discussion Alan agreed that maybe he could get the 18,000-pound lift for half that amount. The committee agreed that this expense should be approved for up to \$20,000.

We had a discussion about the roll off that is in the budget. This is used to pick up large amounts of unwanted material from resident's homes. We decided as a group that the current price of 75 dollars is too low. Tim Page said to consider that undercharging for services that private businesses can do is not the function of government. We agreed to recommend to the Council that the price should be \$100.00. The new roll off container is in the budget for \$6,000.

We discussed our Public Works Department working with NC Department of Transportation with regard to our paving needs. The thought being they can negotiate better contracts and do the engineering work as part of the process. The pushback from the staff was that they believe the DOT projects are on a five-year lead time. This needs to be confirmed as to its validity.

We went into the "yard" and checked out all the equipment. It appears that the least used piece of equipment is the gigantic Cat. loader that came from the sewer department and is now housed at public works. We should investigate how much it brings at sale and then do an analysis if it is worth keeping.

It appears that the town has 3 mini excavators, 5 tractors, and two Backhoes. Also, unused the last 2 years 6 snowplows. No recommendation to sell the snowplows even if they have not been needed lately.

At the conclusion of the meeting the Efficiency Committee agreed to present some recommendations to the council.

A cost-of-living increase of 4% to the town employees. Research indicates 3% is not enough and that 5% is too high.

No replacement of the Water Resource Director until a new Town Manager has been appointed.

The Town Hall is grossly underutilized as a building. We defer to the Facilities Committee regarding how this nice space can be used in a more efficient manner. But it is clear the small amount of people in this building is a wasteful endeavor.

We recommend that the Council or new town manager create a written policy regarding the use of town owned vehicles with regards to their personal use.

We recommend the active promotion of selling vacant town properties.

Councilman Harvey feels that we need to spend time on training employees and give them opportunities to grow. Mayor Watts would like to have a career ladder for employees to grow.

DRUG & HOMELESS TASK FORCE REPORT Police Chief Marc Sharpe reviewed the following report:

May 6, 2024, MB#32

**To: Town Manager Bryan Steen
Finance Director Bo Weichel**
From: Chief of Police Marc A. Sharpe
Date: April 26th, 2024
Subject: Homeless and Drug Task Force Report

The Homeless and Drug Task Force has met on two occasions, our first meeting was on Tuesday, March 26th, 2024. In the first meeting discussions surrounded what actually qualified as being homeless and some avenues and thoughts at working with the homeless to better their situation and get them off of the streets. It was determined that so many different avenues contributed to being homeless such as loss of a job, veterans returning from the military, drug problems, alcohol problems, and mental health problems, to just name a few that more information needed to be obtained related to what other cities and towns may be doing to combat these issues. It was decided in this meeting to obtain a head count if possible on the number of homeless identified in Valdese, reach out to the Western Piedmont Council of Governments, locate and identify a mental health professional willing to discuss strategies, and lastly identify any local alcoholics anonymous and narcotics anonymous chapters in the area and obtain information about their meetings before the next meeting.

On Tuesday, April 23rd, 2024 the Homeless Drug Task Force met for a second time and the Western Piedmont Council of Governments was invited to present what they were currently doing with the homeless as the primary basis for this meeting. Ben Willis, Chasity Houck, and James Anders who are all members of the WPCOG provided a PowerPoint presentation to the members of the Task Force. During the presentation it was learned that the COG covers Alexander, Burke, Caldwell, and Catawba Counties working with 24 municipalities. Additionally, studies have shown that between 2018 and 2022 homelessness increased across the country a staggering 48% mostly due to the Covid pandemic. The Cog already has in place a Homelessness Response Team funded by a grant through the US Department of Housing and Urban Development consisting of professionals capable of dealing with the multifaceted

issues of the homeless. They have professionals trained in mental health, housing, outreach, and program management to help the homeless. The Homelessness Task Force has been awarded 4.2 million dollars in their grant to combat these issues in their assigned area.

This is done by forming partnerships in the local community to identify the homeless, identify their needs, and provide resources to get them off of the streets. This is accomplished in basically a (6) six step process identified below:

- (1) Identify possible homeless individuals.
- (2) Data collection from those individuals.
- (3) Verification the individual is in fact homeless.
- (4) Identify the individual's circumstances and needs.
- (5) Offer to provide follow up services and resources to the individual.
- (6) If accepted, actually provide services and resources to the individual.

Members of the Cog through a partnership with the local Police Department participate in an officer ride along program. After signing a liability waiver, (see attached) the Cog member rides along with selected officers to identify the homeless and possibly start intake procedures with the COG, if the individuals identified are receptive to getting off the streets. The standard intake is collecting data from the homeless person such as their identity, social security number, current mental health, and their current circumstances. This data collection will be used to assist in determining what the real factors and percentages of those factors are causing homelessness. That data will assist in identifying what factors appear to be the root of the problem so those factors can be addressed. The data collected will be available for public viewing. This information has not ever been collected by anyone in the past and the current granted task force is the only one doing it.

Data collected provides our community with a more accurate PIT Count (Head Count) of the number of homeless in our area and begins to identify the needs of those individuals identified to remove them from our streets. The Police assist the COG by establishing a safe initial interaction with the homeless individual as well as assisting with obtaining contact information for future follow up. The information obtained during the interaction is verified and COG intake procedures begin so that services can eventually be provided if possible. While every homeless individuals needs and problems are different, once those needs and

problems are identified those individuals are connected with the outreach counselor in the COG related directly to their individual issues and needs. This insures the resources that exist are directed at the identified problem causing the individuals homelessness. As the Police Chief, I am wanting to immediately utilize the COG and begin addressing our homelessness problem in Valdese by starting the ride along program with our officers. I would like to report our successes and failures back to the Town Manager and Council after some period of time has passed to produce a quality assessment of our efforts in this partnership. The Police Departments own head count of Homeless in our Town is currently (16) sixteen individuals. COG would actually determine this to be a high number of homeless for a community of our size and population if our head count is correct. Cog would conduct its own, Pit Count (head Count) which would be a verified count based on Cog's interaction with the individuals and their set criteria. It will be interesting to see what the COG concludes with their professional assessment of the situation once involved and how many of those individuals want help and are actually assisted by Cog's program.

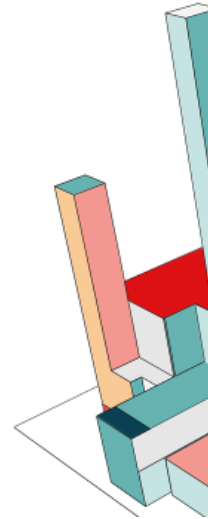
As previously stated, I have attached a Ride Along Waiver for COG members to sign before beginning this process that I drafted for your review which they have agreed to sign. I would like to start a partnership with the COG and direct some of our Community Policing efforts in this direction. This will be valuable in determining the extent of our homeless problem and combat the issue by thinking outside of the traditional box with our approach to address some of the issues the homeless and our community are facing. Lastly, I think this provides us a more accurate account of our efforts to determine if we are helping to solve some of the problems causing homelessness or continuing to spin our wheels. These efforts do not cost our community any additional funds but does take advantage of a federal funded program specifically designed to combat the very problem we are facing. Thank you in advance for your thoughts.

FACILITIES REVIEW COMMITTEE REPORT All of the Facilities Review committee members were present and presented the following presentation:



TOPICS

- Meet the Committee
- The Stuff We Reviewed
- Status of Options
- Our Recommendations
 - Architect & Scope
 - Building Options
 - Site Options



2

NOT THE WISDOM OF THE 1776 “COMMITTEE OF FIVE”

BUT

150 years of Construction and
Facilities Management Experience

- Tessa Collinson
- Jerry Hyde
- Roger Heavner
- Greg Refour
- Glenn Harvey



3

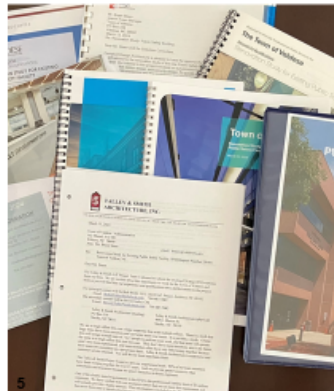
WE REVIEWED HUNDREDS OF PAGES ...



- 2018 - 2022 Designs & Plans
- Council Minutes
- Staff & Architect Emails
- Cost Estimates
- Tax Dollars Spent

4

WE REVIEWED 8 A&E FIRM PROPOSALS



Phase 1 Options

1. Total Renovation vs.
2. Total New Facility vs.
3. Separate PD & FD

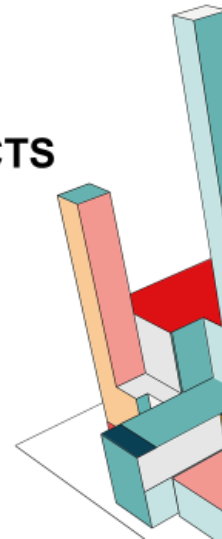
5

RECOMMENDATION #1

HIRE TALLEY & SMITH ARCHITECTS

CONTRACT HAS TWO OPTIONS

1. \$42 to 46,000 – With New Renovation Study.
2. \$10,000 – Less to Summarize and Update Previous Renovation Estimates.



6

A NEW OPPORTUNITY !

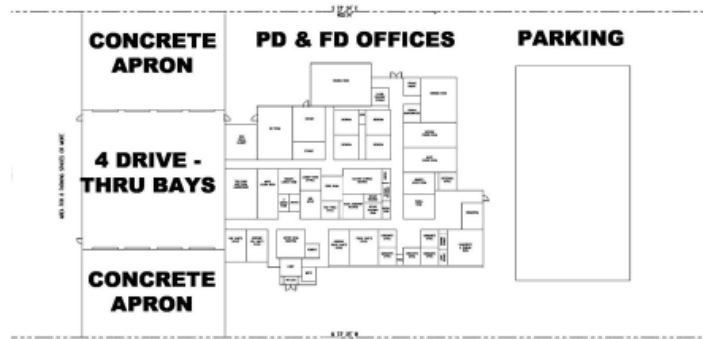
Alba Headquarters Building on St. Germain Street Sold
The Lot South of it – 200 Massel Ave – is For Sale



7

PRELIMINARY SCHEMATIC CONFIRMS

Even the Former, 24,000 SqFt, \$9.2M Building Would Fit



LOT 400' x 190' - SAME SIZE AS TOWN HALL LOT

RECOMMENDATION #2 PURCHASE 200 MASSEL AVE ADVANTAGES

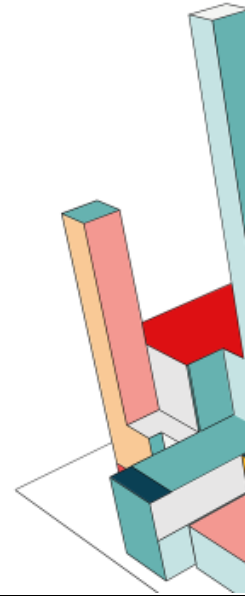
1. Puts Administration, PD & FD on Same Block.
All Central and Near Main Arteries
2. Short-Term and Long-Term Savings
 - a. Site Prep Cost
 - b. Maintenance Forever: 1 vs. 14 acres
 - c. Simplifies A&E Analysis of Options

9

WHERE TO FROM HERE?

TALLEY & SMITH
 Priority #1 Employee Safety

THEN 3 Preliminary Designs & Estimates
 Option 1- Total Renovation
 Option 2 - Total New Facility
 Option 3 - Separate PD & FD

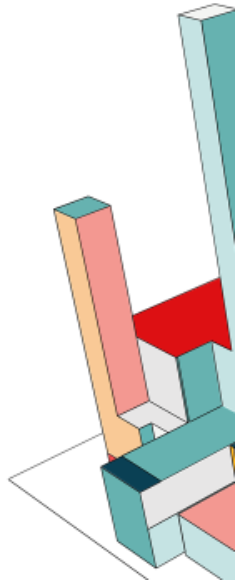


10

OPTIONS 2 & 3

TALLEY & SMITH
WITH CHIEFS SHARPE & WALTON :

- Option 2: Design Combined PD & FD vs. Previous 24,000 SF \$9.2 Million
- Option 3: Separate PD & FD



11

OPTION 3 EXAMPLE VALDESE

Old Town Hall	3500 SF
Occupants	7 Admin
2010	Vacated
2024	Still All HVAC
New Town Hall	11,560 SF
2024	Still Owe \$2.4 M
Occupants	7 Admin

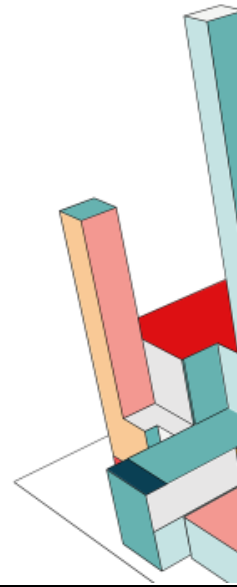
BOILING SPRINGS

Similar Population and Budget	
Town Hall + PD	11,500 SF
2016	Cost \$2.7 M
Occupants	Admin Staff + PD

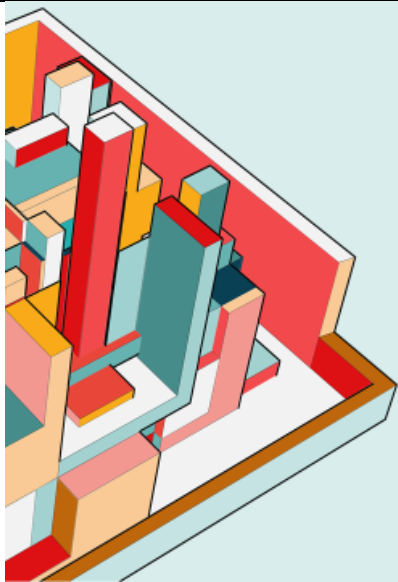
12

RECOMMENDATION #3 MARKET 800 PINEBURR AVE SE

- 1. Not Needed if 200 Massel Ave Aquired**
- 2. Use Proceeds for Public Safety Building**
- 3. Put 14.9 Acres Back on Tax Roll**
- 4. Promote it for Economic Development**
 - a) Affordable Housing, or**
 - b) Job-creating Business**



13



THE SCHEDULE AHEAD

This Month... If Council Approves A&E Contract

- 1. Consider Staff Safety**
- 2. Estimate 3 Options**

August or September...

Committee Will Report Again

THANK YOU FOR THE OPPORTUNITY TO SERVE OUR TOWN

FACILITIES REVIEW COMMITTEE

- Tessa Collinson**
- Jerry Hyde**
- Roger Heavner**
- Greg Refour**
- Glenn Harvey**



May 6, 2024, MB#32

APPROVED OF CONTRACT FOR ARCHITECTURAL FIRM FOR PUBLIC SAFETY BUILDING

Councilman Harvey made a motion to approve the contract for the Architectural Firm for the Public Safety Building as recommended, seconded by Councilman Ogle.

Discussion: Councilman Harvey noted that the contract has been reviewed by the Town Attorney and returned to the Architectural Engineering firm. Like all the contracts that the Town approves, it will be finalized by the Town Attorney and Manager, who will prepare it for the Mayor's signature.

The vote was unanimous.

(A copy of the contract can be obtained in the Clerk's office.)

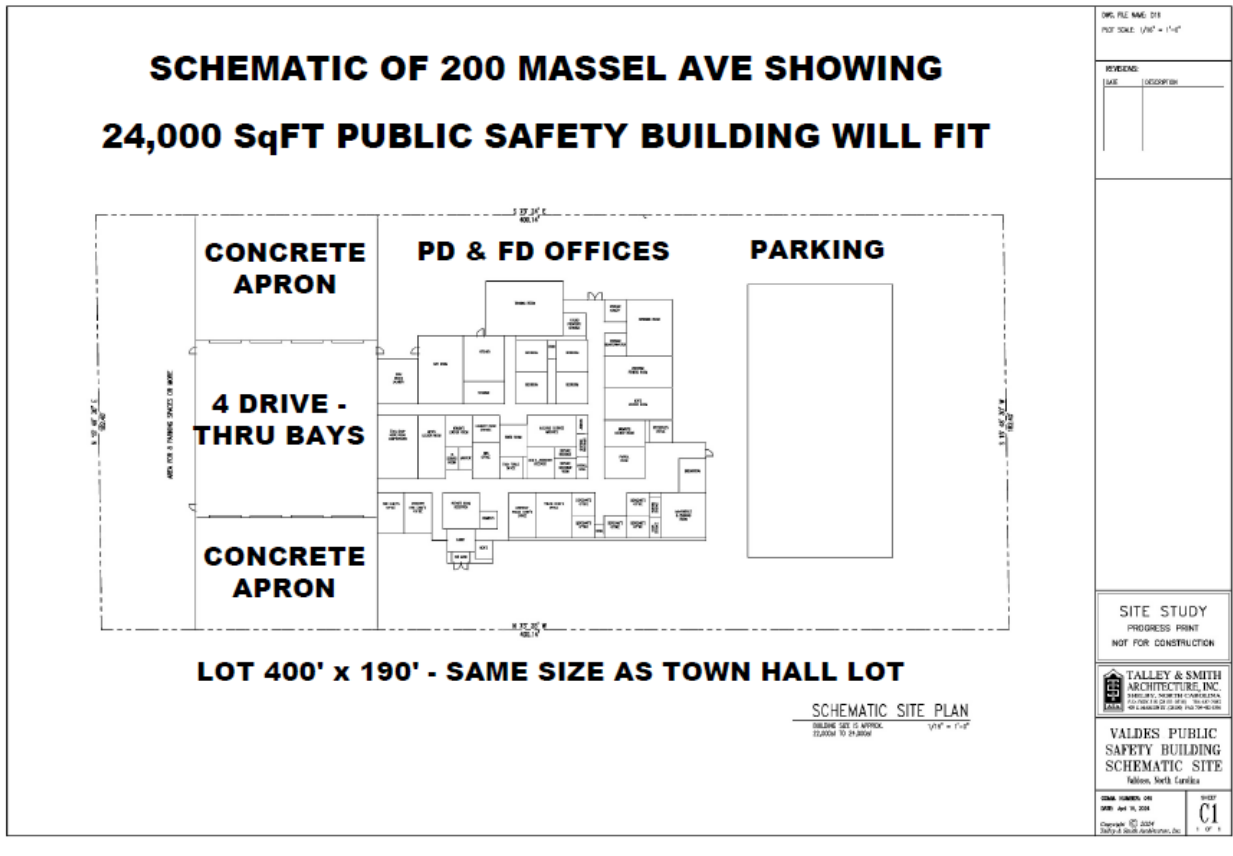
CONSIDERATION OF MAKING OFFER TO ACQUIRE 200 MASSEL AVE Councilwoman Lowman is excited to hear that the 200 Massel Ave. property has become available.



200 Massel Avenue, SW and 100 Faet Street SW

1.73 acres, REID 30874 and REID 14123

Same Size as Town Hall Lot

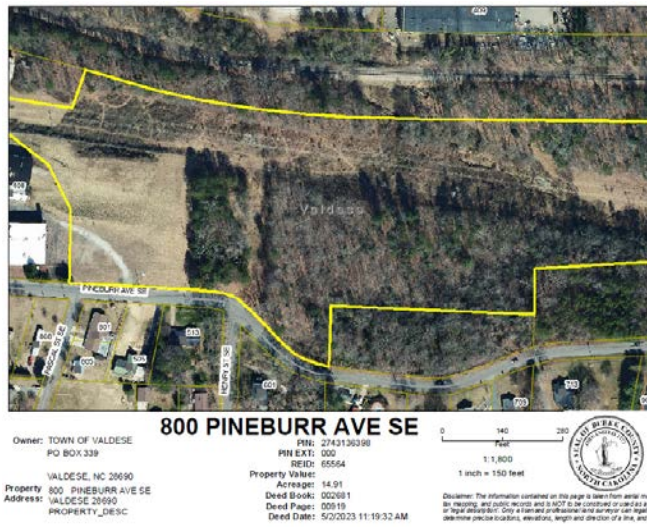


Councilwoman Lowman made a motion to authorize the Manager to enter into an agreement on behalf of the Town of Valdese with Valdese Mills LLC, for the purchase of 200 Massel Ave SW in the amount of \$400,000.00, seconded by Councilman Mears. The vote was unanimous.

CONSIDERATION OF LISTING AGREEMENT FOR 800 PINEBURR AVE SE Councilman Harvey made a motion to approve the exclusive buyer agency agreement with BroadPoint Real Estate Group, seconded by Councilwoman Lowman.

Discussion: Councilman Mears asked who is going to put a value on this property if we are going to sell it. Councilman Mears wants to make sure that if the Town sells this property, we get a fair value. Councilman Harvey shared that the realtor has looked at the property and the area around it and his recommendation is that we list it at \$495,000.00 and then we would go through the upset bid process.

The vote was unanimous.



May 6, 2024, MB#32

Assistant Town Manager/CFO Bo Weichel noted that we would need to add a Capital Project Ordinance Amendment to the agenda for the acquisition of 200 Massel Ave.

ADDED - CAPITAL PROJECT ORDINANCE AMENDMENT

Councilman Harvey made a motion to add a Capital Project Ordinance Amendment for the acquisition of 200 Massel Ave, seconded by Councilwoman Lowman. The vote was unanimous.

APPROVED CAPITAL PROJECT ORDINANCE AMENDMENT Assistant Town Manager/CFO Bo Weichel presented the Capital Project Ordinance Amendment:

Valdese Town Council Meeting

Monday, May 6, 2024

Capital Project Ordinance Amendment # 11-35

Subject: Acquisition of property

Description: To amend Project Ordinance 35 for property purchase and fund adjustment.

Proposed Action:

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

Section I:

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

Account	Description	Decrease/ Debit	Increase/ Credit
35.3480.003	Future Loan	118,132	
35.3480.000	Town Contributions		400,000
Total		\$118,132	\$400,000

Amounts appropriated for capital projects are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
35.5300.040	A&E Services		118,132
35.5300.150	Land Acquisition	400,000	
Total		\$400,000	\$118,132

Section II:

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

Councilman Mears made a motion to approve the Capital Project Ordinance Amendment as presented, seconded by Councilman Ogle. The vote was unanimous.

APPROVED RESOLUTION TO OPPOSE THE CITY OF CHARLOTTE INTERBASIN TRANSFER REQUEST

Water Resources Director Greg Padgett presented the Resolution opposing the City of Charlotte's interbasin transfer request. Mr. Padgett said that we are strongly opposed to this and that Charlotte has other options.

RESOLUTION TO OPPOSE THE CITY OF CHARLOTTE INTERBASIN TRANSFER REQUEST

WHEREAS, North Carolina Environmental Management officials are currently reviewing a request from the City of Charlotte to modify their certificate increase their current transfer of 33 million gallons per day to 63 million gallons of water per day from the Catawba River Basin to the Rocky River Basin; and

WHEREAS, this latest request is a trend of additional interbasin transfer water usage from the Catawba River as evidenced by the following:

Charlotte/Mecklenburg's previously approved certificate of 33 million gallons per day interbasin transfer to the Rocky River in 2002; and

Concord and Kannapolis's previously approved certificate of 10 million gallons per day interbasin transfer to the Rocky River in 2007; and

WHEREAS, the net effect of the aforementioned actions will result in a total increased usage of 73 million gallons per day from the Catawba River Basin to the Rocky River Basin; and

WHEREAS, the Catawba River and its tributaries are not an unlimited supply of water as evidenced by previous years of drought conditions experienced most notably by the Upper Catawba Basin and the entire State of North Carolina; and

WHEREAS, Town of Valdese and the Western Piedmont Region is considered a growth area for the North Carolina with additional water needs in the future; and that there's a valid concern that interbasin transfers of this magnitude may effectively subsidize growth in receiving areas using the limited water resources of the Catawba River Basin; and

WHEREAS, issues of equity and sustainability are in question, as it involves one region bearing the environmental and infrastructural costs of supporting growth in another region, and it is essential to consider the long-term implications and fairness of such resource allocations; and

WHEREAS, reducing the flow of the Catawba River by transferring water could lead to greater concentrations of pollutants in the river, a reduced flow rate diminishing the river's natural ability to dilute and transport pollutants, and have detrimental effects on aquatic ecosystems, recreational activities, and public health within the Catawba River Basin; and

WHEREAS, the Town of Valdese Town Council is concerned the proposed interbasin transfer will limit the amount of water available for withdraw to support growth in our area due to regulation limits under state and federal laws; and

WHEREAS, the Town of Valdese Town Council does hereby express its concern about the long-term availability of water within the Catawba River Basin and believes transferring water from the Catawba River Basin to the Rocky River Basin could indeed limit future growth opportunities for local communities in the Catawba River Basin; and

WHEREAS, the Catawba Wateree Water Resource Management Group is actively working to update its water supply master plan for the entire river basin and Charlotte should wait until that process is complete; and

WHEREAS, previous studies for the Catawba River called for the elimination of interbasin transfers as a strategy to protect the river and water supplies during drought conditions and an IBT should be a temporary measure to accommodate growth and not a permanent solution; and

WHEREAS, the 2015 Water Supply Master Plan for the Catawba River projected Charlotte's current IBT would be sufficient through 2065 and that Charlotte should not increase its IBT for its growth needs over the next 30 years; and

WHEREAS, Charlotte should instead use that time to implement water infrastructure and policies to eliminate its current IBT certificate issued in 2002; and

WHEREAS, water availability is crucial for sustaining economic development, agriculture, and quality of life in growing communities and if water is diverted elsewhere, it may constrain the ability of communities within the Catawba River Basin to support their own development and population growth; and

May 6, 2024, MB#32

WHEREAS, our region should not be forced to give up its potential growth opportunities to subsidize Charlotte growth with our water resources; and

NOW, THEREFORE, BE IT RESOLVED that the Town of Valdese Town Council requests that the North Carolina Environmental Management Commission deny the City of Charlotte interbasin transfer request to modify their certificate to transfer 63 million gallons of water per day from the Catawba River Basin to the Rocky River Basin.

Adopted this 6th day of May, 2024.

/s/ Charles Watts, Mayor

ATTEST:

/s/ Town Clerk

Councilman Harvey made a motion to approve the Resolution to oppose the City of Charlotte's interbasin transfer request, seconded by Councilman Mears. The vote was unanimous.

APPROVED RESOLUTION OF TENTATIVE AWARD OF BID FOR CLINE PUMP STATION UPGRADES

Water Resources Director Greg Padgett shared that Carolina Grading Utilities, Inc., was the lowest responsible bidder for the Cline Pump Station Upgrades. Mr. Padgett noted that the bid was in the amount of \$1,241,190, but the original came in higher than that. Mr. Padgett was able to take a small part of the project out to save some money. Mr. Padgett is going to continue to negotiate with them **for** additional savings.

RESOLUTION OF TENTATIVE AWARD

WHEREAS, the Town of Valdese, North Carolina has received bids, pursuant to duly advertised notice therefore, for construction of the Cline Avenue Basin and Pump Station Improvements project, and

WHEREAS, the Town's Consulting Engineer, McGill Associates, has reviewed the bids; and

WHEREAS, of three (3) bids at the formal, public bid opening, Carolina Grading and Utilities, Inc. of Warrensville, North Carolina was the lowest bidder for the Cline Avenue Basin and Pump Station Improvements project, in the total bid amount of \$1,241,190, and

WHEREAS, the scope of work has been negotiated to reduce the contract price to \$1,157,710, and

WHEREAS, the Town of Valdese will request additional low-interest loan funding from the North Carolina Department of Environmental Quality, Division of Water Infrastructure, and

WHEREAS, the Town of Valdese will appropriate from the utility fund balance enough additional funds for project construction revenues to complete the project.

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

That TENTATIVE AWARD is made to Carolina Grading and Utilities, Inc. for the Contract Price of \$1,157,710.

That such TENTATIVE AWARD be contingent upon the approval of bidding documentation and the commitment of additional funding by the North Carolina Department of Environmental Quality, Division of Water Infrastructure.

That Bryan Steen, Interim Town Manager, the Authorized Official, and successors so titled or titled as Town Manager, is hereby authorized to execute and approve all contract documents, memoranda of negotiation, and change orders for this project on behalf of the Town of Valdese.

May 6, 2024, MB#32

Adopted this the 6th day of May, 2024 at Valdese Town, North Carolina.

/s/ Charles Watts, Mayor

ATTEST:

/s/ Town Clerk

Councilman Mears made a motion to approve the Resolution of Tentative Award of Bid for Cline Pump Station Upgrades, seconded by Councilman Ogle. The vote was unanimous.

APPROVED CONTRACT FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR PERMANENT POOL STRUCTURE Parks & Recreation Director David Andersen shared that the Parks & Recreation Commission and staff recommend the firm of Michael Graves, based in Winston Salem, for the design, construction documents, bidding, and construction administration.

MICHAEL GRAVES

May 3, 2024

David Andersen
Director, CPO
Town of Valdese Parks and Recreation Department
Office: (828) 874-6733
DAndersen@valdesenc.gov

Re: Proposal for Architectural and Engineering Services
Valdese – Draughn Aquatic Center Structure
312 Massel Ave. SE
Valdese, North Carolina 28690

Dear David:

Thank you for this opportunity to provide professional design services for the Town of Valdese. This is an exciting step to install a structure over the existing swimming pool. The following is our proposal to provide Architectural & Engineering services:

THE PROJECT

The Town of Valdese has an existing pool, that has been covered by an inflatable fabric structure for many years. The pool area is adjacent to their existing parks & recreational facility. The Town has decided to proceed with a pre-engineered / pre-fabricated structure (we understand a specification for the structure can be provided by the Town or one of the potential providers, to include in the bid documents).

Architectural and Engineering services are needed, to review the building code compliance and design accommodations for the new structure, including foundations, lighting, mechanical, and fire protection considerations.

SCOPE OF SERVICES

Structural:

Design Development Phase

Prepare foundation plans with construction requirements noted.
Prepare representative foundation and slab sections.
Prepare outline technical specifications for construction on the structural drawings.
Participate in web conferencing coordination meetings to review the work in progress.

1. Construction Document Preparation
 - a. Preparation of detailed drawings for permitting, bidding and construction for one bid phase, which will include all phases of construction. The construction drawings will include plans, sections and details, and specifications applicable to the structural scope of work.
 - b. Participate in web conferencing coordination meetings to review the work in progress.
 - c. Compliance with North Carolina State Building Code requirements and code review

MICHAEL GRAVES

MichaelGraves.com

530 North Trade Street, Suite 301, Winston-Salem, NC 27101 | 336.725.1371

NJ | DC | MD | NY | NC

- agency requirements.
- d. Prepare technical specifications for construction shown on the structural drawings, prepared using Microsoft Word.
- e. Construction documents will be developed using the current version of Revit. Revit Modeling to a maximum LOD: 300

2. Construction Contract Administration

- a. Shop Drawings and Submittal Review.
- b. Provide answers or clarifications to reasonable requests for information from the Contractor.
- c. Site Observation visits during structural phase of work, plus reviews at critical milestones. SKA anticipates that the construction duration for the StructuralPhase of the work will be approximately 4-6 months and includes two (2) site visits.

MEFPF:

Design Development Phase

Perform a review of available existing construction documents.
Perform a site visit to establish existing conditions of the facility.
Prepare mechanical and electrical drawings indicating outside air ventilation systems, heating systems, exhaust systems, lighting, and normal power systems.
Prepare basis of design for fire protection systems.
Prepare outline specifications.
Participate in web conferencing coordination meetings to review the work in progress.

1. Construction Document Preparation

- a. Preparation of detailed drawings for permitting, bidding and construction for one bid phase, which will include all phases of construction. The construction drawings will include plans, details, control diagrams, equipment schedules and specifications applicable to the mechanical and electrical scopes of work.
- b. Provide basis of design drawings for fire protection systems. Fire protection permit design shall be a delegated design provided by fire protection contractor.
- c. Participate in web conferencing coordination meetings to review the work in progress.
- d. Compliance with North Carolina State Building Code requirements and code review agency requirements.
- e. Prepare technical specifications for construction shown on the mechanical and electrical drawings, prepared using Microsoft Word.
- f. Construction documents will be developed using the current version of Revit. Revit Modelling to a maximum LOD: 300

2. Construction Contract Administration

- a. Approval of shop drawings, responses to bid phase questions and RFI's.
- b. Approval of pay applications.
- c. Two (2) site observation visits with field report.
- d. Final inspection.
- e. Project closeout documentation.

PROJECT BUDGET

The Town of Valdese has not provided a construction budget, and the design process will help identify the bid day expectations with third party estimating.

COMPENSATION

We propose providing Architectural and Engineering Services on a fee basis. Based on our understanding of the project we are projecting the following fees:

o Architectural	\$28,560
o Civil Engineering	\$6,720
o Structural Engineering	\$18,000
o Plumbing, Mechanical, Electrical & Fire Protections Engineering	\$47,880
o Construction Cost Estimating (Design Development Estimate)	\$3,840
o Construction Cost Estimating (Construction Document Estimate)	\$3,840
o Total Proposed Advanced Planning Fee	\$108,840

Fee Breakdown

o Design Development / 40% of fee	\$43,536
o Construction Documents / 40% of fee	\$43,536
o Construction Administration / 20% of fee	\$21,768
o Total Fee	\$108,840

Reimbursement for copying and printing will be billed at invoice times 1.1. Out-of-town travel will be billed using the Federal Mileage rate. In the event Additional Services are required they will be approved in advance and billed per our typical rate sheet. Services for consultants will be billed at invoice times 1.20. **Reimbursable Expenses (copying, printing, and mileage) will not exceed \$4,000 – if additional reimbursable expenses are needed, we will seek prior approval before invoicing.**

SCHEDULE

- Designer Selection and Fee Negotiation – week of 4/29/24 sign design fee proposal.
- Town Council Meeting (where the Parks & Rec will provide an update that a designer has been selected and is proceeding with design concept / cost estimating) – 5/6/24
 - o **We need to provide a site markup for the owner to proceed with the following – 1) site survey extents & 2) soil boring locations (see attached slide 13 for a PDF suitable for markup by civil and structural)**
 - o Complete Design Development Documents (based on attached concept) – assuming three weeks to answer the scope questions below, related to sprinkler, site borings, and survey – publish DD docs by 5/24/24
 - o Publish DD statement of Probable Cost (from HarrisCost) – publish 5/31/24
- Town Council Meeting on 6/3/24 (Although Parks & Rec does not need to seek additional approvals – other than the 5/6/24 design fee approval, then the approval to proceed with the apparent low bid for construction)
- Construction Documents (assuming the Town of Valdese accepts the DD budget published on 5/31/24)
 - o Publish Construction Documents by 6/28/24
- Plan Review / Permitting / Bidding (we will assist with this process) – July 2024
- Construction Mobilization – Early to Mid-August 2024 (45 days for footing / slab work, existing fan / grill removal from old bubble, and sprinkler / fire line connection if needed / just before the structure delivery).
 - o Lead Time on the pre-fab building product – 8 weeks (best case) to 12 weeks (contractor would need to order this by Mid-August 2024, to arrive on site by Mid-October 2024), Michael Graves and our engineering consultants should be part of the review / submittal process on this.
 - o Expected erection time on this building product is 8 to 12 days (which puts the erection complete by Late-October)
 - o Sprinkler Installation – Early-November (2 weeks)
 - o Final Inspection 11/15/24
- Owner Occupancy – 11/28/24 (The Town would like to include \$500 / Day Liquidated Damages for schedule delays beyond this date).

CONSULTANTS

We propose the following consultants for this project:

Clayton Engineering	Civil Engineering
SKA Consulting Engineers	Structural Engineering
SKA Consulting Engineers	Plumbing, Mechanical, Electrical, & FP Engineering
HarrisCost	Construction Cost Estimating

TERMS OF AGREEMENT

The attached Conditions of Agreement are incorporated into this proposal.

May 6, 2024, MB#32

Thank you for your time and consideration on this project. If you need additional information, please contact us. If this proposal is acceptable, please return one fully executed copy for our file.

Sincerely,
Walter Robbs Architects, a Michael Graves Company

KEN MCDANIEL

Ken McDaniel, AIA
Principal / President

Charles Watts, Mayor

Accepted By: David Andersen

05/06/2024
Date

Councilwoman Lowman made a motion to approve the Contract for Architectural and Engineering Services for permanent pool structure, seconded by Councilman Ogle. The vote was unanimous.

APPROVED OLD ROCK SCHOOL RENOVATIONS PHASE 2 Community Affairs Director Morrissa Angi shared the following items to move forward with the Phase 2 Old Rock School renovations:

i. **APPROVED RESOLUTION APPLICATION FOR NORTH CAROLINA DEPARTMENT OF COMMERCE RURAL DOWNTOWN ECONOMIC DEVELOPMENT (RDDED) GRANT PROGRAM**

Town of Valdese Resolution
Application for North Carolina Department of Commerce
Rural Downtown Economic Development Grant Program
Old Rock School Rehabilitation Project

WHEREAS, the Town of Valdese Town Council had indicated its desire to assist in development efforts within the town; and,

WHEREAS, the Town Council fully supports the proposed project Old Rock School Rehabilitation which will result in improvements for accessibility and efficiencies at 400 Main Street West, Valdese, NC 28690; and,

WHEREAS, the Town Council wished to pursue a formal application for a Rural Downtown Economic Development Grant in the amount of \$487,500 from the North Carolina Department of Commerce, Rural Downtown Economic Development Grant Program and has contributed the required 5% match of the awarded amount; and,

NOW, THEREFORE, BE IT RESOLVED, by the Town of Valdese Town Council:

That the Town of Valdese is authorized to submit a formal application to the North Carolina Department of Commerce, Rural Downtown Economic Development Grant Program in order to provide assistance to benefit the Old Rock School Rehabilitation Project.

That this Resolution shall take effect immediately upon its adoption.

Adopted this the 6th day of May 2024 in Valdese, North Carolina.

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

Ms. Angi recapped what the \$487,500 will do at the Old Rock School. Ms. Angi said it would replace the interior fire doors, refinishing the hardwood floors and the Waldensian Room floors, removing trip hazards, and replacing the fan cool units on the second floor of the building.

May 6, 2024, MB#32

Councilwoman Lowman made a motion to approve the Resolution Application for North Carolina Department of Commerce Rural Downtown Economic Development (RDED) Grant Program, seconded by Councilman Mears. The vote was unanimous.

ii. **APPROVED RESOLUTION EXEMPTING SURVEY SERVICES FOR 400 MAIN ST. W**

RESOLUTION EXEMPTING SURVEY SERVICES FOR 400 MAIN STREET W, VALDESE, NC (REID: 38377) FROM G.S. 143-64.31

WHEREAS, G.S. 143-64.31 requires the initial solicitation and evaluation of firms to perform architectural, engineering, surveying, construction management-at-risk services, and design-build services (collectively "design services") to be based on qualifications and without regard to fee; and

WHEREAS, the Town of Valdese proposes to enter into a contract for architect services for work on 400 Main Street W, Valdese, NC; and

WHEREAS, G.S. 143-64.32 authorizes units of local government to exempt contracts for design services from the qualifications-based selection requirements of G.S. 143-64.31 if the estimated fee is less than \$50,000; and

WHEREAS, the estimated fee for design services for the above-described project is less than \$50,000.

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

Section 1. The above-described project is hereby made exempt from the provisions of G.S. 143-64.31.

Section 2. This resolution shall be effective upon adoption.

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

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

Councilman Harvey made a motion to approve the Resolution Exempting Survey Services for 400 Main St. W, seconded by Councilman Mears. The vote was unanimous.

iii. **APPROVED AIA DOCUMENT B101 STANDARD FORM OF AGREEMENT BETWEEN OWNER (TOV) AND ARCHITECT (GREENBERG FARROW ARCHITECTURE, INC.)** A copy of the agreement can be obtained in the Clerk's Office.

Councilman Mears made a motion to approve the AIA Document B101 Standard Form of Agreement between Owner (TOV) and Architect (Greenberg Farrow Architecture, Inc.), seconded by Councilman Harvey. The vote was unanimous.

iv. **APPROVED AIA DOCUMENT A101 STANDARD FORM OF AGREEMENT BETWEEN OWNER (TOV) AND CONTRACTOR (HOUCK CONTRACTING, LLC)**

Councilman Ogle made a motion to approve the AIA Document A101 Standard Form of Agreement between Owner (TOV) and Contractor (Houck Contracting, LLC), seconded by Councilwoman Ward. The vote was unanimous.

v. **APPROVED CAPITAL PROJECT ORDINANCE AMENDMENT**

Capital Project Ordinance Amendment # 4-38

Subject: Old Rock School Renovations

Description: To amend Project Ordinance 38 based on the additional grant monies awarded.

Proposed Action:

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

Section I:

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

Account	Description	Decrease/ Debit	Increase/ Credit
38.3970.004	Rural Downtown Economic Downtown Development Grant		487,500
	Total	\$0	\$487,500

Amounts appropriated for capital projects are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
38.6250.150	Renovations	454,500	
38.6250.040	Professional Services	20,000	
38.6250.900	Contingency	13,000	
	Total	\$487,500	\$0

Section II:

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

Councilwoman Ward made a motion to approve the Capital Project Ordinance Amendment, seconded by Councilwoman Lowman. The vote was unanimous.

APPROVED PUBLIC HEARING: REZONING MAP AMENDMENT 1-2-24 - B-1 CENTRAL BUSINESS DISTRICT TO B-2 GENERAL BUSINESS DISTRICT

At 8:21 pm, Mayor Watts opened the public hearing. Planning Director Larry Johnson shared the following information for the Rezoning Map Amendment 1-2-24 - B-1 Central Business District to B-2 General Business District:

Property Location: 210-240 Praley Street NW, 441-540 Main Street West, Colombo Street NW

Parcel ID Numbers: 2733857733, 2733867498, 2733853425, 2733851667, 2733759733, 2733863209, 2733867173, 2733867258, 2733857927, 2733850855, 2733850627, 2733769061, 2733759856, 2733851850, 2733851993, 2733851804, 2733851878, 273385149, 2733856830, 2733756622, 2733852638, 2733852850, 2733852970, 2733758605

Requested Action: Rezone properties from the current designation of B-1 Central Business District to B-2 General Business

BACKGROUND: The Town of Valdese adopted the Valdese Vision: A Land Use Action Plan in January 2014. This development plan was created to establish a vision for the Town's future, help ensure that planning is done in a manner that best serves the public interest, be an adopted policy document that can help guide appointed and elected officials in matters related to the Town's physical growth and development and help constitute the legal basis for the Town's land use decision-making process.

The action matrix of the Valdese Vision identifies action/policy, types of action, responsibility, resource allocation, time, and prioritization. The Downtown/Commercial Development section of the Valdese Vision Land Use Plan prioritizes the rezoning of properties in the downtown area to promote the expansion of the Central Business District and the creation of a new zoning district. The proposed rezoning of the B-1 Central Business parcels to B-2 General Business is part of this process.

The current zoning designation of all twenty-four parcels is B-1 Central Business. The current uses are retail sales and services, personal care establishments, food service, and residential, all allowed in the B-2 General Business District.

REVIEW CRITERIA:

1. Existing land uses in the general vicinity of the subject's property are residential, manufacturing, and retail.

- **North:** The properties to the North are residential and institutional (school).
- **South:** The properties to the South are manufacturing and government (Department of Public Safety).
- **East:** The properties to the East are vacant (proposed multifamily housing) and commercial.
- **West:** The properties to the West are residential and manufacturing.

To the extent to which zoning will detrimentally affect properties in the general vicinity of the applicant's properties, the requested B-2 General Business District permits the zoning uses of the B-1 Central Business District.

2. Traffic

- The Town of Valdese conducted no traffic study. However, the NCDOT traffic volume website reveals an Annual Average Daily Traffic count (AADT) of 8700 vehicles.

No anticipated traffic volume increase is generated from rezoning the twenty-four parcels to B-2 General Business District.

3. Public Services

The extent to which the proposed amendment (zoning map) will cause public services to fall below acceptable levels, public services are in place and serve the area. These include public infrastructure, water and sewer, police and fire protection.

4. Consistency of the proposed zoning with the Valdese Vision: A Land Use Action Plan for the Future

The general area is classified as commercial by the land use plan adopted by the Valdese Town Council. This rezoning petition is consistent with The Valdese Vision: Land Use Action Plan.

REVIEW:

Staff finds Rezoning Petition 1-2-24 *consistent* with the Valdese Vision: A Land Use Action Plan for the Future. In so finding, Staff provides the following review:

1. The Valdese Planning Board requested a zoning map amendment in February 2024 to rezone twenty-four parcels with zoning designations of B-1 Central Business District to B-2 General Business District.
-

2. The parcels' land uses are commercial retail sales and services, food service, personal care establishments, and residential.
3. The B-2 General Business District permits residential uses, including multifamily buildings, planned unit development-residential, and single-family homes.
4. The Planning Board finds this rezoning petition is consistent with The Valdese Vision: Land Use Action Plan. The Land Use Action Plan identifies the parcels for commercial development, consistent with the proposed B-2 General Business designation.
5. The following steps were taken in advance of the public hearing on Rezoning Petition 1-2-24:
 - a. Adjoining property owners were mail (first-class) notifications of the public hearing.
 - b. A Notice of Public Hearing was advertised in the local paper.
 - c. Rezoning Public Hearing signs where appropriate in the rezoning area.

RECOMMENDED ACTION:

1. The Valdese Town Council adopts a statement affirming the consistency and reasonableness with the Valdese Vision: A Land Use Action Plan for the Future.
-

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT TO THE
ZONING MAP OF THE TOWN OF VALDESE

The Valdese Town Council will convene in the Council Chambers of the Valdese Town Hall, at 102 Massel Avenue SW, on May 6, 2024, at 6:00 p.m., to discuss the important matter of rezoning twenty-four parcels from a B-1 Manufacturing District to a B-2 General Business District designation.
Map Amendment #01-02-24

The Valdese Town Council will consider an application to rezone twenty-four parcels located on Main Street West (US Hwy 70), Church Street NW, and Colombo Street NW, further identified the Record Numbers 2733857733, 2733867498, 2733853425, 2733851667, 2733759733, 2733863209, 2733867173, 2733867258, 2733857927, 2733850855, 2733850627, 2733769061, 2733759856, 2733851850, 2733851993, 2733851804, 2733851878, 2733385149, 2733856830, 2733756622, 2733852638, 2733852850, 2733852970, 2733758605. The Valdese Planning Board recommends changing the zoning designation from a B-1 Central Business District to a B-2 General Business District.

The B-2 General Business District intends to encourage the establishment of areas for general business that do not require a central location. The B-2 General Business District is usually the location of retailing goods and services for the traveling public and residents along major radial highways leading out of town. At the hearing, all interested persons may voice objections to the proposed amendment to the Town of Valdese's zoning map. Complete copies of the proposed map amendment and this notice are now available. They will remain on file in the Office of the Planning Department at Valdese Town Hall for the inspection of all interested citizens until the public hearings. Contact the Planning Department at (828) 879-2124 for information regarding the above-listed items.

Interested parties are invited to attend this hearing and present comments. Persons with disabilities who request accommodations should contact Jessica Lail, Town Clerk, at (828) 879-2117 at least 48 hours before the scheduled meeting time.

Publish: April 27, 2024 and May 4, 2024

VALDESE TOWN COUNCIL ZONING MAP AMENDMENT
CONSISTENCY AND REASONABLENESS STATEMENT
Rezoning Petition 1-2-24

On May 6, 2024, the Valdese Town Council met to consider Rezoning Petition 1-2-24 and received a recommendation from the Valdese Planning Board. After considering the Plan (defined below), ordinances,

May 6, 2024, MB#32

maps, recommendations, and other materials presented, the Valdese Town Council makes the following findings and conclusions:

1. In 2014 the Town of Valdese adopted a comprehensive land use plan entitled "The Valdese Vision: A Land Use Action Plan for the Future" (hereinafter the "Plan").
2. The Town of Valdese submitted a Rezoning Petition to the Town of Valdese Planning Board requesting to rezone the properties identified on Exhibit A (the "Properties") from B-1 Central Business to B-2 General Business District.
3. North Carolina General Statute 160D-605(a) provides that when adopting or rejecting a zoning text or map amendment, the governing board shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive or land-use plan.
4. North Carolina General Statute 160D-605(b) provides that when adopting or rejecting any petition for a zoning map amendment, a statement analyzing the reasonableness of the proposed rezoning shall be approved by the governing board.
5. The statement of reasonableness may consider, among other factors, (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment.
6. Existing land uses in the general vicinity of the Properties are residential, manufacturing, and retail. To the extent to which zoning will detrimentally affect properties in the general vicinity of the Properties, the requested B-2 General Business District designation will permit the same zoning uses of the B-1 Central Business District.
7. The NCDOT traffic volume website reveals an Annual Daily Traffic count of 8700 vehicles. A traffic volume increase is not anticipated from rezoning the Properties from B-1 Central Business District to B-2 General Business District.
8. Public services are in place and/or available to serve the area where the Properties are located.
9. The Properties are classified as Commercial by the Plan. The Downtown/Commercial Development section of the Valdese Vision Land Use Plan prioritizes the rezoning of properties in the downtown area to promote the expansion of the Central Business District and the creation of a new zoning district. The proposed rezoning of the B-1 Central Business parcels to B-2 General Business is part of this process. The B-2 General Business District is intended to establish and preserve areas for a general business that does not require a central location. B-2 General Business Districts are normally located along major radial highways leading out of town where they provide retailing goods and services to the traveling public and residents.
10. Rezoning Petition 1-2-24 is consistent with and supports several Plan priorities, including, but not limited to, the following:
 - (a) To ensure that the scale and design of commercial development is consistent with the unique small town character of Valdese, especially in the Central Business District;
 - (b) Rezoning properties in the downtown area to promote expansion of the Central Business District into several additional blocks and create a relevant new zoning district.
 - (c) Evaluate the Town's existing zoning ordinance to determine where amendments are necessary to encourage and enable more compact, mixed-use development.
11. The Town of Valdese's request for amendment was duly considered at a meeting of the Town of Valdese Planning Board. The Planning Board found the Town of Valdese's request to amend the Town's Zoning Map around the Properties from B-1 Central Business to B-2 General Business to be consistent with the Plan.

12. The Planning Board voted five to zero to recommend that Town Council amend the Town's Zoning Map regarding the Properties from B-1 Central Business to B-2 General Business District.

13. The Valdese Town Council hereby finds Rezoning Petition 1-2-24 in regards to rezoning the Properties from B-1 Central Business to B-2 General Business District to be consistent with the Plan.

14. For the reasons provided above, the Town Council also finds that the zoning amendment is reasonable and in the public interest

Based upon the recommendation of the Valdese Planning Board and the findings from the public hearing, the Valdese Town Council finds Rezoning Petition 1-2-24 in regards to rezoning the Properties from B-1 Central Business to B-2 General Business District to be consistent with the Plan and reasonable considering the factors described above. Valdese Town Council hereby approves Rezoning Petition 1-2-24 and the recommendation from the Valdese Planning Board to amend the Town's Zoning Map regarding the Properties from B-1 Central Business to B-2 General Business District.

This ____ day of _____, 2024.

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

Exhibit A
(Properties)

REID	PROPERTY_OWNER	LOCATION_ADDR	PHYADDR_CITY	PHYADDR_STATE	PHYADDR_ZIP
30974	C2LIFE FOUNDATION	210 PRALEY ST NW	VALDESE	NC	28690
49738	BURKE COUNTY PUBLIC SCHOOL BOE	0 PRALEY ST NW	VALDESE	NC	28690
38580	CLONTZ DAVID J DDS	205 CHURCH ST NW	VALDESE	NC	28690
30898	NORVELL VALDESE LLC	540 MAIN ST W	VALDESE	NC	28690
13273	BARGAIN HOUSE APPLIANCE INC	452 MAIN ST W	VALDESE	NC	28690
38589	BURKE COUNTY BOARD OF EDUCATION	305 CHURCH ST NW	VALDESE	NC	28690
11834	LAMBERT CHARLES D SR	204 COLOMBO ST NW	VALDESE	NC	28690
13573	BURKE COUNTY BOARD OF EDUCATION	240 PRALEY ST NW	VALDESE	NC	28690
50591	AUTOZONE STORES INC	441 MAIN ST W	VALDESE	NC	28690
19756	SHREE SAHAJANAND INC	310 MAIN ST W	VALDESE	NC	28690
9697	MCKINNEY JAMES F JR;MCKINNEY BRIAN K	312 MAIN ST W	VALDESE	NC	28690
30928	MCDONALDS CORPORATION	443 MAIN ST W	VALDESE	NC	28690
11709	WALKER GINA PAULINE;BAILEY DERON LA'QUINT	213 COLOMBO ST NW	VALDESE	NC	28690
13458	CPL RENTALS LLC	208 COLOMBO ST NW	VALDESE	NC	28690
38579	CHURCH OF GOD	209 CHURCH ST NW	VALDESE	NC	28690
13046	MAYNARD PATSY D	212 COLOMBO ST NW	VALDESE	NC	28690
8371	CAUSBY'S MAIN STREET STATION LLC	460 MAIN ST W	VALDESE	NC	28690
420	THRONEBURG TIFFANY B	412 MAIN ST W	VALDESE	NC	28690
32550	TOWN OF VALDESE	209 COLOMBO ST NW	VALDESE	NC	28690
10617	YANG KAI;CHANG SHEE	504 MAIN ST W	VALDESE	NC	28690
11708	DANNER DANIEL D;DANNER LAURA H	216 COLOMBO ST NW	VALDESE	NC	28690
14069	CAMP DUSTIN CHARLES;CAMP LEAH FAULKNER	200 COLOMBO ST NW	VALDESE	NC	28690
7845	STROUP STEPHEN H	280 PRALEY ST NW	VALDESE	NC	28690
8372	BUFFINGTON WILLIA	472 MAIN ST W	VALDESE	NC	28690

Mayor Watts asked if anyone wished to speak either for or against the public hearing. Hearing none, Mayor Watts closed the public hearing at 8:31 pm.

Councilwoman Ward made a motion to approve the Rezoning Map Amendment 1-2-24 - B-1 Central Business District to B-2 General Business District and adopt the Consistency and Reasonableness Statement for Rezoning Map Amendment 1-2-24, seconded by Councilman Mears. The vote was unanimous.

PUBLIC HEARING: ZONING ORDINANCE TEXT AMENDMENT 1-2-24 - ARTICLE E – B-2 GENERAL BUSINESS DISTRICT AND M-1 MANUFACTURING DISTRICT At 8:32 pm, Mayor Watts opened the public hearing. Planning Director Larry Johnson shared the following information for the Zoning Ordinance Text Amendment 1-2-24 - Article E – B-2 General Business District and M-1 Manufacturing District:

Requested Action: Staff request amendment to Article B 9-3012 Definitions, Article E 9-3056 B-2 General Business District and 9-3058 Manufacturing District M-1 and 9-3060.

BACKGROUND: During the January 2024 Planning Board meeting, staff noted recent inquiries for uses not listed in the “Uses Permitted by Right,” and guidance from the Planning Board suggested that staff continue with a position that uses not listed are prohibited. The most recent inquiry centered on an inquiry for a “tattoo parlor” location.

Coinciding with the recent inquiry was information from Town Attorney Tim Swanson that it is unlawful to exclude a lawful use from an entire jurisdiction. So, prohibiting any unlisted use is not permissible in the State of North Carolina. Planning Consultant Ben Hitchings concurs with Attorney Swanson’s position and suggests that Valdese could treat it the same as the closest listed in the ordinance or add language for an unlisted use.

Additionally, staff recommended implementing the Valdese Vision: A Land Use Action Plan priority—Downtown/commercial development, which called for the rezoning of properties in the downtown, expansion of the Central Business, and creation of a new Zoning District. This action plan prompted the Valdese Planning Board and staff to review and revise all the current uses permitted by Right in the current zoning districts B-1 Central Business and B-2 General Business District.

Recommendations: The first recommendation is to add “Personal Service Establishment” to the Article B Definitions of the zoning ordinance. A Personal Service Establishment is defined as an establishment that provides services of a personal nature. Typical uses include but are not limited to, beauty shops, barbershops, body modification establishments (e.g., tattoos, piercing, etc.), tanning salons, electronic repair shops, bicycle repair shops, nail salons, laundromats, dry cleaners, and tailors.

The next recommendation is to combine current B-2 uses (barbershops and beauty shops, bicycle sales and repair shops, dry cleaning facilities, and tailor shops) into one listing, Personal Service Establishment.

Another text amendment to the zoning ordinance’s B-2 General Business District section removes “adult establishments” from the B-2 Uses Permitted by Right. This use would be added to the M-1 Manufacturing District. Adult Establishments would be permitted with a Special Use Permit and the use standards identified in Section 9-3065 Special Requirements. The Planning Board has discussed and recommended this amendment in conjunction with the Downtown commercial expansion and creation of a new district. Marked copies of these amendments are enclosed.

TOWN COUNCIL ACTION:

Before taking such lawful action on text amendments, the Town Council shall consider the Planning Board’s recommendations. The Valdese Planning Board supports and approves the amendments and recommends that the Town Council approve Text Amendment 1-2-24.

May 6, 2024, MB#32
NOTICE OF PUBLIC HEARING ON PROPOSED TEXT AMENDMENT TO THE
ZONING ORDINANCE OF THE TOWN OF VALDESE

The Valdese Town Council will convene in the Council Chambers of the Valdese Town Hall, at 102 Massel Avenue SW, on May 6, 2024, at 6:00 p.m., upon amending Article B Definitions and Article E, Use Requirements by Rights.

Text Amendment #01-02-24

The Valdese Planning Board recommends amending Articles B and E. The definition of a Personal Service Establishment is proposed for Article B. Under Article E, the B-2 General District and M-1 Manufacturing District, Uses permitted by right will be revised to include personal service establishments and removing Adult Establishments from the B-2 General Business District to the M-1 Manufacturing District.

At the hearing, all interested persons may voice any objections to the proposed amendment to the Town of Valdese's zoning ordinance. Notice is further given that complete copies of the proposed text amendment and this notice are now and will remain on file in the Office of the Planning Department at Valdese Town Hall for the inspection of all interested citizens until the public hearings. For more information, please contact (828) 879-2124.

Interested parties are encouraged to attend this hearing and present their comments. Persons with disabilities who request accommodations should contact Jessica Lail, Town Clerk, at (828) 879-2117 at least 48 hours before the scheduled meeting time.

Publish: April 27, 2024 and May 4, 2024

VALDESE TOWN COUNCIL TEXT AMENDMENT
CONSISTENCY STATEMENT
Text Amendment 1-2-24

On May 6, 2024, the Valdese Town Council met to consider Text Amendment 1-2-24 and received a recommendation from the Valdese Planning Board. After considering the Plan (defined below), ordinances, maps, recommendations, and other materials presented, the Valdese Town Council makes the following findings and conclusions:

1. In 2014 the Town of Valdese adopted a comprehensive land use plan entitled "The Valdese Vision: A Land Use Action Plan for the Future" (hereinafter the "Plan").
2. The Planning Board recommends text amendments to the following provisions of the Town of Valdese Code of Ordinances:
 - a. Amend Article B, Section 9-3012 Definitions to add and define "Personal Service Establishment" as an establishment that provides services of a personal nature. Typical uses include but are not limited to, beauty shops, barbershops, body modification establishments (e.g., tattoos, piercing, etc.), tanning salons, electronic repair shops, bicycle repair shops, nail salons, laundromats, dry cleaners, and tailors.
 - b. Amend Article E, Section 9-3056 General Business District (B-2) to provide "The General Business District intends to encourage the establishment of areas for a general business that does not require a central location. These districts are generally located along major radial highways leading out of town, providing retailing goods and services to the traveling public and residents."
 - c. Amend Article E, Section 9-3056.1(a) Permitted Uses to remove "Adult Establishments," "Barber and beauty shops," "Bicycle sales and repair shops," "Dry cleaning and laundry pickup stations and dry cleaning facilities," "Laundromats," and "Tailor, dressmaking, and millinery shops" as uses permitted by right in the General Business District (B-2) and to add "Personal Service Establishments" as a use permitted by right in the General Business District (B-2).

May 6, 2024, MB#32

- d. Amend Article E, Section 9-3058.1(b) Permitted Uses to add "Adult Establishments" as permitted uses with a special use permit in Manufacturing District (M-1).
 - e. Amend Article E, Section 9-3065 to defined and address Adult Establishments.
3. North Carolina General Statute 160D-605(a) provides that when adopting or rejecting a zoning text or map amendment, the governing board shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive or land-use plan.
4. Text Amendment 1-2-24 supports the following goals in the Plan:

Priority 1: Commercial/Downtown Development

CD1.2 Ensure that the scale and design of commercial development is consistent with the unique small-town character of Valdese, especially in the Central Business District.

CD1.9 Recruit and help establish more "basic services" businesses to attract more town residents downtown.

CD 1-13 – Rezone properties in the downtown area to promote the expansion of the Central Business into several additional blocks and create relevant new zoning district.

5. Text Amendment 1-2-24 was duly considered at a meeting of the Town of Valdese Planning Board. The Planning Board voted five to zero to recommend that Town Council approve Text Amendment 1-2-24.

Based upon the recommendation of the Valdese Planning Board and the findings from the public hearing, the Valdese Town Council finds Text Amendment 1-2-24 to be consistent with the Plan. Valdese Town Council hereby approves Text Amendment 1-2-24 and the recommendation from the Valdese Planning Board.

This ____ day of _____, 2024.

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST:

/s/ Town Clerk

Mayor Watts asked if anyone wished to speak either for or against the public hearing. Hearing none, Mayor Watts closed the public hearing at 8:39 pm.

Councilwoman Lowman made a motion to approve Text Amendment 1-2-24 - Article E – B-2 General Business District and M-1 Manufacturing District and adopt the Consistency Statement for Text Amendment 1-2-24, seconded by Councilman Mears.

The vote was as follows: Councilman Harvey – Yes, Councilman Mears – Yes, Councilman Ogle – Yes, Councilwoman Lowman – Yes, Councilwoman Ward – No.

INTERIM MANAGER'S REPORT:

Granville Morrow Fun Fish Day is scheduled for Saturday, May 11, 2024, 9:00 a.m. – 1:00 p.m. at McGalliard Falls. Register online at valdese.recdesk.com. Rain Date: May 18, 2024

Family Friday Nights Kickoff Celebration is scheduled for Friday, May 17, 2024, 7:00 p.m. – 10:00 p.m., with Too Much Sylvia, at the Temple Field. Concerts will continue every Friday until August 30, 2024.

Town Offices Closed on Monday, May 27, 2024, in Observance of Memorial Day

Next Agenda Review Council meeting is scheduled for Tuesday, May 28, 2024, 6:00 p.m., Council Chambers, Valdese Town Hall

May 6, 2024, MB#32

Mayor Watts asked if the Council would move the Agenda Review meeting on Tuesday, May 28, 2024, to 3:00 pm instead of 6:00 pm. Councilman Ogle made a motion to move the time to 3:00 pm, seconded by Councilwoman Lowman. The vote was unanimous.

MAYOR AND COUNCIL COMMENTS: Councilman Harvey assured everyone that is using the internet; nobody on this Council has suggested that we not have Broadband internet in Valdese. Councilman Harvey said we are taking care of Valdese as we were elected to do.

Councilman Mears shared that he was never excited about the Pineburr site where the Public Safety building was proposed to be located. He thinks the property next door to Town Hall will be a blessing and more convenient, and Mayor Watts agrees.

Councilwoman Ward thanked everyone for emails and input from citizens throughout the week.

CLOSED SESSION: Mayor Watts called for a motion to recess into Closed Session for:

- **Closed Session Pursuant to NC General Statute 143-318.11(a)(6)** to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee.
- **Closed Session under NC General Statute 143-318.11(a)(3)** to consult with an attorney retained by the Town in order to preserve the attorney-client privilege between the Town attorney and the Town Council, which privilege is hereby acknowledged.

At 8:47 p.m., Councilman Mears made a motion to go into closed session, seconded by Councilwoman Ward. The vote was unanimous.

At 10:24 p.m., Councilwoman Lowman made a motion to return to open session, seconded by Councilman Harvey. The vote was unanimous.

ADJOURNMENT: At 10:25 p.m., there being no further business to come before Council, Councilwoman Lowman made a motion to adjourn, seconded by Councilman Mears. The vote was unanimous.

The next regular Council meeting is scheduled for Monday, June 3, 2024 at Valdese Town Hall.

Town Clerk

Mayor

jl