

**TOWN OF VALDESE  
TOWN COUNCIL MEETING  
JANUARY 4, 2016**

The Town of Valdese Town Council met on Monday, January 4, 2016, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The following were present: Mayor John F. "Chip" Black, Jr., Councilman Keith Ogle, Councilwoman Frances Hildebran, Councilwoman Susan Stevenson, and Councilman Roy F. Sweezy. Also present were Town Manager Seth Eckard, Town Attorney Marc Mitchell, Deputy Town Clerk Thelda B. Rhoney, and various department heads.

Absent: Councilman Gary L. Delp

A quorum was present.

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

**OPEN FORUM/PUBLIC COMMENT:** No one spoke.

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

**APPROVED REGULAR AND CLOSED SESSION MINUTES OF DECEMBER 7, 2015**

**SET PUBLIC HEARING DATE FOR MONDAY, FEBRUARY 1, 2016, 6:00 P.M., FOR ZONING ORDINANCE TEXT AMENDMENT - ALLOWANCE OF ARTISAN FOOD AND BEVERAGE PRODUCERS**

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

***End Consent Agenda***

**ITEMS REMOVED FROM CONSENT AGENDA:** NONE.

**CONTINUE PUBLIC HEARING FOR ECONOMIC DEVELOPMENT INCENTIVES FOR "PROJECT GRAY"** Mayor Black continued the Public Hearing which was opened at the December 7, 2015 meeting. He asked if anyone wished to speak either for or against the project.

Town Manager Seth Eckard said the Town was offering Economic Development Incentives for a company in Valdese that was code named "Project Gray." He said if the company were to leave Valdese there would be a loss of 147 jobs, loss of property tax revenue, loss of \$500,000 in utility revenues (which is 10 percent of entire utility revenue and this would be a \$8 per person per month increase to become revenue neutral). The company "Project Gray" is proposing to stay in Valdese and expand its operation and create 20-40 additional jobs, invest \$8.5 million in capital investment, and anticipate up to 40 percent increase in water usage. The incentive is \$900,000 to be paid over five years or \$180,000 per year. There are performance measures in the incentive where the company is required to meet certain capital investment and water usage thresholds in order to receive their payments.

There being no one else wishing to speak, Mayor Black closed the public hearing.

**RESOLUTION AUTHORIZING INCENTIVES AGREEMENT WITH PROJECT GRAY**

WHEREAS, G.S. §158-7.1 grants to cities and towns the authority to make appropriations for economic development purposes; and

WHEREAS, Project Gray operates a textile dyeing facility at property adjoining US Highway 70 in Valdese, North Carolina; and

WHEREAS, Project Gray employs approximately 150 people at that facility; and

WHEREAS, in 2014, Project Gray paid the Town of Valdese (the Town) more than \$500,000 in water and sewer charges; and

WHEREAS, Project Gray has decided to expand and modernize its textile dyeing operations; and

WHEREAS, Project Gray has considered moving its textile dyeing operations out of the Town and possible new locations have included locations in other states; and

WHEREAS, to induce Project Gray to remain in the Town and to expand its textile dyeing operations in the Town, the Town has agreed to provide certain economic incentive grants as set forth in the proposed Incentive Grant Agreement (the Agreement) between Project Gray and the Town; and

WHEREAS, in exchange for the incentive grants provided in the Agreement, Project Gray has agreed to expand its textile dyeing operations at its Valdese location, which will include Project Gray investing approximately 8.0 million dollars in constructing a new textile dyeing facility, modernizing its existing facility and purchasing new equipment for its Valdese textile dyeing operations; and

WHEREAS, as a result of Project Gray maintaining and expanding its dyeing operation in the Town, the approximately 150 jobs Project Gray now provides in the Town are expected to be retained and within the next five (5) years at least 25 new jobs will be created; and

WHEREAS, as a result of the modernization and expansion of Project Gray's textile dyeing operations, Project Gray expects that within three (3) years after the expansion is completed it will use approximately 30% more water than it presently uses, which will help the Town maintain lower utility rates; and

WHEREAS, retaining and expanding Project Gray's textile dyeing operations in the Town will increase the taxable property, employment, industrial output and business prospects of the Town;

IT IS THEREFORE RESOLVED AS FOLLOWS:

1. The Agreement between the Town and Project Gray is hereby approved.
2. The Town is authorized to appropriate and expend the amount of Town funds necessary for the Town to comply with the terms of the Agreement.
3. The Town Manager of the Town is authorized to execute the Agreement on behalf of the Town.

ADOPTED THIS 4<sup>th</sup> DAY OF JANUARY, 2016.

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

ATTEST: /s/ Town Clerk

Councilman Ogle made a motion to adopt the aforementioned Resolution approving the Incentives Agreement with Project Gray, seconded by Councilwoman Hildebran. The vote was unanimous.

**AUDIT REPORT PRESENTATION - FY 14-15 - LOWDERMILK CHURCH & CO., LLP** (Copy of audit on file in the Office of Finance Director.) Mr. Phil Church of Lowdermilk Church & Co., presented the 2014-2015 audit. He said they gave a clean, unmodified opinion and the audit was submitted to the Local Government Commission which was approved. There were no compliant issues with state and federal funds received. Mr. Rick Hammer reviewed the general fund, utility funds and audit highlights. He said the fund balance increased \$150,028; ad valorem tax collections were \$1,650,910 which was 97.17 percent of the levy.

After a brief discussion, Councilman Ogle made a motion to accept the 2014-2015 audit report as presented, seconded by Councilwoman Stevenson. The vote was unanimous.

**APPROVAL OF FY 15-16 AUDIT CONTRACT - LOWDERMILK CHURCH & CO., LLP** Town Manager Seth Eckard recommended approval of a contract with Lowdermilk Church & Co., to audit the Town's accounts for FY 2015-2016 in the amount of \$15,570, an increase of \$305 from last year.

Councilman Ogle made a motion to approve the Audit Contract for FY 15-16 in the amount of \$15,570, seconded by Councilwoman Hildebran. The vote was unanimous.

**OPTION TO PURCHASE CROWHILL PARK PROPERTY LOCATED AT 605 PINEBURR AVENUE** Mayor Black introduced Western Piedmont Council of Governments Assistant Executive Director Sherry Long. Ms. Long said she was also chairman of the Western NC Housing Partnership, an agency established in the 90s whose mission is to provide affordable housing in Western North Carolina. It was established through Appalachian Regional Commission

(ARC). Ms. Long introduced Ms. Joy Strassel, Western NC Housing Partnership Executive Director. Ms. Long said a tax credit project is a long, drawn-out process. An application would be submitted this January and you would not know until fall. You cannot own the property until you know if you get the tax credits.

Ms. Strassel said they were founded in 1996, non-profit organization, and have assistance with the ARC. They are committed to providing high quality apartment residences for aging populations and workforce families, and are only in the 31 county region of Western North Carolina. They obtain tax credit funding and have developed more than 525 apartments in 16 assets. They have won awards for design. One would qualify with 50-60 percent of median income; rents would be \$400 - \$525. This is not Section 8 Housing.

They are looking at making a \$4 million investment in the Town of Valdese. Their preliminary plans offer 46 units with 8 one bedrooms; 30 two bedrooms; and 8 three bedrooms. Amenities would be a club room, picnic and grill area, playground, benches, walking trails, computer room, and outside management office. Interior amenities include washer/dryer hookups; wood or tile flooring, abundant cabinets, ample closets, they are LEED certified, and space is optimized in all units. They use vinyl siding with brick or stone accents. There would be 92 parking spaces for this development. She said they have high standards, provide ongoing asset management and frequent unannounced site visits. There would be job creation during construction and onsite management jobs once the community is complete. Tise-Kiester Architects serves as their architect and she offered a rendering of a two story walkup building. She also offered photos of facilities in Hudson, Taylorsville, and Newland, NC.

Councilman Ogle said Ms. Strassel mentioned aging and workforce and what did workforce mean to her. Ms. Strassel said workforce to her was individuals who were working in the community or nearby and need to find affordable, high-quality housing. He asked if that would be families. She said any mix of folks.

Councilwoman Stevenson said it would not be all seniors or all workforce. She also asked about handicap accessible units. Ms. Strassel said a number of the units would be first-floor, handicap accessible units.

Councilwoman Hildebran had a question about the option on the property. Town Attorney Marc Mitchell said the project may not go through and the partnership is asking for an option to buy the property that would last through August 2016, which could be extended for 10 months. The purchase price would be the lesser of a fair market appraisal and was covered in the following resolution.

Councilman Ogle said there were two citizens in the audience from the Crowhill area, former Councilwoman Vickie Oxentine and Mt. Calvary Baptist Church Minister Jeff Carter and he asked for their opinion. Both Ms. Oxentine and Pastor Carter said this would be a good project for the community. Councilman Ogle asked Pastor Carter if the church would allow a community meeting and he answered yes.

Planning Director Larry Johnson said if the project comes to fruition, the property would be subject to a conditional use permit and there would be a review of construction plans and the entire project and Council would hold a public hearing for citizen input. He said buffering and transportation/traffic would be covered in the review process.

Mayor Black asked about rent payments and subsidizes. Ms. Long and Ms. Strassel explained. Ms. Long said the median income for two people would be \$25,200 and people would have to have a job to pay their rent. Ms. Strassel said residents would have to have some income to move into the communities.

Councilman Sweezy asked if the project was associated with HUD in any way. Ms. Strassel said not in any way. Ms. Strassel and Ms. Long further described income, personal assets and rent payments.

Town Manager Seth Eckard said the \$4 million nonprofit project would be subject to taxes. Ms. Long said there would also be fees for water and sewer taps and 46 new utility customers. Increased population would increase state shared revenues.

Ms. Strassel said the application would be submitted this month, initial scoring in May 2016, and if they score well they would know if they are awarded credits in August 2016 then after 10 months the land would be purchased and construction would begin which would take 12 months – early summer 2018 for move in.

Councilwoman Hildebran asked what if the project fell through. Ms. Strassel said if they did not get the tax credits they would be done.

Councilwoman Hildebran said she grew up in the Crowhill Community and knew the citizens and in the past the citizens did not want the apartments, but this was a different type project. She visited Millside Manor in Morganton and

spoke with the manager and she believed having an onsite manager would be beneficial and if the citizens didn't meet standards they would be out. She was concerned about adjoining property owners and would need proper buffering. The ingress/egress would be between two houses. The development was proposed for her ward but she represented the entire town. The Town is in need of housing. She said there could be a public hearing and we need population growth and tax base. She said it was a tough decision for her and she appreciated former Councilwoman Vickie Oxentine for being in attendance. She also said she had the upmost respect for Sherry Long and the Western Piedmont Council of Governments staff.

Ms. Strassel said they would be available if there were meetings and would be available to answer questions.

Councilwoman Stevenson said this was a major decision and housing was needed and this would be a nice project for the community.

Councilman Ogle recommended a meeting with the citizens on getting the word out about the project.

Councilman Sweezy said there would be a public hearing for the conditional use and what would happen if the conditional use were not approved. Mr. Mitchell said if the option were approved then you would want to approve the conditional use permit, it would be like any other conditional use.

Mayor Black said a public meeting in the community was recommended by Councilman Ogle and could be scheduled to talk about the project and what was being considered. Councilman Ogle agreed.

Mayor Black asked Pastor Carter if the meeting could be held at Mt. Calvary and the pastor said yes. Mr. Eckard said information could also be posted on the Town's website regarding frequently asked questions about this project. Mr. Eckard said there could be pictures, information, process, and answers to anticipated questions from the public.

Mayor Black asked if the resolution were adopted, would the Town Manager schedule an informational meeting for the citizens. Mr. Eckard said yes. Councilwoman Hildebran said there needed to be a fact sheet in advance advising citizens this would not be a Section 8 housing unit as the citizens in the Crowhill Community would not know what that meant and that it would be affordable housing and not public housing or low to moderate. Ms. Strassel said it would be 50 and 60 percent median income. Councilwoman Hildebran said they need to be on the same page as a Council and speak the same terminology such as the project would be affordable housing and if the term low to moderate were used that would refer back to Section 8.

Mr. Mitchell said he used low to moderate in the proposed resolution because that was the language in the NC Statutes for public use.

Mr. Eckard asked Ms. Strassel to review the application process. She said the property management agent would require proof of income, background and credit checks, and previous landlords would be contacted.

Mr. Eckard asked if someone wanted to rent and had a domestic violence charge against them that they would not be able to live there. Ms. Strassel said that was correct.

Mr. Eckard asked if this would be an official meeting of the Town Council or just a public input meeting and Mayor Black said this would be a public input meeting for the education of citizens in the community.

**RESOLUTION APPROVING THE GRANTING OF AN OPTION TO  
WESTERN NC HOUSING PARTNERSHIP, INC.  
TO PURCHASE TOWN PROPERTY PURSUANT TO G.S. 160A-279**

WHEREAS, the Town of Valdese owns two adjoining lots, a 5.62-acre more or less tract (PIN 2733637157) and a .388-acre more or less tract (PIN 2733639402), said parcels being the parcels on which the Crow Hill Park was located (the property); and

WHEREAS, G.S. 160A-279 authorizes a town to convey real property by private sale to a nonprofit corporation if the town is authorized to appropriate money to that corporation; and

WHEREAS, G.S. 160A-456(b) authorizes a town council to exercise directly those powers that are granted to housing authorities; and

WHEREAS, a basic power granted to housing authorities is the power to prepare, carry out, and operate housing projects; and

WHEREAS, a housing project, as defined in G.S. 157-3(12), includes programs that assist developers of multifamily housing; and

WHEREAS, G.S. 160A-20.1 authorizes towns to appropriate money to private organizations to carry out any activity that a town could carry out directly; and

WHEREAS, the Town of Valdese is therefore authorized to appropriate money to private organizations that develop multifamily housing for persons of low or moderate income; and

WHEREAS, because a town may appropriate money to such organizations, G.S. 160A-279 authorizes the private sale of real property to such organizations; and

WHEREAS, Western NC Housing Partnership, Inc. (WNC) proposes to purchase the property and use the property to provide housing for persons making not more than 60% of the median income of the area; and

WHEREAS, providing affordable housing to such low or moderate income persons would benefit the Town of Valdese and help meet the housing needs of its citizens; and

WHEREAS, WNC has asked the Town of Valdese to grant to WNC an option to purchase the property at a purchase price that is the lesser of the fair market value of the property as determined by appraisal, the sum of \$60,000 or \$10,000 per acre; and

Whereas the proposed option would terminate on August 31, 2016, subject to it being extended by WNC for an additional 10 month period; and

Whereas, the town council is of the opinion that providing housing for persons of low and moderate income would be in the best interest of the citizens of the town and that the construction of housing units would increase the town's tax base;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Pursuant to G.S. 160A-279, the mayor of the Town of Valdese is authorized to execute on behalf of the Town of Valdese an option agreement with WNC upon the terms set forth above.
2. If WNC exercises its option to purchase the property, the mayor is authorized pursuant to G. S. 160A-279 to execute on behalf of the Town of Valdese a deed conveying the property to WNC.
3. The town clerk shall publish a notice pursuant to G.S. 160A-267 summarizing the contents of this resolution, and the sale of the property may not be consummated until 10 days after the publication of that notice.

THIS, the 4<sup>th</sup> day of January, 2016.

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

ATTEST: /s/ Town Clerk

After a brief discussion, Councilman Ogle made a motion to adopt the aforementioned Resolution, seconded by Councilman Sweezy. The vote was unanimous.

**AWARD OF BID – I & I SEWER IMPROVEMENTS** Mr. Benjie Thomas with West Consultants said Cavanaugh was hired a number of years ago through a grant to try to find out where rain water was getting into the sewer system and it was discovered that the Cline Avenue area was one of the main contributors. West Consultants was hired to do an engineering report, produce plans and specifications, bid the project, and oversee construction. He presented the following bids: The low bid submitted for Contract A for Sewer Pipe Rehabilitation was Insituform Technologies, LLC of Chesterfield, MO, in the amount of \$72,167.60. (Other bids: Iron Mountain Construction Co., Inc., Mountain City, TN - \$79,382.76; Layne Inliner, LLC, Gastonia, NC - \$97,928; Steppe Construction, Inc., Mill Spring, NC - \$109,996.40; and Atlantic Coast Contractors, Inc., Denver, NC - \$131,790.) The low bid submitted for Contract B for Various Sewer System Improvements was from Iron Mountain Construction Co., Inc., of Mountain City, TN, in the amount of \$116,880 plus the addition of the Alternate Bid of \$4,400 = \$121,280, which was recommended by West Consultants. (Other bids: Atlantic Coast Contractors, Inc., Denver, NC - \$129,681 plus \$1,600 = \$131,281; Insituform Technologies, LLC,

Chesterfield, MO – \$140,292.50 plus \$4,807 = \$145,099.50; Shiloh Utilities, Inc., Eden, NC - \$140,455 plus \$3,000 = \$143,455; and Steppe Construction, Inc., Mill Spring, NC - \$140,955 plus \$4,000 = \$140,955.) Total for lowest bids of both Contract A and Contract B = \$193,447.60.

Mr. Thomas recommended that Council also adopt the following resolution:

**RESOLUTION OF AWARD TOWN OF VALDESE  
2015 SEWER SYSTEM I/I IMPROVEMENTS  
BURKE COUNTY, NORTH CAROLINA  
CWSRF NO. CS370396-08**

WHEREAS, the Town of Valdese solicited for bids for the 2015 Sewer System I/I Improvements project; and

WHEREAS, the Bids were publicly opened on December 8, 2015 and read aloud; and

WHEREAS, the Town of Valdese received a loan offer from the NCDEQ State Revolving Fund (SRF) program in an amount of up to \$285,917.

NOW; THEREFORE BE IT RESOLVED BY THE TOWN OF VALDESE TOWN COUNCIL that the construction contracts be awarded to, subject to final documentation and final funding being approved by the aforementioned funding agency, in accordance with the Engineer's recommendation:

Contract A: Sewer Pipe Rehabilitation Insituform Technologies, Chesterfield, MO	\$72,167.60
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Contract B: Various Sewer System Improvements Iron Mountain Construction, Inc., Mountain City, TN	\$121,280.00
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Adopted this the 4<sup>th</sup> day of January, 2016, at Valdese, Burke County, North Carolina.

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

ATTEST: /s/ Town Clerk

After a brief discussion, Councilman Ogle made a motion to approve aforementioned resolution approving the lowest bid for Contract A and Contract B, seconded by Councilwoman Stevenson. The vote was unanimous.

**LEASE AGREEMENT WITH NORFOLK SOUTHERN RAILWAY COMPANY** Town Manager Seth Eckard said he was contacted by Norfolk Southern Railway Representative regarding a lease agreement for property across from the Parks and Recreation Center used for parking. The amount of the lease would go from \$182 to \$2,500 per annum. He negotiated a price of \$1,750 per annum.

After a brief discussion, Councilwoman Hildebran made a motion to approve the aforementioned lease agreement with Norfolk Southern Railway in the amount of \$1,750 per annum, seconded by Councilman Sweezy. The vote was unanimous.

**MAYOR AND COUNCIL COMMENTS:**

**DOWNTOWN CHRISTMAS LIGHTING** Councilwoman Stevenson said the Christmas lights on the downtown poles approximately every other one was out. Mr. Duckworth said there were several accidents in town that took out street lights and when that happens it takes out several.

Mr. Eckard said there were approximately 100 light poles along Main Street and there are approximately 20 hit by vehicles every year.

Councilwoman Hildebran said she received complaints about the downtown Christmas lights regarding the blue bulbs, small bows, etc., and she recommended this issue be discussed at the Budget Retreat.

Mayor Black said he remembered the choices were limited. Public Works Director Bryan Duckworth said that was correct as the electrical circuits were owned by Duke Energy and with the old arrangements with the star on top of the power poles and due to age and electrical service along Main Street there was stress on the poles that overloaded the electrical circuit. Staff looked at the situation with Duke Energy we were forced to go with LED lighting with less

electrical draw and something the system could support. Duke Energy would not allow the Town to place any type lights on the poles if it were up to them.

Mr. Eckard said the Town was grandfathered in with some exceptionally low lease rates for the current poles and if we were to go with new poles and LED state-of-the-art lighting we would have to pay for the poles and a higher lease payment every month which would significantly increase the operating expenses.

Mayor Black said this could be discussed at the Budget Retreat.

Mr. Duckworth said this issue was discussed with his staff this date and he asked Members of Council to please ride through downtown from the 100 Main Block East (from Rodoret Street to Italy Street) and look at the bulbs.

**GARBAGE/LEAF REMOVAL** Councilman Ogle thanked the Public Works Department Staff for cleaning streets of garbage and leaves. He said he received several compliments about the fine job by staff.

Mr. Duckworth said the Public Works Department began tracking the number of trash stops and the tons of garbage picked up on a weekly basis. During a normal week they would pick up approximately 25 tons of garbage and over Thanksgiving they picked up 38 tons and over Christmas they picked up 41 tons of trash, 16 extra tons of trash. Staff would be looking at recycling opportunities such as a campaign to encourage recycling and other ideas.

**POTHOLE – MAIN/LAUREL STREETS** Councilwoman Hildebran said there was a pothole at Main/Laurel and requested that staff report the pothole as this was a NCDOT issue.

**COUNCIL RULES OF PROCEDURES** Mayor Black said he attended the New Mayor Conference along with Town Manager Eckard and there were three things Council does not have:

1. Contentious meetings;
2. Local rules of procedures, we have local rules but they are not written such as a second for motions which are not required. The NC School of Government has written rules of procedures to consider. He asked Members of Council if that would be something they would like to consider or look at; and
3. Rules regarding public comment/open forum which has never been a problem; however, in some cases there could be a staff member to assist citizens in signing up to speak at the meeting. It was discovered that concerns from citizens could be routinely handled by staff such as Public Works issues before bringing to Council.

Mayor Black said the time to consider implementing the rules would be before there was a problem. He said if Council was interested he would ask the Manager to get booklets from the NC School of Government. Council agreed to Mayor Black's suggestion.

#### **MANAGER'S REPORT:**

**CITIZENS ACADEMY** Community Affairs Director Barbara Hefner said it would begin March 24, 2016, and it had been posted on the website and added to the Calendar of Events that was sent out this date.

Mr. Eckard said they would accept applications for up to 20 citizens of Valdese and there would be seats for our youth and they would like a diverse class. He asked that anyone who would like to know more about their local government to please apply for the Citizens Academy. There was an agenda posted on the Town's website for people to review and there would be a press release in the near future.

#### **TOWN OFFICES CLOSED MONDAY, JANUARY 18, 2016, IN OBSERVANCE OF MARTIN LUTHER KING, JR., HOLIDAY**

At 7:22 p.m., there being no further business to come before Council, Councilman Ogle made a motion to adjourn, seconded by Councilwoman Hildebran. The vote was unanimous.

The next meeting is a regularly scheduled meeting on Monday, February 1, 2016, 6:00 p.m., Valdese Town Hall.

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Town Clerk

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Mayor

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**TOWN OF VALDESE**

**QUORUM PRESENT - Crowhill Community Meeting - Pine Crossing Housing Development - Question and Answer Session**

**WEDNESDAY, JANUARY 27, 2016**

On Wednesday, January 27, 2016, 5:30 p.m., a question and answer session was held at Mt. Calvary Family Life Center, 709 Praley Street, SW, Valdese, North Carolina, to update citizens on the proposed Crowhill Community - Pine Crossing Housing Development. Western Piedmont Council of Governments Assistant Director Sherry Long and Western NC Housing Partnership Executive Director Joy Strassel offered an overview of the development.

A quorum of the Valdese Town Council was present: Mayor John F. "Chip" Black, Jr., Councilwoman Frances Hildebran, Councilwoman Susan Stevenson, Councilman Roy F. Sweezy, and Councilman Gary L. Delp. Also present were Town Manager Seth Eckard, Planning Director Larry Johnson, Police Chief Jack Moss, and Community Affairs Administrative Specialist Morrissa Angi.

A quorum was present. No action was taken.

Mayor Black thanked everyone in the community for attending.

At 5:45 p.m., Ms. Strassel and Ms. Long offered an overview of the development which was presented at the January 4, 2016 Council Meeting.

A woman asked about the Briarcreek Apartment complex nearby that was vacant and if the partnership could renovate. Ms. Strassel said the partnership did not specialize in renovating property.

Town Manager Seth Eckard said there was interest by someone to purchase and renovate the Briarcreek Apartment complex.

Police Chief Jack Moss addressed citizen concerns regarding drug issues by saying drugs were not just a problem in affordable housing complexes but throughout the entire town. He said the Police Department works very hard, along with the Burke County Narcotics Task Force, to get drugs off our streets.

Mayor Black said the development was not a done deal and it would be August before the housing partnership would know if it would receive funding.

Councilwoman Hildebran thanked everyone in her Ward for attending the question and answer session.

At 7:45 p.m., there were no additional comments or questions from the citizens.

The next Council meeting is a regularly scheduled meeting on Monday, February 1, 2016, 6:00 p.m., Valdese Town Hall.

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL MEETING  
FEBRUARY 1, 2016**

The Town of Valdese Town Council met on Monday, February 1, 2016, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The following were present: Mayor John F. "Chip" Black, Jr., Councilman Keith Ogle, Councilwoman Frances Hildebran, Councilwoman Susan Stevenson, Councilman Gary L. Delp, and Councilman Roy F. Sweezy. Also present were Town Manager Seth Eckard, Town Attorney Marc Mitchell, Deputy Town Clerk Thelda B. Rhoney, and various department heads.

Absent: None.

A quorum was present.

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

**OPEN FORUM/PUBLIC COMMENT:**

**GARY OGLE – 121 LADY SLIPPER LANE, SW, (MORGAN TRACE) VALDESE** Mr. Ogle wanted to know who makes decisions on the groups who come to play music either for Rock School, Family Friday Nights or during the June, July, August concerts when the streets are closed. He believed there could be more input to those decisions whether a music committee or from the community or whatever Council wanted. Mayor Black said he did not know the answers and he recommended Mr. Eckard or Ms. Hefner get back with Mr. Ogle.

Mr. Ogle said to enter Hwy 70 from Tunnel Road, looking west at Pizza Hut and going east towards Valdese, there was a sign that read NC Governors Economic Council (he was not sure of the exact wording) that was installed by the State. There was a gentleman that lives in his neighborhood who said there had been two accidents at Tunnel Road/Hwy 70 and there was a blind spot at that location. He said there were a lot of elderly citizens in his neighborhood.

Mr. Ogle said he attended the question and answer session regarding the Pine Crossing Housing Development last Wednesday, January 27, 2016, at Mt. Calvary Baptist Church, and there was a good turn out and the presenters did a real good job. He understands the community concerns but also understood the economic value and he was in total support of the development.

Councilwoman Hildebran said she lives in the Morgan Trace community also and before the sign was put up along Hwy 70 there had been accidents at that intersection, with her being one of them. She said the issue had been addressed and Public Works staff had cut the banks and trees back and they responded well from complaints from the citizens in the community. This was a state issue and the Town had done everything to protect that intersection.

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

**APPROVED MINUTES – JANUARY 4, 2016**

**ADOPTED RESOLUTION AUTHORIZING APPLICATION FOR NC MAIN STREET SOLUTIONS FUND – OLD WORLD BAKING COMPANY**

**RESOLUTION AUTHORIZING APPLICATION FOR  
NORTH CAROLINA SMALL TOWN MAIN STREET SOLUTIONS FUND**

WHEREAS, The Town of Valdese has been actively involved in the North Carolina Main Street Program in order to improve the economic wellbeing of its community; and

WHEREAS, The Town of Valdese has proposed a project to bring new jobs to the downtown district and improve surrounding buildings façade; and

WHEREAS, the North Carolina Department of Commerce has available a fund known as the Main Street Solutions Fund and is authorized to award grants through this program which is a reimbursable matching (two for one) grant program; and

February 1, 2016, MB#30

WHEREAS, the Town of Valdese Mayor and Council have endorsed and support the proposed project; and

WHEREAS, the Town of Valdese agrees to the guidelines set forth in the grant agreement; and resolves to carry out the proposed project.

NOW THEREFORE BE IT RESOLVED, the Town of Valdese authorizes its Town Manager to submit an application for the Old World Baking Company Project to the North Carolina Main Street Solutions Fund.

Adopted this 1<sup>st</sup> day of February, 2016.

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

ATTEST: /s/ Town Clerk

**APPROVED REQUEST FROM WALDENSIAN HERITAGE WINES TO SELL WINE AT THE ROCK SCHOOL ART GALLERY RECEPTIONS ON MARCH 13, 2016 (2:00 – 4:00 P.M.); JUNE 9, 2016 (5:30 – 7:30 P.M.); AND OCTOBER 2, 2016 (2:00 – 4:00 P.M.)**

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

***End Consent Agenda***

**ITEMS REMOVED FROM CONSENT AGENDA:** NONE.

**RECOGNITION OF RETIRING COMMUNITY AFFAIRS DIRECTOR BARBARA HEFNER AND NEWLY APPOINTED COMMUNITY AFFAIRS DIRECTOR MORRISSA ANGI** Mayor Black presented Ms. Hefner with the following Resolution:

**RESOLUTION OF APPRECIATION FOR BARBARA HEFNER**

WHEREAS, Barbara Hefner for the past 12 years has served the Town of Valdese with distinction as a committed and dedicated Town employee; and

WHEREAS, these 12 years of service have been marked by exemplary dedication to the best interests of the community as she worked constantly to support tourism and economic development; and

WHEREAS, Barbara Hefner served on numerous State and Local Boards and Commissions and served as Staff Liaison for the Town of Valdese Rock School Advisory Commission; Valdese Tourism Commission; Valdese Youth Council; and served on the Western Piedmont Sister Cities Association; and

WHEREAS, Barbara Hefner, while serving as Community Affairs Director, coordinated the Annual Waldensian Festival, Family Friday Nights, Bluegrass at the Rock, Christmas in November, and the Valdese Farmers Market; and

WHEREAS, Barbara Hefner has earned the admiration and high regard of those with whom she has encountered and she also earned the affection of her fellow public servants, who are proud to call her "friend."

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Valdese as we take this occasion to express honor, respect, and admiration to BARBARA HEFNER for her outstanding contributions to the Valdese Community.

BE IT FURTHER RESOLVED, that the Town Council of the Town of Valdese, North Carolina, hereby expresses its sincere appreciation and gratitude to Barbara Hefner for her leadership during the past 12 years as its Community Affairs Director and extends congratulations and best wishes as she begins a new chapter in her life called, "Retirement."

Adopted this the 1<sup>st</sup> day of February, 2016.

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

Town Manager Seth Eckard introduced the next Community Affairs Director Morrissa Angi.

**PUBLIC HEARING FOR ZONING ORDINANCE TEXT AMENDMENTS – ARTISAN FOOD AND BEVERAGE PRODUCERS** Planning Director Larry Johnson reviewed the proposed amendments to the Zoning Ordinance regarding Artisan Food and Beverage Producers. He said Mr. Donald Smith approached Council in September 2015 regarding brewing and craft distilling in the Town of Valdese. Council directed staff to take the issue to the Valdese

Planning Board. The Planning Board said there were at least 10 craft distilleries within a 50 mile radius of Valdese and 31 currently across the state. He offered a PowerPoint presentation. There is a law that dictates what a distillery can and cannot do and they can offer tastings and most offer several brands and they can only sell one bottle per person per year to a customer. The products are also sold in the local ABC Stores. The Planning Board visited Carolina Distillery in Lenoir. They cannot have off-site tasting rooms or offer drinks by the glass. The Planning Board recommended that Council approve the proposed amendments to the zoning ordinance as presented.

Mayor Black opened the public hearing and asked if anyone wished to speak either for or against.

There being no one else wishing to speak, Mayor Black closed the public hearing.

Councilman Ogle asked if a distillery could be opened on Pineburr Avenue in a residential community. Mr. Johnson said yes if the property was zoned M1 Manufacturing (existing manufacturing) and the limitation was that the property could not be zoned residential.

Councilman Ogle asked if the Planning Board looked at issues such as the ABC store which may be state laws and not local laws. Mr. Johnson said the Planning Board did discuss location provisions but since this was a small micro set-up, tourist incentive, with the product sold elsewhere that there was no need to limit locations.

Mr. Eckard said no one would be going to these facilities to become intoxicated because the tasting was a small amount.

Councilman Sweezy made a motion to approve the zoning amendments for Artisan Food and Beverage Producers, seconded by Councilman Delp.

Voting aye: Stevenson, Delp and Sweezy

Voting nay: Ogle and Hildebran

Mayor Black said the motion did not receive a 2/3 vote required (4 votes) for an ordinance amendment adoption. Town Attorney Marc Mitchell said this would need to be placed on the March 2016 agenda for a second reading.

**(NOTE: Amendments will be included in the March 7, 2016 minutes.)**

**REQUEST FOR FAÇADE GRANT – BRINKLEY INSURANCE AGENCY, INC.** Current Community Affairs Administrative Specialist Morrissa Angi said they received a request from Brinkley Insurance Agency, 142 Main Street East, for a Façade Grant to upgrade the back of their building along Bobo Avenue by installing a new steel entry door, light fixtures, commercial grade guttering, and painting at an estimated \$2,240. The match provided by the Town would be \$1,120.

Councilman Ogle asked about the guttering and Ms. Angi said it was the back of the building which was allowed since the parking lot was installed.

Councilman Delp said the grants needed to be spread out throughout Town and he also asked about the timeframe since they were allowed a previous grant.

Councilman Sweezy explained that they could only receive up to \$2,500 match for a façade grant for the front of the building and \$2,500 match for the back of the building for a total of \$5,000.

Community Affairs Director Barbara Hefner said the committee visited West Jefferson and the back of their buildings were very nice.

After continued discussion, Councilwoman Hildebran made a motion to approve the Façade Grant to Brinkley Insurance in the amount of \$1,120, seconded by Councilwoman Stevenson.

Voting aye: Hildebran, Stevenson, and Sweezy

Voting nay: Ogle and Delp

Mayor Black said the motion carried.

**RESOLUTION SUPPORTING THE CONNECT NC PUBLIC IMPROVEMENT BOND** Mayor Black said this resolution was recommended by BDI. Town Manager Seth Eckard said voters would have an opportunity on March 15, 2016, to vote on the bond, and Burke County would do well if the bond passed. He presented the following resolution:

**RESOLUTION SUPPORTING THE CONNECT NC PUBLIC IMPROVEMENT BOND**

WHEREAS, North Carolina has seen its population grow by 2 million people since 2000, and there is a need to expand and repair existing infrastructure to ensure we can meet the demands of our growing population, continue the development of new jobs, and grow our economy; and

WHEREAS, the North Carolina General Assembly has voted to include a \$2 billion bond referendum on the March 2016 ballot; and

WHEREAS, the bond will provide \$58 million to build a Western NC School of Science and Math School of Technology and Engineering in Burke County; and

WHEREAS, the bond will provide \$23.3 million that will be used to locate a NC National Guard Readiness Center in the old Western Youth Institution High-Rise building in Burke County; and

WHEREAS, Western Piedmont Community College will receive \$5.9 million for necessary improvements to its campus located in Morganton; and

WHEREAS, the bond will provide in excess of \$5 million for needed improvements for facilities, campgrounds and hiking trails for South Mountain State Park and Lake James State Park; and

WHEREAS, funding for the UNC System and the NC Community College System will focus on STEM programming to better prepare our students for the 21<sup>st</sup> century workforce; and

WHEREAS, there will be more than \$309 million dedicated to modernizing water and sewer in small rural towns and larger cities across North Carolina to improve quality of life and ensure economic competitiveness; and

WHEREAS, state leaders have indicated that there will be no new taxes created by the passage of this bond and neither will the passage of the bond jeopardize the state's strong credit rating since interest rates currently are at historically low levels; and

WHEREAS, the Connect NC Public Improvement Bond is subject to voter approval on the March 15, 2016 ballot and deserves rightful consideration of the citizens of this state.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Valdese supports the Connect NC Public Improvement Bond that invests in the future of Valdese and Burke County and North Carolina.

Adopted this 1<sup>st</sup> day of February, 2016

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

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

**NEW UTILITY TRUCK – PUBLIC WORKS DEPARTMENT** Public Works Director Bryan Duckworth requested approval to purchase a new Ford F150 for the Public Works Department – Utility Division. The department would be replacing a 2000 GMC with 180,000 miles. Purchase to be made off the State Term Contract. Supplier would be Capital Ford Raleigh in the amount of \$24,007, with an estimated delivery time of 60-150 days.

Councilman Ogle made a motion to approve the purchase of the aforementioned utility truck in the amount of \$24,007, seconded by Councilman Delp. The vote was unanimous.

**REAPPOINTMENT - VALDESE ABC BOARD MEMBER** Town Manager Seth Eckard said staff recommended the reappointment of Jennifer “Jenny” Hudson to a third term on the Valdese ABC Board. The three-year term will expire April 1, 2019.

Councilman Ogle made a motion to approve the reappointment of Jennifer Hudson to a third term on the Valdese ABC Board, seconded by Councilwoman Stevenson. The vote was unanimous.

**CAPITAL PROJECT ORDINANCE – SEWER I & I** Finance Director Jerry LaMaster presented the following Capital Project Ordinance:

**CAPITAL PROJECT ORDINANCE  
Sewer System Inflow/Infiltration Improvements (CWSRF No. CS370396-08)**

BE IT ORDAINED by the Town Council of the Town of Valdese, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is the construction of the rehabilitation and/or replacement of certain sanitary sewer manholes, services, and line segments in the Cline Avenue Pump Station area. (Contract A: Sewer Pipe Rehabilitation; Contract B: Various Sewer System Improvements)

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

Section 3. The following amounts are appropriated for the project:

Construction:	68,8120.450	\$193,447.60
Engineering Planning and Design:	68,8120.040	35,000.00
Construction Administration:	68,8120.041	9,000.00
Observation:	68,8120.042	9,873.00
Contingency (5% of construction)	68,8120.570	9,672.38
Future Contracts	68,8120.451	28,924.02
Closing Costs	68,8120.571	<u>5,718.00</u>
Total		\$291,635.00

Section 4. The following revenues are anticipated to be available to complete this project:

NC Clean Water State Revolving Fund (loan)	68,3970.000	285,917.00
Capital Reserves	68,3970.999	<u>5,718.00</u>
Total		\$291,635.00

Section 5. The Finance Officer is hereby directed to maintain within the Capital Project fund sufficient specific detailed accounting records to satisfy the requirements of the grant and loan agencies.

Section 6. Funds may be advanced from the Utility Fund for the purpose of making payments as due. Reimbursement requests should be made to the grant and loan agencies in an orderly and timely manner.

Section 7. The Finance Officer is directed to report, on a quarterly basis, on the financial status of each project element in Section 3 and on the total grant and loan revenues received or claimed.

Section 8. The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to the Town Council.

Section 9. Copies of this capital project ordinance shall be furnished to the Clerk to the Town Council, and the Budget Officer and the Finance Officer for direction in carrying out this project.

Adopted this 1<sup>st</sup> day of February, 2016

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

Councilwoman Hildebran made a motion to approve the aforementioned Capital Project Ordinance, seconded by Councilman Ogle. The vote was unanimous.

**MAYOR AND COUNCIL COMMENTS:**

**SNOW REMOVAL** Councilman Delp thanked Public Works Staff for the fine job with snow removal. He also commended Fire Department Personnel and asked Fire Chief Charlie Watts to offer a report from the recent snow storm.

Chief Watts said during the recent snow an elderly couple's smoke detector caused problems and fire personnel installed a new smoke detector and carbon monoxide detector and while at the resident the firemen shoveled the couple's driveway. Chief Watts said there were no complaints about snow removal and he thanked Public Works Director Bryan Duckworth.

**DOG LITTER** Councilwoman Stevenson said citizens were most appreciative of the sidewalks on Gardiol Avenue and Laurel Street and a lot of citizens walk along the sidewalks. She was approached by someone that some citizens do not collect their dog litter. Perhaps a sign and a doggie waste bag dispenser could be installed at the corner of Gardiol/Laurel.

**MANAGER'S REPORT:**

**PROFESSIONAL DEVELOPMENT** Mr. Eckard said he would be attending the Annual NC City/County Management Seminar in Durham from Tuesday afternoon through Friday.

**CHARLOTTE'S CAROLINA PANTHERS** Mr. Eckard encouraged everyone to cheer on The Panthers for the Super Bowl 50 this Sunday.

At 6:45 p.m., there being no further business to come before Council, Councilman Ogle made a motion to adjourn, seconded by Councilwoman Hildebran. The vote was unanimous.

The next meeting is a regularly scheduled meeting on Monday, March 7, 2016, 6:00 p.m., Valdese Town Hall.

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL MEETING  
MARCH 7, 2016**

The Town of Valdese Town Council met on Monday, March 7, 2016, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The following were present: Mayor John F. "Chip" Black, Jr., Councilman Keith Ogle, Councilwoman Frances Hildebran, Councilwoman Susan Stevenson, Councilman Gary L. Delp, and Councilman Roy F. Sweezy. Also present were Town Manager Seth Eckard, Town Attorney Marc Mitchell, Deputy Town Clerk Thelda B. Rhoney, and various department heads.

Absent: None.

A quorum was present.

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

**OPEN FORUM/PUBLIC COMMENT:**

**DOWNTOWN BUILDING CODES** Mr. David Wronko, 120 Davis Drive, SE, Valdese, said he served on the Small Town Design Committee and he found there were no downtown building codes. There were minimum setbacks and no maximum setbacks and nothing taller than 50 feet. There were two buildings built in the 1920s that defines our town center, the buildings were built by the sidewalks. His concern was the building at Faet/Main plus the two empty lots could end up with a drive-in/drive-out business, like Auto Zone. He recommended that Council adopt new codes, there was a maximum setback of five feet, the width of a sidewalk and zero setback on the sides of the buildings. Seventy percent of the storefronts are windows and of course this would only be applied to new buildings. He is working with a contractor in West Asheville on Haywood Road and they just enacted new codes and this was where he got his inspiration. He said Merrimon Avenue in Asheville had drive-in/drive-out businesses and they did not want that to happen on Haywood Road. He said West Asheville is a hot spot in Asheville. He recommended the four or five blocks on Main Street in Valdese be preserved.

Mayor Black asked Planning staff to look at this situation.

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

**APPROVED MINUTES – QUORUM OF JANUARY 27, 2016 COMMUNITY MEETING AND REGULAR MEETING OF FEBRUARY 1, 2016**

**APPROVED ARBOR DAY 2016 PROCLAMATION**

**ARBOR DAY 2016 PROCLAMATION**

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, 2016 is the 144<sup>th</sup> Anniversary of the holiday and Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut our heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal; and

WHEREAS, the Town of Valdese has received the prestigious Tree City USA award for the past 28 years.

March 7, 2016, MB#30

NOW, THEREFORE, I, John F. Black, Jr., Mayor of the Town of Valdese, North Carolina, do hereby proclaim Friday, March 18, 2016, as the 144<sup>th</sup> Anniversary celebration of

*"Arbor Day 2016"*

in the Town of Valdese and the town will hold an Arbor Day Event on the Football Field behind the Old Rock School, Friday, March 18, 2016, 1:00 p.m., regarding tree planting and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands; and

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

This 7<sup>th</sup> day of March, 2016.

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

**APPROVED SURPLUS PROPERTY – POLICE DEPARTMENT** Police Chief Moss requested to surplus an old printer, HP LaserJet 4240, previously used by the police/fire departments. The value of the printer was approximately \$100 and if the printer is not sold on gov.deals, it would become recycled material.

**APPROVED WAIVER OF FEE FOR "VALDESE REMEMBERS"** The "Valdese Remembers" Committee was working on a tribute to Valdese High School for the faculty, staff and students who were involved with the school from 1938 – 1974. The event would be held on Saturday, May 14, 2016, 7:00 p.m., at the Old Rock School Auditorium and the committee requested the Town waive the rental fee of \$260.

**APPROVED FRIDAY, APRIL 8, 2016 AS TAX LIEN ADVERTISING DATE FOR REAL & PERSONAL PROPERTY**

**APPROVED PUBLIC HEARING DATE FOR MONDAY, APRIL 4, 2016 FOR ZONING TEXT AMENDMENTS - ANIMAL KEEPING**

**APPROVED APPOINTMENT TO VALDESE ABC BOARD** Mark Rostan, a charter member of the Valdese ABC Board, submitted his resignation effective April 1, 2016 due to the demands of a new business venture. Staff recommends that W. T. Sorrell be appointed to fill Mr. Rostan's unexpired term, which would expire April 1, 2018.

**APPROVED REAPPOINTMENT OF ABC BOARD CHAIRMAN** Staff recommended the reappointment of Town Manager Seth Eckard as Chairman of the Valdese ABC Board.

**APPROVED APPOINTMENT TO WESTERN PIEDMONT SISTER CITIES ASSOCIATION** Community Affairs Director Morrissa Angi was appointed to the Western Piedmont Sister Cities Association replacing former director Barbara Hefner.

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

***End Consent Agenda***

**ITEMS REMOVED FROM CONSENT AGENDA:** NONE.

**INTRODUCTION OF NEWLY HIRED TOWN EMPLOYEES** Town Manager Seth Eckard asked the Department Heads to introduce their new employees:

Ashley Watson Crawley, Administrative Specialist, Community Affairs Department  
Philip Timothy Pons, II (Tim), Treatment Plant Operator, Wastewater Department  
Nathan Ryan Hefner, Police Officer, Police Department  
Joseph Glenn Winebarger, Police Officer, Police Department  
Carson Dean Berry, Police Officer, Police Department

**PRESENTATION OF HEARTSAVER HERO AWARDS – FIRE CHIEF CHARLIE WATTS** Chief Watts offered a presentation on the Heartsaver Hero Awards and he also offered a brief video aired on WBTV. He introduced Michael Kiddy (father of Valdese Firefighter Steven Kiddy) who collapsed February 2, 2016, at Food Lion in Valdese with a heart attack. Chief Watts said this was the fourth CPR Save within one year which was awesome. He said when he arrived on the scene there were two Food Lion employees, three nurses and one off duty Lenoir firefighter who were working with Mr. Kiddy, and out of 16 people who responded to the call 12 actually touched Michael Kiddy with patient care. The EMS Operations Chief presented this situation to the Heartsaver Hero Program which was chosen with a lot



of publicity, untold amount of magazines, WBTV, ABC National News, and ABC International in Denmark. The following 16 people received awards:

Steve Kiddy, Valdese Firefighter (3<sup>rd</sup> Heartsaver Award in less than a year)  
James Crossno, Draughn High School Student  
Tim Street, Food Lion  
Deanna Cole, nurse  
Kristen Carswell, nurse  
Erika Micol, nurse  
Anthony Smith, off duty Lenoir Firefighter  
Captain Tim Williams, Valdese Fire Department (2<sup>nd</sup> Heartsaver Award in less than a year)  
Lt. Tom Oxentine, Valdese Fire Department (2<sup>nd</sup> Heartsaver Award in less than a year)  
Mark Icard, Valdese Fire Marshal (2<sup>nd</sup> Heartsaver Award in less than a year)  
Sharon Morgan, Valdese Fire Department  
Travis Maltba, Triple Community Fire Department  
Courtney Clark, Paramedic  
Nikki Carswell, Paramedic  
Zack Arnesman, Valdese Fire Department  
Fire Chief Charlie Watts (2<sup>nd</sup> Heartsaver Award in less than a year)

Chief Watts said there was quick recognition, quick CPR, quick activation of the EMS System, quick defibrillation, and quick transport and Mr. Michael Kiddy was a living example.

**SECOND READING OF ZONING ORDINANCE TEXT AMENDMENTS – ARTISAN FOOD AND BEVERAGE PRODUCERS** Mayor Black said this was the second reading as a public hearing was held at the February 1, 2016 Council meeting regarding proposed text amendments for artisan food and beverage producers. The motion did not receive a 2/3 vote (4 votes) required for an ordinance amendment adoption. **(Note: Amendments may be found in Ordinance Book No. 9, pg. 123.)**

Councilman Sweezy made a motion to approve the recommendation by the Planning Board to adopt the zoning ordinance text amendments regarding Artisan Food and Beverage Producers on second reading, seconded by Councilman Delp.

Voting aye: Stevenson, Delp, and Sweezy

Voting noe: Ogle and Hildebran

Mayor Black said the motion carried.

**CDBG SECOND PUBLIC HEARING - MERIDIAN SPECIALTY YARN GROUP, INC.** Mayor Black opened the public hearing and asked if anyone wished to speak either for or against. He invited WPCOG Senior Planner Leah Martin to make the presentation.

Ms. Martin said this was a public hearing to receive input regarding a Community Development Block Grant Economic Development Project to the North Carolina Department of Commerce for the Meridian Project in Valdese. Through the pre-application process \$1 million in CDBG funds have been set aside for public water improvements to benefit the proposed expansion. The company committed to invest \$8.5 million and to retain 146 full-time employees documented as of November 2015 until the estimated close of the project. The work to be done with the \$1 million would be a back-up generator for the water treatment plant which was the most significant portion of the grant application and two valves to be replaced on a 20" main that also serves the industry. The cost estimate for the construction, engineering, and contingency was \$975,000. The grant terms and security that Meridian Specialty Yarn Group would be required by the program to commit to the retention to their existing full-time positions and for every position not retained the town would repay commerce \$6,850 until the entire million dollars was expended. The 20 percent match for the program had already been committed by the town. Ms. Martin said there was no action to be taken at this point, just a public hearing.

Mr. Eckard said the committed match was the incentive that the Town already provided for Meridian. Ms. Martin said typically there would be a 20 percent match.

Mayor Black explained that was time for the public to speak regarding the project and asked if there was anyone wishing to speak. There being no one wishing to speak, Mayor Black closed the public hearing.

**ADOPTION OF RULES OF PROCEDURES FOR TOWN COUNCIL MEETINGS** Mayor Black said many Councils had rules and procedures for meetings and all members of council received information from the NC School of Government which was tweaked for the Valdese Town Council meetings.

**(NOTE: Rules of Procedures may be found in Ordinance Book No. 9, pg. 126.)** Mr. Eckard said the Rules of Procedures would also be posted on the Town's website.

Councilman Sweezy made a motion to adopt the Rules of Procedures for the Valdese Town Council Meetings, seconded by Councilman Delp. The vote was unanimous.

**EMERGENCY REPAIRS TO FLAT ROOF AND BARREL ROOF – RECREATION CENTER** Recreation Director Doug Knight recommended replacement of the flat roof over the bowling alley, the barrel roof over the gymnasium, and the small flat roof over the porch of the gymnasium due to issues with leaks and deterioration caused by heavy rains. He offered a brief PowerPoint of the condition of the roof and interior of the building caused by the water leaks and he described the product to be used for repairs. He recommended Council approve a quote with Custom Coatings in the amount of \$68,850 plus quote from Hardware Distributors for new door and frame in the amount of \$4,200 for a total of \$73,050. (Other quotes: Johnson Roofing in the amount of \$75,256, and Conover Roofing in the amount of \$86,250.) Mr. Knight said after 15 years a quote could be obtained for the company to come back and pressure wash the coating and add another layer which would extend the warranty by an additional 15 years.

Councilman Ogle asked where the funds would come from and how many other roofs needed repair such as Tiger Gym and the Teachers Cottage. He recommended they be added to the upcoming budget. Mr. Eckard said since this was an emergency repair the funds would come from the General Fund.

Councilman Delp asked about the interior repairs. Councilman Ogle recommended that staff bring a quote for painting and repair of the damaged interior areas due to water leaks at the next Council meeting. Mr. Knight said he would obtain quotes.

After a brief discussion, Councilman Delp made a motion to approve the aforementioned quote with Custom Coatings in the amount of \$68,850 plus quote from Hardware Distributors for new door and frame in the amount of \$4,200 for a total of \$73,050, seconded by Councilwoman Stevenson. The vote was unanimous.

Councilman Ogle asked if Councilman Delp would amend his motion to include directing the Manager and Recreation Commission Chairman for costs to repair the damaged areas.

Councilman Delp said he had no problem amending his motion if Councilman Ogle felt it was necessary.

Councilman Delp made a motion to direct the Manager and the Recreation Department Director to bring repair estimates for the damage previously done by the water leaks to Council for approval of repairs, seconded by Councilman Ogle.

Ms. Sandi Walker asked if the Town had insurance coverage for water damage. Mr. Eckard said this type of damage was not eligible for an insurance claim.

Mayor Black called for the vote which was unanimous.

**APPOINTMENT OF 2016 BUDGET REVIEW COMMITTEE** Mayor Black recommended that all Members of Council be invited to attend a Budget Workshop on Monday, April 25, 2016, either 2:00 p.m., 3:00 p.m., or 6:00 p.m. Mayor Black said the date and time would need to be confirmed within the next few weeks and it would need to be advertised.

Councilman Ogle requested that the Budget Workshop be moved to Saturday, April 23, 2016, because he would probably be out of town on April 25, 2016 due to work and would not be traveling on Saturday and Sunday. Mayor Black said the recommendation would be taken into consideration.

#### **MAYOR AND COUNCIL COMMENTS:**

**MCGALLIARD FALLS PARK** Councilman Delp said there were a lot of weddings at McGalliard Falls Park and a lot of people using the park. He thanked Public Works Director Bryan Duckworth for taking care of the bridge by cleaning debris, etc. He said they were planting more bushes so it will become even more beautiful in the future.

**INDUSTRIAL PARK – WESTERN END OF BURKE COUNTY** Councilman Delp asked how many years would the Town be required to pay \$15,000 towards the industrial park since nothing had happened there.

Mayor Black said the Town of Valdese along with Burke County, the City of Morganton and several other municipalities agreed to purchase that property as the industrial park. All municipalities involved made a commitment to make payments until the debt was paid which could be paid through regular payments or if there were an industrial location at the park then any funds generated would be used to reduce the debt. He said as long as the Town was part of BDI it would need to contribute.

Councilman Delp said it seemed like Valdese was paying for things for Burke County. Mayor Black said the BDI contribution was changed to a per capita formula and the contribution would be less. Mayor Black said if an industry were to come to Drexel, people of Valdese work there, Valdese gets additional tax revenues over and above what the county receives in taxes which was a good investment.

**LIGHTS – MAIN STREET** Councilman Ogle said lights had been out on Main Street for several weeks from the Bakery down to East Valdese Baptist Church.

Town Manager Seth Eckard said staff met with Duke Energy this date and he requested Public Works Director Bryan Duckworth report on the findings.

Mr. Duckworth said the Main Street poles were what Duke Energy called non-stock poles, meaning they had to be ordered from their supplier. When Duke orders they order extra but are currently out of stock. Duke Energy representatives said it would be two weeks before they received the poles.

Councilman Ogle requested street lights be added to the budget. He asked if we were using the right type of street lights as there are several always out.

Mr. Eckard said Councilman Ogle's concerns regarding lighting was what staff began discussing with Duke Energy this date. Staff would continue working with Duke Energy for proposals within the next few months.

**MANAGER'S REPORT:**

**ANNUAL BUDGET RETREAT, TUESDAY, MARCH 22, 2016, 2:00 P.M. – 8:00 P.M., OLD ROCK SCHOOL**

**TOWN OFFICES CLOSED ON FRIDAY, MARCH 25, 2016 FOR GOOD FRIDAY**

At 6:54 p.m., there being no further business to come before Council, Councilman Ogle made a motion to adjourn, seconded by Councilman Sweezy. The vote was unanimous.

The next meeting is a regularly scheduled meeting, Annual Budget Retreat, on Tuesday, March 22, 2016, 2:00 p.m., Old Rock School.

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
ANNUAL COUNCIL/DEPARTMENT HEAD BUDGET RETREAT  
TUESDAY, MARCH 22, 2016**

The Valdese Town Council met on Tuesday, March 22, 2016, 2:00 p.m., for its Annual Budget Retreat, Old Rock School, Waldensian Room, 400 Main Street West, Valdese, North Carolina. The following members were present: Mayor John F. (Chip) Black, Councilwoman Frances Hildebran, Councilwoman Susan Stevenson, Councilman Gary Delp, and Councilman Roy Sweezy. Also present: Town Manager Seth Eckard, Deputy Town Clerk Thelda B. Rhoney, and all Department Heads except Greg Cannon.

Others present: Jonelle Bobak, "Morganton News Herald" and Sandi Walker.

Absent: Councilman Keith Ogle

A quorum was present. No action was taken.

**CALL TO ORDER** At 2:00 p.m., Mayor Black opened the meeting and welcomed everyone. He asked everyone to focus on Valdese in its entirety and what we have to do to make it a better place. He said there had been a lot of short term fixes during the past seven years due to the economic downturn. He said we need to look at some tough decisions on how to transition from those short-term fixes to long-term solutions and it would be a challenge. Mayor Black said last year the Town was anticipating the possibility of Meridian leaving, which would have been 10 percent of the Town's water usage, and the good news Meridian was staying in Valdese. The dependence on the large water users still exists which need to be addressed because sooner or later one or all of the large water users will disappear and it is not a matter of if but when. Mayor Black said last year he made presentations to civic and church groups about the Town and he always included comments about water and sewer rates and encouraged his audience to go to the UNC School of Government website where they show utility rates for providers all across North Carolina, and it shows the households in Valdese pay less than 75 percent of households across the state. As Mayor, he said he would always say he would promise that water and sewer rates would go up, and he gave three reasons for the increase: 1) Dependence on large water users; 2) Infrastructure that would cover 200 miles which are 50-75 years old and at some point they have to be replaced; and 3) Requirements to treat water/wastewater continue to evolve and increase.

Mayor Black wants to be realistic in thinking about what we must do today to make sure that Valdese is a great place to live 25-50 years from now. He recommended that we incorporate part of the Rotary Motto that says, "Is it FAIR to all concerned?" He believed if we focus on these two things we would come out with the best possible decisions.

**OPENING COMMENTS – TOWN MANAGER SETH ECKARD** Mr. Eckard welcomed everyone and he thanked the Department Heads for the many hours of hard work and preparation for the budget retreat.

**FINANCE** Finance Director Jerry LaMaster distributed current budget information for the General Fund and the Utility Fund through the month of February and information regarding town investments. He offered a brief reviewed of the documents.

**WEST CONSULTANTS – STREET STUDY** Mr. Todd Poteat presented the results of the street study and Powell Bill funding. There are 187 streets just in Valdese (not NCDOT maintained streets). All streets were listed and contained length/width, rating score, noted if the street contained curb/gutter, high or low traffic volume, condition, and cost estimates. Following streets need repair: Ervin Avenue, NE; Praley Street, NW; Pineburr Avenue, SE; Eldred Street, NE; Faet Street, NW; and Praley Drive, NW, for a total of \$502,275. He said the cost for crack sealing of all remaining town streets - \$100,000; soil testing - \$7,500; construction administration - \$10,000; engineering design and minor surveying - \$25,113; and contingencies - \$50,227. He offered a PowerPoint presentation of the streets that need repair.

**REPUBLIC SERVICES– RECYCLING/SANITATION** Mr. Wade Goossens, Republic Services Division Manager for Western North Carolina, offered a short video on recycling. He described the trucks and the 96 gallon carts they use for recycling. A five year agreement would cost \$5.85 for garbage collection (weekly - solid waste) and \$3.56 for recycling every two weeks.

**MCGILL ASSOCIATES – UTILITY CIP & FINANCIAL MODEL FOR WATER AND WASTEWATER DEPARTMENTS** Mr. R. J. Mozeley reviewed results for the Valdese Water and Sewer Fund, Capital Improvements Plan Summary, Equity Based Financial Analysis Model, and Baseline Financial Analysis Model projected out for the next 10 years.

Mr. Steve Miller reviewed current and proposed water and sewer rates over the next five years.

**PUBLIC WORKS** Bryan Duckworth has five divisions in his department. Following are some facts he provided for his department: Weekly trash pickup – 1,600 stops; provide weekly rough trash, white goods and extra service per week; leaf and yard waste pick up – year round curb side (no bags required); brush pick up – 5,000 service requests per year; 5,200 water customers with 140 miles of water pipe; 2,000 sewer customers – 52 miles sewer lines; maintenance and repair – 100 vehicles and equipment; landscape and building maintenance service, and animal control. He requested a front deck mower, 4 x 4 tractor; two Ford 150 pickups; and a brush truck for a total of \$236,000. He also briefly reviewed needs within the next five years.

**RECREATION** Doug Knight reviewed revenues and expenses for the past year and he mentioned trends in recreation. He recommended a fitness center expansion with upgrades to the ladies locker room at a cost of \$27,000-\$30,000; removal of Tiger Gym locker room annex due to water leaks - \$25,650 plus asbestos survey - \$600. They will need an attached storage building for athletic equipment storage - \$10,000-\$15,000. He said staff was looking into LED lighting - \$27,066 after rebates.

**POLICE** Jack Moss offered budget accomplishments for FY 2015-2016 and the hiring of a full-time officer had relieved the stress on the department's full and reserve staff to fill vacant hours. Three patrol units need to be replaced: need one Dodge Charger - \$26,801 plus \$4,145 for wiring and equipment installation; two Ford Explorers - \$57,806 plus \$6,784 for wiring and equipment installation; two Dell Laptops - \$2,200. He recommended personnel salaries stay competitive; would like to institute one officer per patrol unit; and replace the current 10 year old TASERS. He plans to continue with training; he also plans to continue to meet with the merchants and community organizations to hear their concerns; and, his objective is to be a department of more community related officers and make Valdese a safe place to raise a family and operate a business where law enforcement is seen as part of, and respected by, the community.

**FIRE** Charlie Watts said the department currently has a 1985 Pierce Arrow 50' Ladder Truck and repair parts were non-existent and had to be custom-made. He estimated a cost of \$780,000-\$850,000 for a new ladder truck with a 75 foot ladder. In order to maintain the current NC Department of Insurance Rated Fire Department with a Class 4 Rating they must have no less than 20 personnel listed on the state roster and he currently has 21 firefighters with seven full-time and 14 paid on-call. The contributing factors for no volunteers is the aging population, median age of Valdese residents is 46.9; rise in two-income households; training and response requirements; less flexible employers; family and home responsibilities, and career/job demands. He recommended hiring part-time personnel to meet the NC State roster requirement of 20 which would put more personnel on incident scenes and provide personnel to assist with ongoing programs at a cost estimate of \$25,000 for a part-time Firefighter/EMT, eight hours per day, five days per week. He recommended resurfacing of parking lot and front pad at an estimated cost of \$40,000; fire apparatus engine bay heaters - \$7,500. He said the estimated cost to renovate the old town hall would be approximately \$130,000.

**DINNER** At 6:15 p.m., Mayor Black invited everyone to enjoy dinner catered by Myra's. At 7:00 p.m., Mayor Black called the meeting back to order.

**COMMUNITY AFFAIRS** Morrissa Angi offered an overview of events at the Old Rock School with eight major events; they maintain eight Facebook pages with over 9,700 followers; four Twitter accounts with over 500 followers; and created an Instagram account with over 140 followers. She mentioned new events/promotions such as the creation of the Valdese Citizens Academy; memory candles sponsored by citizens for the Old Rock School, and they are planning a possible event in December called "Mingle with Kris Kringle." They placed ads in over 20 publications. She offered an overview of the Main Street Program with the completion of the Main Street Solutions Fund Grant of \$64,316; holiday savings promotion, new business tool box created; bench project completed which brought in \$32,700 in private investments with 75 benches sold; façade grants awarded to five downtown businesses. It was recommended that the 1932 Mack Firetruck be pulled by another vehicle during the Christmas parade instead of using a float for the Valdese Town Council. She was reaching out to middle school bands to participate in the Annual Christmas Parade because all Burke County High School Bands would be in Hawaii. The chiller needs replacing at an estimated cost of \$80,000; the outside of the building needs painting \$30,000 and wood trim repaired - \$70,000; replacement of auditorium stage floor - \$5,000; replacement of auditorium red stage curtain - \$5,000; replacement of Teachers Cottage floor - \$7,000 and roof - \$15,000; and replacement of back hallway flooring east and west sides - \$7,000. She reviewed possible increased revenues for rentals and lease agreements. As wish-list items, she mentioned a digital marquee - \$30,000; projector system with annual movie license and laptop - \$33,275; additional security cameras - \$5,000. For the Old Colony Players and Outdoor Drama: Amphitheatre concrete seating - \$30,000; and tech shack - \$30,000.

**PLANNING & ADMINISTRATION** Larry Johnson said 34 permits were issued in calendar year 2015 with a permit value of \$2,166,602 for seven new residential; seven additions/renovations and two commercial additions/renovations; ten accessory; three boat docks; five well/septic. He offered a breakdown of permits by ward as well as enforcement nuisance. He briefly reviewed projects and zoning amendments and department requests. He recommended administrative requests at an estimated \$11,625 for maintenance and repairs; technology and equipment upgrades; online services; and town hall ceiling repairs. He recommended phone system upgrades at the Old Rock School - \$8,000 and Recreation - \$10,000; VPN Equipment replacement of seven devices - \$4,937; spam and firewall replacement - \$3,142; Laserfiche upgrade - \$2,633; payroll and tax billing software upgrade - \$4,940; specialty programming for tax payments - \$2,400; online payments - \$1,475; and phone tree - \$4,247.

**BUDGET STRATEGY – TOWN MANAGER SETH ECKARD** Mr. Eckard said in 2008 we experienced the Great Recession, the worst economic collapse since the 1928 Great Depression. Like many municipalities, Valdese anticipated many years of budget challenges. The Valdese Town Council took proactive conservative measures, by initiating a hiring freeze (several positions still not filled), postponed capital projects and repairs – while maintaining a high level of service for our citizens and he stressed “with no service interruptions!” We have gone through eight years of minimal repair work, putting off equipment and vehicle purchases and providing minimal or no cost-of-living adjustments for our employees.

We are now at a crossroad and we can either cut services or find a way to adjust revenues to maintain a high level of services to our citizens. He expressed that he did not take his proposal lightly. It troubled him to know that some of our citizens are on a fixed income and any increase is meaningful. His plan recognized such burdens and he was only asking Council for exactly what was needed. No “wants” were included in his proposal. He reviewed the history of Valdese tax rates. In Fiscal Year 1954 – 1955 the Valdese tax rate was at its highest at \$1.50 per \$100 valuation of property. Since that year we have seen continuous tax decreases or revenue neutral rates until we arrive at our current rate of \$0.485 per \$100 valuation of property. We have not experienced a single (nonrevenue neutral) tax increase in over 61 years.

Mr. Eckard offered the following Budget facts and assumptions:

- The General Fund had no debt that would retire within the next nine years
- The Town can borrow money for equipment, vehicles and new construction, but not repairs
- The Town's General Fund balance (reserves) is approximately 30% of expenditures
- There are no services that the majority of the public would like to see cut or reduced
- We have the minimal amount of personnel to achieve high results for our services
- We anticipate roughly the same amount of monies from our major revenue sources (Powell Bill, Utility Franchise, Fees, and Property Tax) as we did last year, with the exception of sales tax (projected increase by approximately \$68,000)
- One penny on the tax rate equates to approximately \$33,000 of revenue

Following is Mr. Eckard's proposal:

- Increase the tax rate from \$0.485 to \$0.545, a 6 cent tax increase
- A 6 cent tax increase for a \$100,000 home equates to an additional \$60 in taxes per year or \$5 per month (less than the current cost as a foot long sub at Subway)
- All new monies raised would go towards specific capital items – none of the new taxes would go towards employee raises or other operating expenses (with the exception of the fire & rescue service)

What do you get:

- Major town wide street resurfacing and crack sealing
- Significant investment in vehicles and equipment for Public Works to maintain and improve current levels of service
- New multipurpose fire truck and monies for improvements to Valdese fire and rescue services

Street Improvements:

- Strategy – Group multiple road projects together and resurface roads every five years. Town would save money by taking advantage of temporary low oil prices, cheap financing and onetime mobilization costs
- FY 16/17 Package: Resurface five or six major streets that are classified as poor or in very poor condition plus crack sealing for every street in town that is not resurfaced
- Projected cost - \$700,000
- \$700,000 - \$140,000 from Powell Bill Reserves = \$560,000
- Borrow \$560,000 – assume a 3.25% interest rate over 5 years = an annual \$123,152.73 debt service payment

***How we pay for it...***

- **\$123,152.73 = 3 cents (\$99,000) + \$24,152.73 of annual Powell Bill Funds**

Public Works 10 Year Plan:

First Five Years (FY 16/17 – FY 21/22) - borrow \$236,000 to purchase the following:

- Front deck mower 60 inch (Facilities & Grounds)
- Ford F 150 (Facilities & Grounds) replaces truck with 231,000 miles
- Ford F 150 (Street Division) replaces truck with 148,000 miles
- Tractor 4x4 (for mowing rights-of-way) replaces 1987 model with 3,200 hours
- Brush truck (most used piece of equipment – 5,800 requests last year) 2000 model 11,000 hours
- \$236,000 – assume 3.25% for 5 years = \$51,900.08

***How we pay for it...***

- **\$51,900.08 = 1 cent (\$33,000) + \$18,900 of new sales tax revenue**

Second Five Years (FY 22/23 – FY 26/27) – borrow \$300,000 to purchase the following:

- Compact street sweeper (Street Division) – new service! Leaf machine currently used to clean curbs and is ineffective
- Single axel dump truck – (multi department) replaces 1989 model
- Leaf vac truck – (leaf and yard pickup) replaces 2006 model with 2,380 hours – currently used 450 hours per year. Note: If we go with the Public Works package – staff estimates saving the Town approximately \$36,000 in repair expenses within the next 5 years. Staff would surplus the old equipment and vehicles

Fire & Rescue

- Multipurpose Ladder Fire Truck – replaces 1985 Pierce Arrow 50' Ladder Truck - \$850,000
- Current situation – the ladder truck is 30 years old – repair parts are no longer available and must be custom made – pump will need to be rebuilt within next couple of years – extensive wiring issues. Note: The Fire Department is looking at combining the new truck and existing service truck, thus eliminating one piece of apparatus, and with the elimination there would be savings on insurance, repairs and fuel
- Fire Department part time help cost - \$25,000 per year
- \$850,000 – assume 3.25% over 20 years = \$58,462.05 per year
- \$25,000 + \$58,462.05 = \$83,462.05

***How we pay for it...***

- **\$83,462.05 = 2 cent tax increase (\$66,000) + \$17,462.05 of anticipated additional sales tax revenue**

Repair and Maintenance:

- Traditionally, we only have \$221,000 each year *to take care of all* general fund capital improvement and repair needs
- If Council adopts the proposed budget, staff would be able to use all of the \$221,000 for repair needs. This would allow staff to repair all of the high priority items within three fiscal years. (Staff defines high priority as a repair that should have been made in previous years or this year.)

Repair and Maintenance Items (wish list subject to change):

Fiscal Year 16/17:

- Paint and repair exterior of the Old Rock School
- Replace auditorium stage floor
- Replace auditorium stage curtain
- Amphitheatre – concrete seating repair
- Replace apparatus bay heaters
- Fitness room expansion
- Demolition of the extension on Tiger Gym

Fiscal Year 17/18:

- Replace Old Rock School chiller
- Renovate tech shack at the Amphitheatre
- Paving of front pad/rear parking lot (Fire Department)
- Painting of Fire Department interior
- Repair walking trail behind Old Rock School
- Repair ladies locker room (Community Center)

**March 22, 2016, Budget Retreat, MB#30**

Mr. Eckard recommended two proposed Public Input Meetings regarding possible tax increase and said staff would be available to answer budget questions:

1. Friday, April 1, 2016, 10:00 a.m., Valdese Town Hall – Community Room
2. Tuesday, April 19, 2016, 6:00 p.m., Valdese Town Hall – Community Room

Mayor Black thanked the Department Heads for a tremendous job.

**ADJOURNMENT** – Mayor Black adjourned the meeting at 8:10 p.m.

The next meeting is a regularly scheduled meeting on Monday, April 4, 2016, 6:00 p.m., Valdese Town Hall.

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Town Clerk

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Mayor



**TOWN OF VALDESE**  
**QUORUM PRESENT – Citizens Academy First Session**  
**THURSDAY, MARCH 24, 2016**

On Thursday, March 24, 2016, 6:00 p.m., the first session of the Town's First Citizens Academy was held at Valdese Town Hall Council Chambers, 102 Massel Avenue, SW, Valdese, North Carolina.

A quorum of the Valdese Town Council was present and no action was taken: Mayor John F. "Chip" Black, Jr., Councilwoman Frances Hildebran, Councilwoman Susan Stevenson, Councilman Roy F. Sweezy, and Councilman Gary L. Delp. Also present were Town Manager Seth Eckard, Deputy Town Clerk Thelda B. Rhoney, Community Affairs Director Morrissa Angi, Community Affairs Administrative Specialist Ashley Watson Crawley, and all Department Heads.

Hors d'oeuvres were provided by Myra's Catering.

At 6:15 p.m., Town Manager Seth Eckard welcomed everyone and said the class was limited to 20 participants and he asked everyone to please stand and introduce themselves, state where they work or go to school, and where they live.

Following are Citizens Academy participants:

1. Carla Berry, Retired from State of NC
2. Kathy Boutwell, Unemployed
3. Colton Gera, Burke County Public Schools
4. Judy Jones, Retired
5. Rick McClurd, A&M Sound Systems
6. Amanda Ninemire, Burke United Christian Ministry
7. Matt Ninemire, ComServ
8. Finley Morrow, Draughn High School Student
9. Steve Morrow, Connelly Springs Electric
10. Rose Mueller, Artist
11. Will Mueller, Retired
12. Leyton Shoupe, NC National Guard
13. Katelynn Smith, Hamricks
14. Apryl Smith Hollifield, Town Employee (and mother of Katelynn Smith)
15. Tonya Stevens, CVCC Professor
16. Maxwell Teffeteller, Draughn High School Student
17. Sandi Walker, Owner of Dolls & Designs by Sandi
18. LaDonya Edwards, CMC Valdese Hospital

(Applicants not present: Kimberly Wilson, Heather Ward, Waynette Allison)

Mr. Eckard offered a brief overview of the Citizens Academy as well as an overview of city/town, county, and state government and how they are run and the services they offer. He briefly reviewed the budget for the Town's General Fund and Utility Fund.

Mr. Eckard asked the participants, by the next meeting, to elect from the group a president, vice-president and treasurer and he recommended they come up with a project that would help Valdese in a specific way. The project would be presented to Council at the Seventh Academy Session on Thursday, May 5, 2016, 6:00 p.m.

Mayor Black welcomed everyone to the Town of Valdese First Citizens Academy. He thanked the Department Heads for their hard work with the Academy. He explained the duties of Mayor.

At 8:15 p.m., there were no additional comments or questions.

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Town Clerk

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Mayor

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**TOWN OF VALDESE**

**QUORUM PRESENT – Citizens Input Meeting Regarding Possible 6 cents Tax Increase**

**FRIDAY, APRIL 1, 2016**

On Friday, April 1, 2016, 10:00 a.m., the first session of the Citizens Input Meeting Regarding Possible 6 cents Tax Increase was held at Valdese Town Hall Community Room, 102 Massel Avenue, SW, Valdese, North Carolina.

The following were present: Mayor John F. “Chip” Black, Jr., Councilman Keith Ogle, Councilwoman Frances Hildebran, Councilwoman Susan Stevenson, Councilman Gary L. Delp, and Councilman Roy F. Sweezy. Also present were Town Manager Seth Eckard, Deputy Town Clerk Thelda B. Rhoney, Finance Director Jerry LaMaster, Fire Chief Charlie Watts, and Public Works Director Bryan Duckworth.

A quorum of the Valdese Town Council was present and no action was taken.

At 10:00 a.m., Town Manager Seth Eckard welcomed everyone and asked everyone to introduce themselves. In addition to the aforementioned the following were present: George Frederick Thompson, II; Sandi Walker; and Kathy Boutwell.

Public Works Director Bryan Duckworth and Fire Chief Charlie Watts offered PowerPoint presentations regarding their departmental budget requests.

Town Manager Seth Eckard offered an overview of the FY 2016-2017 budget requests and why he was recommending a 6 cents tax increase.

Staff answered all questions.

At 11:45 a.m., there were no additional comments or questions.

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL MEETING  
APRIL 4, 2016**

The Town of Valdese Town Council met on Monday, April 4, 2016, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The following were present: Mayor John F. "Chip" Black, Jr., Councilman Keith Ogle, Councilwoman Frances Hildebran, Councilwoman Susan Stevenson, Councilman Gary L. Delp, and Councilman Roy F. Sweezy. Also present were Town Manager Seth Eckard, Town Attorney Marc Mitchell, Deputy Town Clerk Thelda B. Rhoney, and various department heads.

Absent: None.

A quorum was present.

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

**OPEN FORUM/PUBLIC COMMENT:** None.

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

**APPROVED MINUTES: REGULAR MEETING - MARCH 7, 2016; BUDGET RETREAT – MARCH 22, 2016; AND CITIZENS ACADEMY - MARCH 24, 2016**

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

***End Consent Agenda***

**ITEM REMOVED FROM CONSENT AGENDA:**

**SPRING LITTER SWEEP, APRIL 16–30, 2016** Councilwoman Stevenson wanted to bring attention to this item as it was important. She said there was a lot of litter along the roads, and she realized some of the areas were not inside the corporate limits of Valdese.

Councilwoman Hildebran asked about Repay/Community Service workers. Deputy Town Clerk Thelda Rhoney reported the Town currently was assigned three workers and some have full-time jobs and they work when they can.

Town Manager Seth Eckard said the Town would observe April 16-30, 2016, as Spring Litter Sweep.

**NEW BUSINESS:**

**ROAD PAVING DESIGN – THE SETTINGS** Mayor Black said Mr. Jeff Morse would make the presentation. Mr. Morse said he had two items. One item was to offer a brief update on the project and the other was to request approval for reducing the paving from 3-inches to 2-inches. He said for transparency his only role with the bonding company was only a point person. He had no direct authority, no signature authority, or contractual authority. He was working to finish the project. The Bonding Company, Lake Rhodhiss, LLC, should have the entire project completed by the end of June, including all roads, water and sewer to current specifications. The bonding company is negotiating with a firm out of Charlotte to market and sell the remaining 100 lots that they own, as well as look at opportunities for the remaining 400 acres that is undeveloped. Regarding the second item, he requested that Council approve a reduction in the amount of asphalt from 3-inches to 2-inches, and the current standard for any road in Valdese was 2-inches. The reason for the extra asphalt may have been due to eliminating curb and gutter for a more environmentally friendly with grass instead of pavement. He said eight years ago the project cost was \$4.2 million and with the downturn in the economy over the years the contractor was looking at ways to cut costs and the extra asphalt would be a cost savings at approximated \$250,000. He said Tony Pizzelanti was available to represent The Settings property owners on what they were sold and told regarding the 3-inch asphalt which was a private road.

Councilman Delp asked if curb and gutter was removed before or after lots were sold. Mr. Pizzelanti said that was taken out with the 2012 settlement agreement.

Mr. Tony Pizzelanti, 135 Grandfathers Pass, Valdese, asked how they could be \$250,000 in the hole. Mr. Morse said the contractor told the bonding company they would be over by \$250,000.

Mr. Pizzelanti, Homeowner Association President, said the agreement stated 3-inches of asphalt and that was what the property owners recommended staying with. He offered photos of the view of the development he currently looked at as he entered his property on a daily basis, which was not very appealing.

Mr. Morse said the bonding company was in a construction phase and had until December 31, 2016 to complete the project and they are ahead of schedule. The road was seven years old and T & K Contractor would repair all the roads. The bonding company's obligation to the town and to The Settings citizens was to provide water, sewer and roads. They were negotiating selling to another developer and the property needs to look attractive to sell.

Mr. Mike Cioffoletti, 1831 Sandy Cove Drive, Morganton, said the road was breaking up now at 2-inches and he owns six lots in The Settings Development, and any reduction of the pavement will shorten the life of the road and he recommended staying with the 3-inches of asphalt.

After a brief discussion, Councilman Ogle made a motion to stay with the 3-inches for asphalt that was in the original agreement.

Mayor Black said if Council chose to do nothing, then the contract would stand as it exists today and there would be no action unless Council wished to change the agreement. So he asked Council if it wanted to change the agreement with Lake Rhodhiss, LLC to reduce the asphalt from 3-inches to 2-inches.

Councilwoman Hildebran asked if the Town was holding any money. Mr. Eckard said there was \$500,000 and \$396,000 was paid toward electrical installation.

Mayor Black said the contract stands as it exists.

**PUBLIC HEARING FOR ZONING TEXT AMENDMENTS - ANIMAL KEEPING** Planning Director Larry Johnson said The Jon Mercer Family came before Council in December 2015 asking to keep chickens within the corporate limits. The item was sent to the Planning Board for review and a recommendation. Other towns/cities were contacted and they found it was common for chickens and the Town's current ordinances were reviewed. Cooperative Extension offered classes on the keeping of chickens and there were websites on the subject. The Planning Board recommended up to 10 chickens in residential districts, which only affected three residential areas, no roosters, and they had recommended setbacks and distances from adjoining lots. The amendment also updates the Town Code of Ordinances regarding horses. **(Note: Amendments may be found in Ordinance Book No. 9, pg. 135.)**

Mayor Black opened the public hearing and asked if anyone wished to speak either for or against.

Ms. Jean Marie Cole, 705 Bertis Street SW, commented that homes in Crow Hill were close and she appreciated that their homes were too close for chickens, and she appreciated the work by the Planning Board.

There being no one wishing to speak, Mayor Black closed the public hearing.

After a brief discussion, Councilman Ogle made a motion to approve the zoning text amendments regarding animal keeping recommend by the Planning Board, seconded by Councilwoman Hildebran. The vote was unanimous.

Mayor Black thanked Mr. Mercer for bringing this issue to the Town's attention.

**QUOTES FOR INTERIOR REPAIRS - RECREATION DEPARTMENT** Recreation Director Doug Knight said due to water damage from heavy rains he recommended repairs to the gymnasium to paint and match walls and ceiling areas at a cost of \$6,030 and to replace all ceiling tiles in the Bowling Alley at a cost of \$5,000. Total cost - \$11,030.

After a brief discussion, Councilman Sweezy made a motion to approve the aforementioned repairs in the amount of \$11,030, seconded by Councilman Ogle. The vote was unanimous.

**APPROVAL OF REVISED FAÇADE GRANT APPLICATION** Community Affairs Director Morrissa Angi reviewed proposed amendments to the application.

Councilman Sweezy said he was part of the Design Committee and assisted in writing the grant guidelines as they originally existed and priority was given to Main Street, and they included rear building improvement because of the new parking area. He would like it to remain in the application. Ms. Angi said the committee did want that back in the application after the majority of buildings on Main Street were completed.

Councilman Delp said visual aids should be a requirement of the application.

After a brief discussion, it was the consensus of Council to ask Ms. Angi to work with the Design Committee and Staff to tweak the application and bring back for Council approval.

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

**BUDGET AMENDMENT NO. 19 - COMMUNITY CENTER ROOF REPAIRS**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2016:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
10.6200.150 Maint & Repairs	<u>73,050</u>	<u>      </u>
Total	<u>\$73,050</u>	<u>\$ 0</u>

This will result in a net increase of \$ 73,050 in the expenditures of the General Fund. To provide funding for the above, the following revenue budgets will be increased. These additional revenues have already been received.

10.3970.300 From Utility Fund		<u>73,050</u>
Total	<u>\$</u>	<u>\$73,050</u>

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget Officer and the Finance Officer for their direction.

**BUDGET AMENDMENT NO. 20 - COMMUNITY CENTER ROOF REPAIRS**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2016:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
30.8100.920 Contribution Gen Fund	<u>73,050</u>	<u>      </u>
Total	<u>\$73,050</u>	<u>\$ 0</u>

This will result in a net increase of \$ 73,050 in the expenditures of the Utility Fund. To provide funding for the above, the following revenue budgets will be increased. These additional revenues have already been received.

30.3990.000 From Fund Balance		<u>73,050</u>
Total	<u>\$</u>	<u>\$73,050</u>

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget Officer and the Finance Officer for their direction.

Councilwoman Hildebran made a motion to approve the two aforementioned budget amendments, seconded by Councilman Ogle. The vote was unanimous.

**MAYOR AND COUNCIL COMMENTS:**

**MCGALLIARD FALLS PARK** Councilman Delp said the daffodils, iris, daylilies were very pretty at the park.

Mr. Eckard said the Grist Mill roof had been repaired and he met last week regarding the water wheel which will be installed in the near future.

**DOWNTOWN LIGHTING** Councilman Ogle asked about the downtown lights that were out and he noticed some were being replaced this date. Mr. Eckard said yes Duke Energy was working on lights on the east end of town and the other lights were a different process. Mr. Eckard explained that Duke Energy was working on a different process and was working with a new subcontractor.

**COMMENDED TOWN MANAGER** Councilwoman Hildebran commended Town Manager Seth Eckard for keeping Members of Council updated on what was going on in the community.

Councilwoman Stevenson also agreed with Councilwoman Hildebran and she said it was appreciated to be kept updated on issues.

Councilman Sweezy said the Town Manager also stayed updated on available grants.

Mr. Eckard said he credited his team.

**NC DEPARTMENT OF COMMERCE SEMINAR** Councilman Sweezy said he recently attended a seminar offered by the NC Department of Commerce at Western Piedmont Community College and they had programs for constructive and destructive (demolition) grants. Mr. Eckard said the demolition grants required a 25 percent match.

**MANAGER'S REPORT:**

**VALDESE TRIATHLON, SATURDAY, APRIL 9, 2016, 8:00 A.M.**

**GROUNDBREAKING CEREMONY, MERIDIAN, TUESDAY, APRIL 12, 2016, 3:00 P.M.** Mayor Black said he may be out of town and Mayor Pro Tem Stevenson would welcome everyone. Mr. Eckard said he would also be out of town for continuing education.

**SECOND CITIZEN INPUT MEETING REGARDING PROPOSED TAX INCREASE, TUESDAY, APRIL 19, 2016, 6:00 P.M., VALDESE TOWN HALL - COMMUNITY ROOM**

**BUDGET WORKSHOP, SATURDAY, APRIL 23, 2016, 9:00 A.M., VALDESE TOWN HALL COMMUNITY ROOM**

**VALDESE CITIZENS ACADEMY** Mr. Eckard said there have been two of the seven sessions of the academy and he said there were a couple of the participants in the audience and he appreciated them being present.

At 7:13 p.m., there being no further business to come before Council, Councilman Ogle made a motion to adjourn, seconded by Councilwoman Hildebran. The vote was unanimous.

The next meeting is a Budget Workshop on Saturday, April 23, 2016, 9:00 a.m., Valdese Town Hall Community Room.

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Town Clerk

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Mayor

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**TOWN OF VALDESE**

**QUORUM PRESENT – Ground Breaking Ceremony for Meridian Specialty Yarn Group, Inc.**

**TUESDAY, APRIL 12, 2016**

On Tuesday, April 12, 2016, 3:00 p.m., a quorum of the Valdese Town Council attended the Ground Breaking Ceremony for Meridian Specialty Yarn Group, Inc., located at 312 Columbo Street, SW, Valdese, North Carolina.

The following were present: Mayor Pro Tem Susan Stevenson, Councilwoman Frances Hildebran, Councilman Gary L. Delp, and Councilman Roy F. Sweezy. Also present were Deputy Town Clerk Thelda B. Rhoney and various Department Heads.

Absent: Mayor Black, Councilman Ogle, and Town Manager Seth Eckard.

A quorum was present and no action was taken.

At 3:00 p.m., Meridian President Tim Manson invited everyone outside for the ground breaking ceremony.

Mr. Manson welcomed everyone and offered a brief update on the project. He introduced the Contractor and Meridian Staff.

Mayor Pro Tem Stevenson thanked Mr. Manson and Meridian Staff. She recognized Members of the Valdese Town Council and Burke County Commissioner Maynard Taylor. She thanked everyone for attending.

After the ceremony, Mr. Manson invited everyone to enjoy refreshments.

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Town Clerk

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Mayor

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**TOWN OF VALDESE**

**QUORUM PRESENT – Citizens Input Meeting Regarding Possible 6 cents Tax Increase**

**TUESDAY, APRIL 19, 2016**

On Tuesday, April 19, 2016, 6:00 p.m., the second session of the Citizens Input Meeting Regarding Possible 6 cents Tax Increase was held at Valdese Town Hall Community Room, 102 Massel Avenue, SW, Valdese, North Carolina.

Present: Mayor John F. “Chip” Black, Jr., Councilwoman Frances Hildebran, Councilwoman Susan Stevenson, Councilman Roy F. Sweezy, and Councilman Gary L. Delp. Also present were Town Manager Seth Eckard, Deputy Town Clerk Thelda B. Rhoney, Finance Director Jerry LaMaster, Fire Chief Charlie Watts, and Public Works Director Bryan Duckworth.

Absent: Councilman Ogle

A quorum of the Valdese Town Council was present and no action was taken.

At 6:00 p.m., Town Manager Seth Eckard welcomed everyone and asked each person to introduce themselves. In addition to the aforementioned the following were present: “Morganton News Herald” Reporter Jonelle Bobak and Jason Smith.

Public Works Director Bryan Duckworth and Fire Chief Charlie Watts offered PowerPoint presentations regarding their departmental budget requests.

Town Manager Seth Eckard offered an overview of the FY 2016-2017 budget requests and why he was recommending a 6 cents tax increase which would be included in the budget.

Mr. Jason Smith spoke about the Valdese ABC Store. He said he was opposed to the store when it opened and was still opposed to the store being in Valdese. He said nothing good ever came from alcohol, and he had lost family and friends due to alcohol. He reviewed Town of Valdese minutes regarding the ABC Store since 2010.

At 7:00 p.m., there were no additional comments or questions.

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
BUDGET WORKSHOP  
SATURDAY, APRIL 23, 2016**

The Valdese Town Council met on Saturday, April 23, 2016, 9:00 a.m., for a Budget Workshop at Valdese Town Hall Community Room located at 102 Massel Avenue, SW, Valdese, North Carolina. The following members were present: Mayor John F. (Chip) Black, Councilman Keith Ogle, Councilwoman Frances Hildebran, Councilwoman Susan Stevenson, Councilman Gary Delp, and Councilman Roy Sweezy. Also present: Town Manager Seth Eckard, Deputy Town Clerk Thelda B. Rhoney and Finance Director Jerry LaMaster.

Absent: None

A quorum was present. No action was taken.

Others present: Dwayne Wilson, Dwayne Wilson Insurance & Financial Services and HR Officer/Utility Customer Services Manager Debbie Jones.

Breakfast was catered by Myra's Catering.

**CALL TO ORDER** At 9:00 a.m., Mayor Black opened the meeting and welcomed everyone. He said the purpose of the meeting was for a Budget Workshop.

**EMPLOYEE HEALTH INSURANCE** Mr. Wilson offered an overview of employee insurance since 2012. The current provider was Blue Cross Blue Shield NC (BCBS) with an estimated renewal increase of 18 percent and he mentioned another provider, Corporate Benefit Services, Inc., with an estimated 10 percent increase. The actual estimates should be in within a week.

Town Manager Seth Eckard said the current estimated increase would be \$96,445.64 and employees could participate in the cost or see a reduction in their HSA contributions.

Members of Council recommended that the Town keep BCBS if possible.

Mr. Wilson said he would advise staff as soon as the quote for the renewal rate was received.

At 9:50 a.m., Mr. Wilson and Ms. Jones left the meeting.

**PROPOSED BUDGET - FY 16-17** Mr. Eckard and Finance Director Jerry LaMaster presented the proposed budget for FY 16-17. They reviewed the General and Utility Funds Revenues and Expenditures.

**PROPOSED TAX AND UTILITY INFORMATION** Mr. Eckard briefly reviewed the cost of a 6 cents tax increase for a home valued at \$75,000, \$100,000, \$150,000, and \$200,000. He also reviewed water and sewer increases and the cost per year and per month.

**BUDGET HIGHLIGHTS – FY 16-17** Mr. Eckard briefly reviewed the budget highlights which would be included in the budget document.

**SPECIAL PROJECTS BUDGET** Mr. Eckard briefly reviewed the departmental special projects budget.

**ADJOURNMENT** – Mayor Black adjourned the meeting at 11:11 a.m.

The next meeting is a regularly scheduled meeting on Monday, May 2, 2016, 6:00 p.m., Valdese Town Hall.

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL MEETING  
MAY 2, 2016**

The Town of Valdese Town Council met on Monday, May 2, 2016, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The following were present: Mayor John F. "Chip" Black, Jr., Councilman Keith Ogle, Councilwoman Frances Hildebran, Councilwoman Susan Stevenson, Councilman Gary L. Delp, and Councilman Roy F. Sweezy. Also present were Town Manager Seth Eckard, Town Attorney Marc Mitchell, Deputy Town Clerk Thelda B. Rhoney, and various department heads.

Absent: None.

A quorum was present.

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

**OPEN FORUM/PUBLIC COMMENT:**

**MR. BUD LEVAN, 1006 CURVILLE STREET,** said he was opposed to the proposed tax increase and he was unaware as he did not receive the "Morganton News Herald." He believed a lot of people did not receive the newspaper and were unaware of an increase. He asked if the increase would be on the tax bills this July or August. Mayor Black said if Council approved a tax increase it would be effective July 1, 2016.

Mr. Levan recommended that a notice be mailed or placed on the water bill. He said he received a nice letter from the Town about a month ago that explained a bike race. He said he received nothing about a proposed tax increase which affected him a lot more than a bike race.

He wondered how many fires the Town had within the past five years that would require a ladder fire truck.

Mayor Black said the budget would be presented June 6 and the Budget Public Hearing would be held on June 27, 2016.

Town Manager Seth Eckard said the Town did a great job with social media online, the Town's website and the newspaper. There was a communication gap for those who did not have access to Internet; however, in the upcoming budget a phone tree system for the entire town is proposed.

Mayor Black said most people have a cell phone and can access the Town's website which has a lot of information.

**MS. JEAN MARIE COLE, 705 BERTIS STREET,** spoke against the proposed tax increase. She would like to attend the June 27 Council meeting to hear more about the proposed increase. She believed funds should be in every budget for items such as a new garbage truck and street repairs. She understood that you could not budget for state mandates. She said her Social Security check did not go up and there was a 65 plus population in this town. She said a 6 cents increase this year and what about next year.

Mayor Black said there had been two citizen input meetings this year and several civic presentations and there could be more informational meetings if needed. He thanked Ms. Cole for her comments.

Councilman Sweezy said regarding the fire truck and fire personnel if we lost our fire rating that would cost our citizens more for insurance.

Councilman Ogle said the senior citizens, 65 plus, could apply for lower taxes and the information was on the Town's website for the contact information in Burke County. He said no one had voted yet for a tax increase and citizens should speak with their Council Members.

Mr. Eckard said he would meet with anyone regarding the budget.

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

**APPROVED MINUTES: FIRST CITIZEN INPUT MEETING REGARDING PROPOSED TAX INCREASE - APRIL 1, 2016; REGULAR MEETING - APRIL 4, 2016; MERIDIAN GROUND BREAKING CEREMONY - APRIL 12, 2016; SECOND CITIZEN INPUT MEETING - APRIL 19, 2016; AND BUDGET WORKSHOP - APRIL 23, 2016**

**APPROVED ORDINANCE DECLARING ROAD CLOSURES FOR TOWN OF VALDESE SPECIAL EVENTS**

**AN ORDINANCE DECLARING ROAD CLOSURES FOR TOWN OF VALDESE SPECIAL EVENTS**

WHEREAS, the Town of Valdese desires to schedule a Christmas parade, an Independence Day Celebration and the Annual Waldensian Festival; and

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

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

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

**INDEPENDENCE DAY CELEBRATION**

DATE: JULY 1, 2016

TIME: 5:00 PM – 11:00 PM

ROUTE: Main Street (US 70) from Hoyle Street to Eldred Street

**WALDENSIAN FESTIVAL KICK OFF CELEBRATION**

DATE: AUGUST 12, 2016

TIME: 5:00 PM – 11:00 PM

ROUTE: Main Street (US 70) from Hoyle Street to Eldred Street

**WALDENSIAN FESTIVAL CELEBRATION**

DATE: AUGUST 13, 2016

TIME: 5:30 AM – 11:00 PM

ROUTE: Main Street (US 70) from Hoyle Street to Eldred Street

**VALDESE CHRISTMAS PARADE**

DATE: DECEMBER 3, 2016

TIME: 9:45 AM – NOON

ROUTE: Main Street (US 70) from Hoyle Street to Eldred Street

Signs shall be erected giving notice of the limits and times of these street closures as required by G.S. 20-169.

THIS, the 2<sup>nd</sup> day of May, 2016.

John F. Black, Jr., Mayor

Attest: /s/ Town Clerk

**APPROVED AMENDMENT NO. 2 TO AGREEMENT WITH WEST CONSULTANTS FOR SEWER SYSTEM I & I IMPROVEMENTS (3013 CWSRF PROJECT)** The amendment is for the Inflow and Infiltration (I & I) project to investigate other known I & I issues within the Town's Collection System. With available project funds, staff plans to investigate the Campbell Avenue outfall and the Church Street outfall for sources of I & I since large amounts of I & I have been discovered in these areas during heavy rain events. The cost for Amendment No. 2 is \$5,000 and funds will come from the Clean Water State Revolving Fund.

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

***End Consent Agenda***

**ITEM REMOVED FROM CONSENT AGENDA:**

**APPROVAL OF HEFNER REAL ESTATE FOR SALE OF TOWN-OWNED PROPERTY LOCATED AT 508 MAIN STREET EAST (NAPA/FLOWERS BUILDING)** Town Manager Seth Eckard recommended this item be tabled until the June 6, 2016 meeting as more information was needed.

Councilwoman Stevenson made a motion to table the aforementioned agenda item until the June 6, 2016 Council meeting, seconded by Councilwoman Hildebran. The vote was unanimous.

**AWARD OF 2016 SAFEST CITIES FROM SAFEWISE** Police Chief Moss said Valdese was ranked the 17<sup>th</sup> safest city in North Carolina and he was proud of his staff.

**RECOGNITION OF FIRE PERSONNEL FOR RECEIVING ADVANCED FIREFIGHTER CERTIFICATIONS** Fire Chief Watts presented Advanced Firefighter Certifications to Mark David Icard and Thomas Heath Oxentine. He reviewed requirements in order to receive the advanced certification, and he said three in the Fire Department now held advanced certificates.

**APPROVAL OF AGREEMENT WITH BOONDOCK STANDARD, LLC** Public Works Director Bryan Duckworth said the agreement with Boondock Standard, LLC, in the amount of \$2,000 per year which would supply Boondock Cities software so staff could prepare maps, share maps, and engage the public via map comments. Data could be entered from smart phones. Potholes could be tracked, and maps would show which roads would be blocked off at events, etc.

Mr. Eckard said this company was formed by a group of UNC graduates and was based in Durham, North Carolina. He recommended using the maps for one year and the agreement could be continued.

Town Attorney Marc Mitchell said it would need to be determined before one year if the town wished to continue the three year agreement at \$2,000 per year.

After a brief discussion, Councilman Sweezy made a motion to approve the agreement with Boondock Standard, seconded by Councilman Delp.

Voting aye: Hildebran, Stevenson, Delp, and Sweezy

Voting nay: Ogle

Mayor Black said the motion carried.

**APPROVAL OF REVISED FAÇADE GRANT APPLICATION** Community Affairs Director Morrissa Angi presented the revisions to the Façade Grant Application and she said the area along Main Street was extended from Eldred Street to Morganton Street.

Councilman Ogle made a motion to approve the Revised Façade Grant Application, seconded by Councilwoman Stevenson. The vote was unanimous.

**ADOPTION OF LOAN RESOLUTION FOR THREE POLICE VEHICLES AND ENERGY EFFICIENCY LIGHTING AT THE RECREATION CENTER** Police Chief Jack Moss described the police vehicles that were being replaced and they would be ordered on the state contract now to be ready by July 1. Mr. Eckard said if the budget were adopted without any tax increase the vehicles could be replaced by the debt service contained in the budget every year.

Councilman Ogle asked about Ford Expeditions instead of Dodge Chargers. Chief Moss said they would be replaced as needed.

Councilwoman Hildebran asked Chief Moss if he would be requesting cars in next year's budget and he said no.

Councilman Delp said we have the best police force and we do not pay them enough nor provide adequate vehicles such as take home cars which would last longer.

Mr. Eckard said the resolution also included energy efficiency lighting.

#### **Resolution Approving Financing Terms**

WHEREAS: The Town of Valdese has previously determined to undertake a project for the financing of police vehicles and energy savings equipment, (the "Project"), and the Finance Director has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. Valdese hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal April 22, 2016 and the addendum dated April 27, 2016. The amount financed shall not exceed \$139,198.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 2.00%, and the financing term shall not exceed three (3) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of Valdese are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.
3. The Finance Director is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Director is authorized to approve changes to any Financing Documents previously signed by Valdese officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Director shall approve, with the Finance Director's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. Valdese shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. Valdese hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).
5. Valdese intends that the adoption of this resolution will be a declaration of Valdese's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. Valdese intends that funds that have been advanced, or that may be advanced, from the Valdese's general fund, or any other Valdese fund related to the project, for project costs may be reimbursed from the financing proceeds.
6. All prior actions of Valdese officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 2<sup>nd</sup> day of May, 2016.

By: /s/ Frances M. Hildebran, Town Clerk

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

After a brief discussion, Councilman Ogle made a motion to adopt the aforementioned Loan Resolution, seconded by Councilman Delp. The vote was unanimous.

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

**BUDGET AMENDMENT NO. 21 - COMMUNITY CENTER REPAIRS**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2016:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
10.6200.150 Maint & Repairs	\$ 11,000	
Total	\$ 11,000	\$ 0

This will result in a net increase of \$ 11,000 in the expenditures of the General Fund. To provide funding for the above, the following revenue budgets will be increased. These additional revenues have already been received.

10.3970.300 From Utility Fund		<u>\$11,000</u>
Total	<u>\$</u>	<u>\$11,000</u>

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget Officer and the Finance Officer for their direction.

### BUDGET AMENDMENT NO. 22 - COMMUNITY CENTER REPAIRS

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2016:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
30.8100.920 Contribution Gen Fund	<u>\$ 11,000</u>	
Total	<u>\$ 11,000</u>	<u>\$ 0</u>

This will result in a net increase of \$ 11,000 in the expenditures of the Utility Fund. To provide funding for the above, the following revenue budgets will be increased. These additional revenues have already been received.

30.3990.000 From Fund Balance		<u>11,000</u>
Total	<u>\$</u>	<u>\$11,000</u>

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget Officer and the Finance Officer for their direction.

Councilman Ogle made a motion to approve the aforementioned two budget amendments, seconded by Councilwoman Hildebran. The vote was unanimous.

### MAYOR AND COUNCIL COMMENTS:

Councilman Delp thanked Public Works Director Bryan Duckworth for repairing a water leak on Laurel Street.

Councilman Delp said he recently observed a child fishing for trout at McGalliard Falls Park.

Councilman Delp said a friend of his had an issue at the Food Lion parking lot where someone tried to steal something from his vehicle and he was complimenting the Valdese Police Department.

Councilwoman Hildebran said there were some ladies in her neighborhood who were walking and saw a snake, and a Valdese Police Officer was patrolling the area and he moved the snake to a wooded area.

Councilwoman Stevenson asked about the Granville Morrow Fun Fish Day. Recreation Director Doug Knight said the date was Saturday, May 21, 2016.

Councilman Delp said volunteers assisting (Barber Shop) with the Fun Fish Day needed to know the date.

**VALDESE YOUTH COUNCIL** Councilwoman Stevenson asked Community Affairs Director Morrissa Angi about updates on the Valdese Youth Council. Ms. Angi said normally it was included in the Reading Material and presently the attendance had been low and she was working on projects for the Youth Council. Councilwoman Stevenson requested that Ms. Angi continue adding information about the Youth Council in Reading Materials.

**NEW DOWNTOWN PARK** Councilman Sweezy said citizens were concerned about a new building at the park. He commended Mr. Eckard about the PARTF Grant plus additional grants.

Mr. Eckard said Former Town Manager Jeff Morse was responsible for obtaining those grants and staff would continue working on the project.

**MANAGER'S REPORT:**

**UPDATE ON MCGAILLARD FALLS WATER WHEEL** Mr. Eckard said there was a water wheel designed from 13 foot to a proposed 16 foot which had been sent to the Historic Valdese Foundation and the Rostan Foundation, funders for the project, for final approval. The Bridge Crew would be contacted to build the trough. There would be a ribbon cutting celebration for the new water wheel.

**TOWN OF VALDESE CITIZENS ACADEMY, SESSION SEVEN, FOR CONCLUSION & GRADUATION ON THURSDAY, MAY 5, 2016, 6:00 P.M., VALDESE TOWN HALL, COUNCIL CHAMBERS** Mr. Eckard said he was proud of the Citizens Academy participants, a dynamic group, and he recognized Sandi Walker, Rose and Will Mueller who were all in the audience. He said they would present a community service project for the Town of Valdese.

**FAMILY FRIDAY NIGHTS BEGIN MAY 6, 2016 AND CONTINUE THROUGH SEPTEMBER 30, 2016**

**FARMERS MARKET BEGINS MAY 20, 2016 THROUGH SEPTEMBER; WEDNESDAYS 9:00 A.M. – NOON; AND FRIDAYS 11:00 A.M. – 4:00 P.M.**

**TOWN OFFICES CLOSED ON MONDAY, MAY 30, 2016, IN OBSERVANCE OF MEMORIAL DAY**

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

The next meeting is a regularly scheduled meeting on Monday, June 6, 2016, 6:00 p.m., Valdese Town Hall.

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Town Clerk

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Mayor

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**TOWN OF VALDESE**  
**QUORUM PRESENT – Citizens Academy Seventh Session (Graduation)**  
**THURSDAY, MAY 5, 2016**

On Thursday, May 5, 2016, 6:00 p.m., the Seventh Session (Graduation) of the Town's First Citizens Academy was held at Valdese Town Hall Council Chambers, 102 Massel Avenue, SW, Valdese, North Carolina.

Present: Mayor Pro Tem Susan Stevenson, Councilman Ogle, Councilwoman Frances Hildebran, and Councilman Roy F. Sweezy. Also present were Town Manager Seth Eckard, Deputy Town Clerk Thelda B. Rhoney, Community Affairs Director Morrissa Angi, and various Department Heads.

Absent: Mayor John F. "Chip" Black, Jr., and Councilman Gary L. Delp

A quorum was present and no action was taken.

Hors d'oeuvres were provided by Myra's Catering.

At 6:15 p.m., Town Manager Seth Eckard welcomed everyone and asked that the participants of the academy present their project.

Mayor Pro Tem Stevenson welcomed everyone and congratulated all of the participants of the First Graduating Class of the Citizens Academy in Valdese. She said on behalf of the Mayor and Members of the Valdese Town Council they appreciated the dedication to the program and to the Town. She commended the Department Heads for their hard work.

Ms. Tonya Stephens, elected President of the Academy by the members, offered a PowerPoint presentation and said the academy members came up with a lot of projects which was hard to narrow down. They chose the Valdese Pride Street Sweep on August 6, 2016, to clean/sweep the streets of Valdese on Main Street prior to the Waldensian Festival. They would reach out to Churches, Scouts, Schools, etc., for assistance. They are going to continue meeting as part of the Main Street Committee.

Mayor Pro Tem Stevenson said this project would enhance the Litter Sweep Program.

One of the members thanked Public Works Director Bryan Duckworth for assisting with the Fat/Oils/Grease Program and for painting the parking spaces around town.

Mr. Eckard said staff had also learned from the academy as well. He encouraged the academy members to spread the word about future sessions.

Councilwoman Hildebran said she was impressed that the academy members chose a project that would do something for the Town and it made her proud.

Mr. Eckard said Community Affairs Director Morrissa Angi would distribute a survey tomorrow and he asked the academy members to fill out the survey and return it as soon as possible.

Mr Eckard presented Certificates to the following Citizens Academy Graduates:

1. Carla S. Berry
2. Kathy Boutwell
3. LaDonya Edwards (absent)
4. Colton Tyler Gera
5. Judy Norris Jones
6. Rick McClurd
7. Rose Mueller
8. Will Mueller
9. Leyton Christopher Shoupe
10. Katelynn Smith
11. Tonya Stephens
12. Maxwell Hudson Teffeteller (absent)
13. Sandra C. Walker
14. Heather Ward (absent)



Ms. Angi took a group photo.

Mr. Eckard asked for questions/answers.

Ms. Carla Berry said the group was excited about the projects the group proposed. There was pride and desire to help from the academy participants.

Mr. Eckard recommended an Alumni Session in five years for all Academy participants to attend.

Mr. Rick McClurd said the group was great and President Stephens did an excellent job keeping everyone informed and she sent a lot of e-mails.

Mr. Eckard asked what surprised the group. Several members said the Water and Wastewater Plants.

Ms. Sandi Walker said in the book, "What Mean These Stones," which spoke of volunteerism in Valdese and she said this group had the pride.

One of the members said she learned something about each department. She learned that the Town offered mulch and she was spreading the word.

Some of the members said the academy needed to last eight or nine weeks instead of seven. One member said perhaps meet once a month instead of every week. Another member liked meeting every week. One of the members said he learned about recycling. One member said all of the Department Heads were proud of what they did and were caring and they took very good care of Town equipment.

Councilman Ogle asked the group if they understood they were getting a 6 cents tax increase and how many understood their water bill was going up. He said the Town needed to get the information out to the public. He said Burke County just went up 16 cents on taxes.

Two members raised their hands they did not like the increase and one said she did not like it but she would pay her taxes and understood why increases were needed.

Mr. McClurd recommended that everyone read the book, "One Second After." He encouraged all Town Officials to read the book and the author was from Black Mountain. Mr. Eckard said Town Staff works with Burke County Staff during emergencies.

Mr. Eckard asked the group if they remembered how many services a town must provide to its citizens. He said only one service which would be building inspections. He briefly reviewed services offered by Valdese.

Mr. Duckworth said the group project chosen by the academy members was huge and would be most beneficial to the Public Works Department.

Ms. Walker said the "Have a Hat Day," (to honor the tradition of the Waldenses and their hats) would be held on Saturday, May 7, 2016, 10:00 a.m., Jacumin Plaza. There would be demonstrations and entertainment. She said Macie Miller (former Little Miss North Carolina) would be raising funds by selling hot dogs for "Macie's Magical Monies," and all monies would be donated to Levine Children's Hospital. There would be a small parade and prizes would be given away and coupons for prizes could be obtained from the Downtown Merchants.

Ms. Berry said next Wednesday, May 11, 2016, 8:30 a.m., Trail of Faith, there would be senior games with participants from four counties.

At 6:52 p.m., there were no additional comments or questions and the meeting adjourned.

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL MEETING  
JUNE 27, 2016**

The Town of Valdese Town Council met on Monday, June 27, 2016, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The following were present: Mayor John F. "Chip" Black, Jr., Councilman Keith Ogle, Councilwoman Frances Hildebran, Councilwoman Susan Stevenson, Councilman Gary L. Delp, and Councilman Roy F. Sweezy. Also present were Town Manager Seth Eckard, Town Attorney Marc Mitchell, Deputy Town Clerk Thelda B. Rhoney, and various department heads.

Absent: None.

A quorum was present.

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

**OPEN FORUM/PUBLIC COMMENT:**

**TIM HORLDT – FOURTH OF JULY FIREWORKS** Rev. Tim Horltdt, 820 Gardiol Avenue, Valdese, recommended Council hold the Fourth of July event on the 4<sup>th</sup> and not on Family Friday Nights, July 1, 2016.

Mayor Black thanked Rev. Horltdt for his comments.

No one else wished to speak.

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

**APPROVED MINUTES – JUNE 6, 2016**

**APPROVED REQUEST FROM WALDENSIAN STYLE WINES AND WALDENSIAN HERITAGE WINES TO SELL WINE AT THE WALDENSIAN FESTIVAL ON AUGUST 12 AND 13, 2016** On August 12, 2016, the hours from 5:00 p.m. until 11:00 p.m., and on August 13, 2016, from noon until 11:00 p.m.

**ADOPTED RESOLUTION AMENDING THE EMPLOYEE BENEFITS SECTION OF THE TOWN OF VALDESE PERSONNEL POLICY – RETIREE INSURANCE COVERAGE**

**RESOLUTION AMENDING THE EMPLOYEE BENEFITS SECTION  
OF THE TOWN OF VALDESE PERSONNEL POLICY  
(Retiree Insurance Coverage)**

WHEREAS, as an employee benefit the Town of Valdese has provided medical insurance coverage or a monetary amount in lieu of insurance to town employees who have completed 25 years of employment with the Town of Valdese and who are not yet eligible for Medicare, provided that the employee pays his or her share of the cost of the insurance; and

WHEREAS, the town council has determined that it is not financially feasible for the Town to continue this benefit and that the personnel policy should therefore be amended so that this benefit will not be available to those town employees hired on or after July 1, 2016;

IT IS THEREFORE RESOLVED that the Retiree Insurance Coverage section under Section 2. Group Health and Hospital Insurance, Article VI. Employee Benefits, of the Town of Valdese personnel policy is amended to read as follows:

**"ARTICLE VI. EMPLOYEE BENEFITS**

**Retiree Insurance Coverage**

For those employees who were hired prior to July 1, 2016, the Town provides medical insurance coverage or provides a monetary amount in lieu of insurance for the purpose of allowing the retiree to purchase insurance. The choice of insurance or payment in lieu is made by the Town. Employee eligibility for this coverage is determined as follows:

- a) the employee must have been hired by the Town of Valdese prior to July 1, 2016;

- b) the employee must have completed at least 25 years of employment with the Town of Valdese and not yet be eligible for Medicare; and
- c) the employee must pay his/her share of the cost of such insurance coverage as hereinafter provided, if applicable.

The Town's contribution shall be reviewed each year by the Town Council to determine if the Town's contribution is financially feasible. The Town does not provide this retiree insurance benefit to employees who were hired on or after July 1, 2016."

ADOPTED THIS, THE 27<sup>TH</sup> DAY OF JUNE, 2016.

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

ATTEST: /s/ Town Clerk

**APPROVED APPOINTMENT/REAPPOINTMENT TO VEDIC BOARD OF DIRECTORS** Elizabeth Furr was reappointed to the VEDIC Board for a third, three-year term which would expire July 1, 2019. The VEDIC Board also recommended T R Robinson to replace Ed Hallyburton. Mr. Robinson's first, three-year term would expire July 1, 2019.

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

***End Consent Agenda***

**ITEMS REMOVED FROM CONSENT AGENDA:** NONE.

**FY 2016 – 2017 BUDGET (1) PUBLIC HEARING AND (2) ADOPTION OF ORDINANCE** Mayor Black opened the public hearing and asked if anyone wished to speak either for or against.

**MS. SANDI WALKER, 124 MAIN STREET WEST, VALDESE** Ms. Walker spoke in opposition of the proposed tax increase and she said it would be a fatal blow for the town with the proposed tax increase and water rate increase (utility rates in eight years had increased by 200 percent). She said Council had failed to be good stewards of the money.

Mayor Black thanked Ms. Walker for her comments.

Town Manager Seth Eckard said there had been no changes to the proposed budget that was presented at the June 6, 2016 Council meeting.

There being no one else wishing to speak, Mayor Black closed the public hearing.

Councilwoman Frances Hildebran arrived at 6:07 p.m.

**FY 2016 – 2017 ADOPTION OF BUDGET ORDINANCE**

**TOWN OF VALDESE BUDGET  
FISCAL YEAR 2016 - 2017**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VALDESE, NORTH CAROLINA, THAT:

Section I: The following amounts are hereby appropriated to the fund set forth for the operation of the town government and its activities for the fiscal year beginning July 1, 2016 and ending June 30, 2017 in accordance with the chart of accounts heretofore established for this town:

GENERAL FUND	\$ 5,413,932
Governing Body	\$ 62,655
Administration	971,434
Public Works	346,435
Maintenance & Grounds	197,652
Planning	86,550
Police	918,988

**June 27, 2016, MB #30**

Fire	828,004
Street	339,901
Powell Bill	150,000
Sanitation	246,947
Recreation	766,275
Tourism/Community Affairs	499,091

UTILITY FUND \$ 6,234,075

Water	2,034,329
Wastewater	2,539,722
Water/Sewer Const.	1,660,024

TOTAL EXPENDITURES \$ 11,648,007

Section II: It is estimated, and therefore appropriated, that the following revenues will be made available to the respective funds for the fiscal year beginning July 1, 2015 as follows:

GENERAL FUND \$ 5,413,932

UTILITY FUND \$ 6,234,075

TOTAL REVENUES \$ 11,648,007

Section III: There is hereby levied an ad valorem tax at the rate of fifty four and one half cents (\$0.545) per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2017 for the purpose of raising a portion of the revenue listed in the General Fund appropriation in Section II of this ordinance. This rate, based upon an estimated total valuation of \$328,892,270 will generate a levy of \$1,580,982 with an estimated collection rate of 98% less \$17,000 reserved for discounts.

Section IV: As set forth in the Utility Fund Non-Departmental Section of the FY 2016-2017 budget document, the amount of \$321,534 is appropriated for the purpose of debt service and that this amount is sufficient for the complete and proper payment of all bond principal, bond interest and commissions on the outstanding debt of the town relating thereto for the fiscal year beginning July 1, 2016, and ending June 30, 2017.

Section V: Long Term Monitoring surcharge for industrial pretreatment program.

Program Cost: \$15,500

Section VI: The fee schedule for utility service for INDUSTRIAL CUSTOMERS is as follows:

<u>Inside Water</u> (Consumption /1000 gal.)	<u>Inside Wastewater</u> (Discharge/1000 gal.)
0 - 3 \$11.31	Admin. Billing Charge \$6.15
4 - 3000 2.15	
3001+ 1.04	User Charge 2.05
<u>Outside Water - Town System</u> (Consumption /1000 gal.)	<u>Outside Wastewater - Town System</u> (Discharge /1000 gal.)
0 - 3 \$24.19	Double Inside Rate
4 - 3000 4.30	
3001+ 2.08	

The fee schedule for utility service for COMMERCIAL CUSTOMERS is as follows:

<u>Inside Water</u> (consumption / 1000 gal.)	<u>Inside Wastewater</u> (discharge / 1000 gal.)
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**June 27, 2016, MB #30**

Fixed Meter Charge +	Minimum charge	
0 – 3                    28.90		
4 – Plus                2.80	up to 3000 gals.	\$6.35
	Cost per 1000 gal.	\$2.15

<u>Outside Water – Town System</u> (consumption / 1000 gal.)	<u>Outside Wastewater- Town System</u> (discharge / 1000 gal.)
Fixed Meter Charge +	
0 – 3                    57.80	Double Inside Rate
4 – Plus                5.60	

The fee schedule for utility service for RESIDENTIAL CUSTOMERS is as follows:

<u>Inside Water</u> (consumption / 1000 gal.)	<u>Inside Wastewater</u> (discharge / 1000 gal.)	
Fixed Meter Charge +		
0 – 3                    28.90		
4 – Plus                2.80	Minimum charge up to 3000 gals.	\$6.05
	Cost per 1000	2.05

<u>Outside Water – Town System</u> (consumption / 1000 gal.)	<u>Outside Wastewater- Town System</u> (discharge / 1000 gal.)
Fixed Meter Charge +	
0 – 3                    43.35	Double Inside Rate
4 – Plus                5.60	

Utility Deposits

Non-owner Resident	\$100.00
Non-owner Commercial	100.00
Non-owner Industrial	100.00

Reconnect                                \$ 25.00

Water Meter Tampering                \$100.00

Late Penalty                                10% after 15th of month bill is due. Amended policy now included for large users. If the penalty exceeds \$200.00 the amended policy becomes effective.

Section VII: The Budget Officer is hereby authorized to transfer appropriations within a fund as contained herein under the following conditions:

- (A) He may transfer amounts between objects of expenditures within a department without limitation and without a report being required.
- (B) He may transfer amounts of \$1,000 between departments of the same fund with an official report on such transfer at the next regular meeting of the Town Council.
- (C) He may not transfer any amounts between funds or from any contingency appropriation within any fund without approval of the Town Council.

Section VIII: Copies of this budget ordinance and accompanying documents shall be furnished to the finance office, budget officer, and other department heads of the Town of Valdese to be kept on file by them for their direction in the disbursement of funds.

Upon introduction by Town Manager Seth B. Eckard, motion to adopt by Councilman Ogle, and seconded by Councilman Sweezy.

Voting aye: Ogle, Stevenson, Delp, and Sweezy

Voting noe: Hildebran

The motion carried 4-1.

This ordinance is adopted on this the 27<sup>th</sup> day June, 2016.

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

Attest: /s/ Town Clerk

**PUBLIC HEARING – DOWNTOWN PARK PROJECT** Mayor Black opened the public hearing and asked if anyone wished to speak either for or against.

Town Manager Seth Eckard said the public hearing was a requirement of the USDA Loan Application process to receive input from the public for the funding of the Downtown Park Project.

There being no else wishing to speak Mayor Black closed the public hearing.

**PUBLIC HEARING – LADDER TRUCK** Mayor Black opened the public hearing and asked if anyone wished to speak either for or against.

Mayor Black said this public hearing was to accept public comment for the purchase of a Ladder Truck and the process was for the USDA loan application.

There being no one wishing to speak Mayor Black closed the public hearing.

**PRESENTATION BY BDI PRESIDENT & CEO ALAN D. WOOD - ECONOMIC UPDATE** Mr. Wood offered a brief PowerPoint presentation. He briefly reviewed BDIs Action Plan and he said staff made 75 existing industry visits. In the marketing campaign there was a fundamental shift in the way young people and their parents think about the jobs available in Burke County and he reviewed their marketing efforts. Their target sectors are food processing (craft breweries), metalworking, and outdoor products and others as determined. He reviewed education needs for future jobs, marketing efforts, plans, projects, recruitment, and expansions.

Councilwoman Hildebran asked what type of impact the NC School of Science and Math would have on the community. Mr. Wood said it would be amazing and scheduled to open in the Fall of 2020 with approximately 340 of the brightest kids in the state and there would be 270 distant learners that would come to town once per month. There would be outreach programs and 100 new teachers hired that hold master's degrees or above.

Mayor Black thanked Mr. Wood for working on the Meridian Project in Valdese and other projects in Burke County.

**AGREEMENT WITH REPUBLIC SERVICES FOR RESIDENTIAL RECYCLING** Mr. Duckworth introduced Republic Services Representatives Melinda Barkley and Wade Goossens. He said Town Attorney Marc Mitchell was reviewing the first draft of the agreement. The Town would go with curbside recycling using 96 gallon carts, from 18 gallon bins, with pick up every two weeks instead of every week, increasing recycling and less items going into the trash truck with fewer trips to the landfill.

Mayor Black said he understood that cardboard and other items could now be recycled and Mr. Goossens said yes and all items would need to be placed within the cart.

Councilwoman Hildebran asked about training. Ms. Barkley said they were working on education issues and the program should begin September 2016.

After a brief discussion, Councilman Sweezy made a motion to approve the five-year Agreement with Republic Services for residential recycling, seconded by Councilman Delp. The vote was unanimous.

**AWARD OF BID FOR CRACK SEALING STREET PROJECT** Town Manager Seth Eckard said staff recommended the bid be awarded to the lowest bidder, Remac, Inc., Freeman, VA, in the amount of \$62,700. (Other bid: Hickory Sealing & Striping, Connelly Springs, NC, in the amount of \$91,000.)

Councilman Ogle made a motion to award the bid to Remac, Inc. in the amount of \$62,700, seconded by Councilwoman Hildebran. The vote was unanimous.

**AUTHORIZATION TO PROCEED WITH CONNELLY SPRINGS WASTEWATER COLLECTION AGREEMENT** Public Works Director Bryan Duckworth said Connelly Springs Staff and Board of Aldermen requested authorization from the Town of Valdese to proceed with an agreement to mow and maintain their sewer outfalls which includes mapping of their lines and manholes and provide an annual report. Mr. Duckworth said this was a good project with two small towns working together to share resources.

Councilwoman Stevenson made a motion to authorize staff to work with Connelly Springs on a Wastewater Collections Agreement, seconded by Councilwoman Hildebran. The vote was unanimous.

**AGREEMENT WITH WPCOG FOR WESTERN PIEDMONT STORMWATER PARTNERSHIP** Mr. Eckard said the agreement with WPCOG for Assistance in Supporting the Western Piedmont Stormwater Partnership in the amount of \$2,111 (Valdese portion of the partnership fee).

Councilwoman Hildebran made a motion to approve the aforementioned agreement with WPCOG for Western Piedmont Stormwater Partnership, seconded by Councilwoman Stevenson. The vote was unanimous.

**AGREEMENT WITH WPCOG FOR 2016-2017 TECHNICAL PLANNING ASSISTANCE** Mr. Eckard said this was an annual agreement with WPCOG for Technical Planning Assistance. The cost this upcoming fiscal year - \$21,900.

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

**AGREEMENT WITH CODERED® EMERGENCY NOTIFICATION SYSTEM** Mr. Duckworth said staff was requesting to enter into an agreement with Emergency Communications Network, LLC, to provide a service identified as CodeRED Emergency Notification System. CodeRED is a high speed mass notification solution specifically designed to enable local governments to record, send and track personalized voice, e-mail, text, and social media messages to citizens as well as staff. Specifically, with the CodeRED emergency notification system would allow the Town of Valdese to notify its customers of utility service interruptions, including Triple customers, road closures, billing delinquencies/disconnections, and Town of Valdese events. He described mandates from the state to notify citizens. The amount of the agreement - \$4,247 per year.

Mr. Eckard said there would be an education campaign requesting cell phone numbers and e-mail addresses.

After a brief discussion, Councilman Ogle made a motion to approve the aforementioned agreement with CodeRed, seconded by Councilwoman Stevenson. The vote was unanimous.

**ADOPTION OF SOCIAL MEDIA AND E-MAIL POLICY** ASU Intern Ben Turnmire drafted and presented the following policy:

#### **SOCIAL MEDIA AND E-MAIL POLICY**

Purpose

This Social Media & E-mail Policy ("Policy") establishes guidelines for the establishment and use by the Town of Valdese ("Town") of social media sites and email communications as a means of conveying information to members of the public.

The intended purpose of Town social media sites is to disseminate information from the Town about the Town's mission, meetings, activities, and current issues to members of the public.

The Town has an overriding interest and expectation in protecting the integrity of the information posted on its social media sites and the content that is attributed to the Town and its officials.

## Definitions

“Social media sites” means content created by individuals, using accessible, expandable, and upgradable publishing technologies, through and on the internet. Examples of social media include, but are not limited to, Facebook, Twitter, Blogs, YouTube, LinkedIn, and Flickr.

“Town social media sites” means social media sites that the Town establishes and maintains, and over which it has control over all postings, except for advertisements or hyperlinks by the social media site’s owners, vendors, or partners. Town social media sites shall supplement, and not replace, the Town’s required notices and standard methods of communication.

“Posts” or “postings” mean information, articles, pictures, videos or any other form of communication posted on a Town social media site.

“E-mail” refers to any mail generated and transferred by electronic means. This includes web-mail and workstation mail.

## 1. General Policy

- 1.1. The Town’s official website (or any domain owned by the Town) will remain the Town’s primary means of internet communication.
- 1.2. The establishment of Town social media sites is subject to approval by the Town Manager or his/her designee. Upon approval, Town social media sites shall bear the name and/or official logo of the Town.
- 1.3. All content on Town social media sites shall be reviewed, approved, and administered by the Town’s designated Community Affairs Director.
- 1.4. Town social media sites shall clearly state that such sites are maintained by the Town and that the sites comply with the Town’s Social Media Policy.
- 1.5. Town social media sites shall link back to the Town’s official website for forms, documents, online services and other information necessary to conduct business with the Town.
- 1.6. The Town’s Community Affairs Director shall monitor content on Town social media sites to ensure adherence to both the Town’s Social Media Policy and the interest and goals of the Town.
- 1.7. The Town reserves the right to terminate any Town social media site at any time without notice.
- 1.8. Town social media sites shall comply with usage rules and regulations required by the site provider, including privacy policies.
- 1.9. The Town’s Social Media Policy shall be displayed to users or made available by hyperlink.
- 1.10. All Town social media sites shall adhere to applicable federal, state and local laws, regulations and policies.
- 1.11. Employees representing the Town on Town social media sites shall conduct themselves at all times as a professional representative of the Town and in accordance with all Town policies.
- 1.12. All Town social media sites shall use authorized Town contact information for account set-up, monitoring and access. The use of personal email accounts or phone numbers by any Town employee is not allowed for the purpose of setting-up, monitoring, or accessing a Town social media site.
- 1.13. Town social media sites may contain content, including but not limited to, advertisements or hyperlinks over which the Town has no control. The Town does not endorse any hyperlink or advertisement placed on Town social media sites by the social media site’s owners, vendors, or partners.
- 1.14. The Town reserves the right to change, modify, or amend all or part of this policy at any time.

## 2. Content Guidelines



- 2.1. The content of Town social media sites shall only pertain to Town-sponsored or Town-endorsed programs, services, and events. Content includes, but is not limited to, information, photographs, videos, and hyperlinks.
- 2.2. Content posted to the Town's social media sites must contain hyperlinks directing users back to the Town's official website for in-depth information, forms, documents or online services necessary to conduct business with the Town of Valdese, whenever possible.
- 2.3. The Town shall have full permission or rights to any content posted by the Town, including photographs and videos.
- 2.4. Postings shall be made during normal business hours. After-hours or weekend postings shall only be made with approval of the Town's Community Affairs Director.
- 2.5. Any employee authorized to post items on any of the Town's social media sites shall review, be familiar with, and comply with the social media site's use policies and terms and conditions.
- 2.6. Any employee authorized to post items on any of the Town's social media sites shall not express his or her own personal views or concerns through such postings. Instead, postings on any of the Town's social media sites by an authorized Town employee shall only reflect the views of the Town.
- 2.7. Postings must contain information that is freely available to the public and not be confidential as defined by any Town policy or state or federal law.
- 2.8. Postings may NOT contain any personal information, except for the names of employees whose job duties include being available for contact by the public.
- 2.9. Postings to Town social media sites shall NOT contain any of the following:
  - 2.9.1. Comments that are not topically related to the particular posting being commented upon;
  - 2.9.2. Comments in support of, or opposition to, political campaigns, candidates or ballot measures;
  - 2.9.3. Profane language or content;
  - 2.9.4. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, or status with regard to public assistance, national origin, physical or mental disability or sexual orientation, as well as any other category protected by federal, state, or local laws;
  - 2.9.5. Sexual content or links to sexual content;
  - 2.9.6. Solicitations of commerce;
  - 2.9.7. Conduct or encouragement of illegal activity;
  - 2.9.8. Information that may tend to compromise the safety or security of the public or public systems;  
or
  - 2.9.9. Content that violates a legal ownership interest of any other party.
- 2.10. These guidelines shall be displayed to users or made available by hyperlink on all Town social media sites. Any content removed based on these guidelines must be retained, including the time, date and identity of the poster, when available.
- 2.11. The Town reserves the right to implement or remove any functionality of its social media site, when deemed appropriate by the Community Affairs Director. This includes, but is not limited to, information, articles, pictures, videos or any other form of communication that is posted on a Town social media site.

- 2.12. Except as expressly provided in this Policy, accessing any social media site shall comply with all applicable Town policies pertaining to communications and the use of the internet by employees, including email content.
- 2.13. All of the content on Town social media sites must be provided to the Town's Community Affairs Director for review, approval, and subsequent posting to the social media site.

### 3. Professional and Personal Use of Social Media

- 3.1. Separate Personal and Professional Accounts: Employees should be mindful of blurring their personal and professional lives when administering social media sites.
- 3.2. Personal Use: Employees are allowed to have personal social networking sites. These sites must remain personal in nature and be used to share personal opinions or non-work related information. This helps ensure a distinction between sharing personal and Town views. In addition, employees should never use their Town e-mail account or password in conjunction with a personal social networking site and employees should never refer or link back to their own personal site from the professional site. Personnel should also remember the Town policy when posting on the Internet.
  - 3.2.1. Employees are expected to refrain from personal social media use during business hours. Personal social media use during operations may lead to ineffectiveness in completing expected and assigned duties.
  - 3.2.2. Personal social media may be used during sanctioned breaks, lunch, or any designated time when an employee is not operating within paid business hours.
  - 3.2.3. Employees are also expected to refrain from using any comments in support of, or opposition to, political campaigns, candidates or ballot measures that are Town based and that could be damaging to the integrity of Town operations.
- 3.3. Town Use: All department-related communication through social media outlets should remain professional in nature and should always be conducted in accordance with the department's communications policy. Employees must not use social networking sites for political purposes, conduct private commercial transactions, or engage in private business activities. Sites containing anything racially or sexually discriminating or of a political or religious nature are prohibited. Employees should be mindful that inappropriate usage of social media can be grounds for disciplinary action. Thus, if an account is used for business, the entire account, regardless of any personal views, is subject to these best practices guidelines.

### 4. RECORDS MANAGEMENT AND PRESERVATION

- 4.1. Communication through department-related social media is considered a public record under NCGS, Chapter 132 and will be managed as such.
- 4.2. All comments or posts made to Town account walls or pages are public, not private.
- 4.3. In the spirit of transparency in local government, account administrators who receive messages through the private message service offered by the social media site are encouraged to direct the user to contact them at a public e-mail address maintained by their department. Alternatively, account administrators are encouraged to reply to the inquiry using their Town e-mail account. Agencies should set all privacy settings to public. Comments expressing an opposing view point must be allowed. Departments should only remove comments that are spam or comments that would not be acceptable in a public forum such as a public hearing.

### 5. ACCEPTABLE USE OF E-MAIL AND INTERNET ACTIVITIES

- 5.1. The following are acceptable uses of email and the internet.
  - 5.1.1. Communication and information exchange directly related to the mission, charter, or work tasks of the Town of Valdese.
  - 5.1.2. Communications for the purpose of maintaining job knowledge and skills or for professional development.

5.1.3. Use in conducting research for work related and government related programs or applications.

5.1.4. Communications with state agencies, other governments, or businesses with which the Town conducts business.

5.1.5. Acceptable use must be legal, ethical, reflect honesty, and show restraint in the consumption of shared resources.

## 6. UNACCEPTABLE USE OF E-MAIL AND INTERNET ACTIVITIES

6.1. The following are unacceptable uses of email and the internet.

6.1.1. Use of email for any purpose that violates federal, state, or local law.

6.1.2. Use for any for profit activities unless specific to the charter, mission, or duties of the Town of Valdese.

6.1.3. Unauthorized non-profit business activities. Including any non-governmental related fund raising or public relations activities such as solicitation for religious and political causes.

6.1.4. Downloading or distributing pirated software or data.

6.1.5. The display, storage, recording, or archive of any sexually explicit content, racially charged content, derogatory religious content, political statements, offensive language or any material that negatively reflect the Town of Valdese.

6.1.6. Hate mail, harassment in any electronic form, chain e-mails, or pornographic images.

6.1.7. Free standing instant messaging programs or Apps.

## 7. Enforcement and Violations

7.1. Violation of this policy may result in termination of Internet access or email services and possible disciplinary action up to and including dismissal and criminal charges where appropriate. Termination of services may be at the request or determination of the department head, town manager, Community Affairs Director, or any higher authority.

Adopted this 27<sup>th</sup> day of June, 2016.

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

ATTEST: /s/ Frances M. Hildebran, Town Clerk

After a brief discussion, Councilman Sweezy made a motion to adopt the aforementioned policy, seconded by Councilwoman Stevenson. The vote was unanimous.

**FY 2015 – 2016 YEAR END BUDGET AMENDMENT** Finance Director Jerry LaMaster presented the following year-end budget amendment:

### **SUPPLEMENTAL YEAR END BUDGET AMENDMENT**

#### **GENERAL FUND**

Total Revenue:

11,000

2013 Ad Valorem Tax	10.3010.131	
2013 Motor Vehicle Tax	10.3010.132	
Tax Penalty & Int	10.3170.000	(15,000)
Cable TV Franchise Fee From St	10.3280.000	(4,000)
Utility Franchise Tax	10.3370.000	(10,000)
Sales Tax	10.3450.010	

**June 27, 2016, MB #30**

Insurance Reimbursement	10.3680.000	
Rock School Auditorium	10.3970.026	(13,000)
From Utility	10.3970.302	24,000
Grant - Main St	10.3970.625	
Insurance Reserve	10.3970.930	
Fund Balance	10.3990.000	29,000

Expenditures:

Governing Body		0
Professional Services	10.4100.040	
Group Insurance	10.4100.060	
Dept Supplies	10.4100.330	
Misc	10.4100.570	

Administration		16,920
Salaries	10.4200.020	17,000
Professional Services	10.4200.040	8,000
Group Insurance	10.4200.060	8,000
Unemployment	10.4200.080	(17,000)
Telephone	10.4200.110	3,500
Travel	10.4200.140	5,000
Dept Supplies - PC's	10.4200.330	
NC Sales Tax	10.4200.370	20,000
County Sales Tax	10.4200.390	6,000
Contracted Services - HAS	10.4200.454	
Dues & Subscriptions	10.4200.530	
Insurance & Bonds	10.4200.540	920
Misc	10.4200.570	446
Capital Outlay	10.4200.740	
Contingency	10.4200.990	(34,946)

Public Works Admin		1,200
Dept Supplies	10.4250.330	
Insurance & Bonds	10.4250.540	1,200

Maintenance & Grounds		850
Salaries	10.4350.020	
Part Time	10.4350.022	7,303
Group Insurance	10.4350.060	12,400
Maint & Repair Bldg	10.4350.150	
M&R Equipment	10.4350.160	(2,603)
Dept Supplies	10.4350.330	(3,000)
Christmas Supplies	10.4350.331	(1,700)
Helping Hands	10.4350.451	(12,400)
Insurance & Bonds	10.4350.540	850

Planning		0
Professional Services	10.4900.042	

Police		620
Salaries	10.5100.020	
Over Time	10.5100.021	

**June 27, 2016, MB #30**

Part Time	10.5100.022	18,000	
Extra Duty Hours	10.5100.024	(18,000)	
Retirement	10.5100.070		
M&R Auto	10.5100.170	7,000	
Utility Electric	10.5100.130		
Auto Supplies Gas	10.5100.311	(7,000)	
Insurance & Bonds	10.5100.540	620	
<b>Fire</b>			<b>6,000</b>
Salaries & Wages	10.5300.020	6,000	
Part Time	10.5300.022		
<b>Street</b>			<b>(4,890)</b>
Utilities Electric	10.5600.130	7,000	
Utilities Street Lights	10.5600.133	(7,000)	
Maint & Repair Bldgs	10.5600.150	13,000	
Maint & Repair Equip	10.5600.160	(5,000)	
Maint & Repair Vehicle	10.5600.170	(2,000)	
Auto Supplies - Diesel	10.5600.312	(2,000)	
Auto Supplies - Tires	10.5600.313	(2,500)	
Auto Supplies - Oil	10.5600.314	(1,500)	
Insurance & Bonds	10.5600.540	(4,890)	
<b>Sanitation</b>			<b>0</b>
Salaries	10.5800.020	(9,000)	
Group Insurance	10.5800.060	(1,000)	
Maint & Repair Equip	10.5800.160	22,600	
Auto Supplies - Diesel	10.5800.312	(10,000)	
Auto Supplies - Tires	10.5800.313	(2,000)	
Dept Supplies	10.5800.330	(600)	
<b>Recreation</b>			<b>0</b>
Salaries	10.6200.020	10,000	
Part Time	10.6200.022	(10,000)	
Utility Exp - Gas	10.6200.131	(3,000)	
Maint & Repair Bldg	10.6200.150		
Maint & Repair Equip	10.5800.160		
Dept Supplies	10.6200.330	3,000	
Chemicals	10.6200.332		
<b>Community Affairs</b>			<b>(9,700)</b>
Salaries & Wages	10.6250.020	2,000	
Contract Services	10.6250.450		
Contract Services - Entertainment	10.6250.452	(13,000)	
Insurance & Bonds	10.6250.540	1,300	
Trans to Art Fund	10.6250.928		
<b>Total Expenditures</b>			<b><u>11,000</u></b>
			<b>0</b>

Councilwoman Hildebran made a motion to adopt the aforementioned year-end budget amendment, seconded by Councilman Sweezy. The vote was unanimous.

**CRAFTERS MARKET** Community Affairs Director Morrissa Angi said Maryann Diamond, President for Downtown Merchants Association requested that they use Italy Street parking lot for a crafters market for handmade items beginning Saturday, September 17, 2016, and then the first and third Saturday. They would have liability insurance.

Councilman Ogle made a motion to approve the Crafters Market, seconded by Councilwoman Stevenson. The vote was unanimous.

**MAYOR AND COUNCIL COMMENTS:** None.

**MANAGER'S REPORT:**

**FIREWORKS FRIDAY NIGHT INDEPENDENCE DAY CELEBRATION, JULY 1, 2016, 7:00 P.M.**

**TRAIL OF FAITH JULY 4<sup>TH</sup> CELEBRATION, 6:00 P.M.**

**TOWN OFFICES CLOSED ON MONDAY, JULY 4, 2016, IN OBSERVANCE OF INDEPENDENCE DAY**

**NEXT COUNCIL MEETING – MONDAY, AUGUST 1, 2016**

**CLOSED SESSION** Mayor Black called for a motion to recess into Closed Session pursuant to NC General Statute 143-318.11 (a) (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee. The motion was seconded by Councilwoman Hildebran and the vote was unanimous.

At 7:05 p.m., Councilman Ogle made a motion to recess into Closed Session pursuant to NC General Statute 143-318.11 (a) (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee. The motion was seconded by Councilwoman Hildebran and the vote was unanimous.

At 7:11 p.m., Councilman Ogle made a motion to return to Open Session, seconded by Councilwoman Stevenson. The vote was unanimous.

**TOWN MANAGER'S SALARY ADJUSTMENT**

Councilwoman Stevenson made a motion to increase the Town Managers base salary by 5 percent for FY 2016-2017, seconded by Councilman Ogle. The vote was unanimous.

Town Manager Seth Eckard thanked the Members of Council.

**ADJOURNMENT**

At 7:14 p.m., there being no further business to come before Council, a motion was made by Councilman Ogle to adjourn, seconded by Councilwoman Stevenson. The vote was unanimous.

The next meeting is a regularly scheduled meeting for Monday, August 1, 2016, 6:00 p.m.

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL MEETING  
AUGUST 1, 2016**

The Town of Valdese Town Council met on Monday, August 1, 2016, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The following were present: Mayor John F. "Chip" Black, Jr., Councilman Keith Ogle, Councilwoman Frances Hildebran, Councilwoman Susan Stevenson, Councilman Gary L. Delp, and Councilman Roy F. Sweezy. Also present were Town Manager Seth Eckard, Town Attorney Marc Mitchell, Deputy Town Clerk Thelda B. Rhoney, and various department heads.

Absent: None.

A quorum was present.

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

**OPEN FORUM/PUBLIC COMMENT:**

Beth Heile, 5291 Mineral Springs Mountain Ave, Valdese, President of Friends of the Valdese Rec, and with her was members of Friends of the Valdese Rec and local senior citizens. Ms. Heile spoke in favor of the Downtown Park Project.

Jeff Carter, 1402 Laurel Street NE, Valdese, commended Council for making hard decisions for the park project. He spoke on behalf of the people for whom he ministers who cannot go to Morganton or Hickory for the parks and entertainment. He offered a quote from Garrison Keillor, "Nothing you do for children is ever wasted."

Tonya Stephens, 101 Saint Germain Avenue, SE, Valdese, offered a brief sound on her cell phone of children at a splash pad in Hickory with the water splashing and children screaming with pure joy and she would like to hear that in Valdese.

Jonathan Dameron, 2960 Brookridge Drive, Valdese, said he has had the pleasure for the past 12 years to teach and coach at Valdese Elementary School (Title I school with over half of the students on free or reduced lunch), Heritage Middle and Draughn High. He has a four year old and a two year old and he is connected with the younger community and knew what the families were looking for. Valdese is a wonderful Town with a lot of people dedicated to making the town great. He recommended sponsors for the races and parks. He recommended Council approve the loan and said with diligence the loan could be paid off sooner than the long terms.

WT Sorrell, 102 Oakland Court, Valdese, supports the downtown park project. He serves on the downtown Main Street Project and he said conversations were always about how to get residents to the downtown and this was a unique project. He said with the bids, now the project was fixed and there was over 50 percent of grant funds for the project which was unheard of this day and time. He briefly reviewed the loan process. He said staff was to be commended for working on this project and he encouraged Council to proceed with the project.

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

**APPROVED REGULAR AND CLOSED SESSION MINUTES – JUNE 27, 2016**

**APPROVED AMENDMENT TO LEASE AGREEMENT WITH BURKE COUNTY SCHOOLS FOR FOOTBALL FIELD BEHIND OLD ROCK SCHOOL** Lease Agreement with Burke County Schools for use of the Football Field behind the Old Rock School.

**APPROVED AMENDMENT TO AGREEMENT WITH CAROLINA WEST WIRELESS FOR CELL TOWER GROUND AND SPACE LEASE** Amendment to the Agreement with Carolina West Wireless for the cell tower located at 100 Whisnant Street SE. The amendment allows for modifying the tower and ground equipment.

**APPROVED LETTER OF AGREEMENT WITH WPCOG FOR GIS MAINTENANCE** Letter of Agreement with the WPCOG for GIS Maintenance for FY 2016-17 to maintain the utility and cemetery GIS database in the amount of \$3,932.

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

***End Consent Agenda***

**ITEMS REMOVED FROM CONSENT AGENDA:** NONE.

**AWARD OF BID – DOWNTOWN PARK AND SPLASH PAD** Town Manager Seth Eckard gave an overview of the project. He said the Downtown Park will be located on a one acre parcel of land adjacent to the Community Center. This property was donated to the Town by the Rostan Family Foundation. The Park would have several inside and outside amenities including: A 40 ft. diameter Splash Pad with an automated controller and timer; innovative playground equipment that could be used for most age groups; specific playground equipment options would be presented for Council's consideration at a future meeting; three sets of concrete corn-hole boards; concrete sidewalk path that would connect park amenities; parameter buffering and fencing; ample parking for the new building and additional overflow parking for the park; and security lighting for the parking lots and building. He said the building would be metal with a rock façade and was approximately 3,000 sq. ft., with a connecting picnic shelter. Uses for the building include: Silver Sneaker group activities (aerobics and yoga for example); CrossFit amenities; designated classroom that could be used for health education courses (diabetes education class) and much more. The classroom or entire facility could be rented for other purposes.

The project was estimated to cost \$1,127,600. To date, the following grant funds have been awarded: PARTF Grant - \$215,600; Rostan Family Foundation Gift - \$250,000; Kate B. Reynolds Foundation Grant - \$150,000; and USDA Grant - \$43,000 for a total of \$658,600. (The USDA loan would be in an amount of \$469,000.)

Staff performed an analysis of what the expected operational expenses were going to be for the new park and concluded that it would be somewhere in the \$3,000 - \$5,000 a year range. The new operational expenses center on expected splash pad and building electrical use and Duke Energy leases for security lights. Grounds keeping, class instructors, and water and sewer utilities would be covered with existing staff and resources. The additional operational expenses could be paid with monies saved in reduced debt service payments due to the generous last minute grants awarded for the park and fire truck by USDA.

Mr. Eckard introduced RJ Moseley from McGill Associates and Josh Carswell from USDA and he presented the following bids:

Downtown Park Bids: McGill Associates recommended the lowest bid with T. C. Strickland Construction, Inc., Shelby, NC, with a total bid including Alternate Nos. 2 (\$786,000) & 3 (\$5,500) for a total amount of \$791,500 which exceeded the available funding. McGill Associates negotiated the bid down to \$759,270 (less \$32,230). (Other bids for Alternate Nos. 2 & 3: Wilkie Construction Co., Inc. – \$800,664 and Moss-Moss-Marlow Building Co. - \$829,655).

Splash Pad Bid: McGill Associates recommended the lowest bid including Alternate No. 1 with Southeastern Aquatics Group, Raleigh, NC in the amount of \$78,280. (There were no other bids received for the splash pad.)

Councilman Ogle said when the project was first introduced the proposed cost was \$600,000 and now it is \$1.1 million.

Mr. Eckard said the first architect did not put much time and attention to detail and when he became manager he got McGill Associates involved and obtained a full cost analysis and realized the project was significantly higher.

Councilman Ogle asked about the water issues by the pond on the property and on the corner by the railroad tracks. Mr. Moseley said they have drainage features in the current project design.

Councilman Ogle asked about water runoff along the railroad right-of-way. Mr. Moseley said with the new drainage box culvert in the corner and drainage pipe under the road would be dispersed as storm events come along and the outlet structure provides a way to spread the water out so it sheet flows as opposed to a concentrated flow that would cause issues for the railroad.

After a brief discussion, Councilman Sweezy made a motion to approve the aforementioned bids for the Downtown Park with T.C. Strickland and with Southeastern Aquatics Group for the Splash Pad, seconded by Councilman Delp. The vote was unanimous.

**LOAN AGREEMENT WITH USDA FOR DOWNTOWN PARK AND LADDER TRUCK** Town Manager Seth Eckard said there was a ladder truck parked outside of Town Hall as an example of what the new fire truck would look like.



**August 1, 2016, MB#31**

Mr. Eckard said the Downtown Park Project was estimated to cost \$1,127,600, and with the USDA Grant in the amount of \$43,000 this brings the grant total to \$658,600 (see grant amounts on pg. 2). Staff recommended that Council consider borrowing the remainder of funds needed for the project from USDA. The USDA loan was in an amount of \$469,000. (2.75% fixed interest rate for 40 years at \$19,483 payback per year)

Mr. Eckard said the loan agreement with USDA for the Ladder Truck was in the amount of \$850,000. Fortunately, the USDA provided a grant in the amount of \$46,700. The terms for the USDA loan would be \$803,300 loan at 2.5 percent interest rate for 20 years with an annual debt payment of \$52,761.

Mayor Black introduced the following Resolution and Capital Project Budget Ordinance:

**RESOLUTION OF THE TOWN COUNCIL, VALDESE, NC**

BE IT RESOLVED: That the Town Council of Valdese hereby accepts the conditions set forth in the Letter of Conditions, Loan Resolution 1942-47, and Grant Agreement 3570-3 dated 08-01-2016.

That the Town Council approves the budget as shown on Form RD 442-7, Operating Budget.

That the Mayor and Deputy Town Clerk be authorized to execute all forms necessary to obtain a loan from Rural Development, including, but not limited to the following forms:

Form RD 1942-46	Letter of Intent to Meet Conditions
Form RD 1942-47	Loan Resolution
Form RD 3570-3	CF Grant Agreement
Form RD 1940-1	Request for Obligation of Funds
Form RD 400-1	Equal Opportunity Agreement
Form RD 400-4	Assurance Agreement
Form RD-1910-11	Applicant Certification Federal Collection Policies for Consumer or Commercial Debts
Form AD 1047	Certification Regarding Debarment, Suspension, and Other Responsibility Matters – Primary Covered Transactions and, copy of AD 1048 for use with Lower Tier Covered Transactions
Drug Free Workplace	AD-1049
RD Instruction 1940-Q	Certification for contracts, Grants and Loans

That if the interest rate charged by Rural Development should change between this date and the date of actual approval, the Mayor and Deputy Town Clerk will be authorized to execute new forms reflecting the current interest rate and revised payments as required by Rural Development.

This resolution is to become a part of the official minutes of the Council meeting held on 08-01-2016.

MOTION MADE BY: COUNCILMAN SWEEZY AND SECONDED BY: COUNCILWOMAN HILDEBRAN THAT THE RESOLUTION BE APPROVED.

MOTION PASSED 5 FOR AND 0 AGAINST

TO BE MADE A PART OF THE MINUTES DATED 08-01-2016

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

ATTEST: /s/ Thelda B. Rhoney, Deputy Town Clerk

**TOWN OF VALDESE  
RECREATION CENTER  
DOWNTOWN PARK FUND  
CAPITAL PROJECT BUDGET ORDINANCE (Rev #01)**

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 to establish a recreational park, next to the existing Community Center in the

**August 1, 2016, MB#31**

Town of Valdese and is to be financed by The Town of Valdese contributions and the solicitation of donations, gifts and grants.

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

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

Town Contributions	\$ 0	52,3970.001
Donations and Gifts	250,000	52,3970.002
Grant - PARTF	215,600	52,3970.003
Grant - KBR	150,000	52,3970.004
USDA Grant	43,000	52,6200.005
USDA Loan	<u>469,000</u>	52,6200.006
	<u>\$ 1,127,600</u>	

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

Professional Services	\$	52,6200.040
Legal	32,550	52,6200.041
Building & Grounds	5,000	52,6200.150
Advertising	603	52,6200.260
Arch / Engineering Fees	110,755	52,6200.490
Community Building	837,550	52,6200.720
Playground Equipment	100,000	52,6200.740
Grounds	0	52,6200.150
Contingencies	<u>41,142</u>	52,6200.990
	<u>\$1,127,600</u>	

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 1st day of August, 2016.

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

/s/ Thelda B. Rhoney, Deputy Town Clerk

Councilman Sweezy made a motion to approve both loan agreements with USDA and adopt the aforementioned Resolution and approve the aforementioned Capital Project Budget Ordinance, seconded by Councilwoman Hildebran. The vote was unanimous.

Members of Friends of the Valdese Rec applauded.

Town Manager Seth Eckard said with any large construction project it takes time and staff was looking at late spring or early summer for the ribbon cutting and there was always potential for setbacks.

Mayor Black called for a brief recess to execute the USDA documents.

At 6:40 p.m., Councilman Delp made a motion for a brief recess in order for documents to be signed by Mayor Black and Deputy Town Clerk Thelda Rhoney. Joshua Carswell, Area Specialist with USDA was present and had the USDA

August 1, 2016, MB#31

Loan Agreements that needed to be signed. The motion was seconded by Councilwoman Stevenson and carried unanimously.

At 6:50 p.m., Councilman Ogle made a motion to return to Open Session, seconded by Councilwoman Hildebran. The vote was unanimous.

**RESOLUTION OF APPRECIATION FOR HALLYBURTON ACADEMY - DONATION OF PODIUM AT OLD ROCK SCHOOL** Mayor Black presented the following Resolution to Joe Johnson:

**RESOLUTION OF APPRECIATION HALLYBURTON ACADEMY**

WHEREAS, each year the Hallyburton Academy graduations are held in the auditorium at the Old Rock School; and

WHEREAS, Hallyburton Academy built a beautiful podium for the Old Rock School Auditorium to be used at all events; and

WHEREAS, the construction of the podium was a collaborative effort of all classes and several students under the leadership of Joe Johnson; and

WHEREAS, Hallyburton Academy is committed to continuing student involvement in the Valdese Community; and

WHEREAS, the Town of Valdese is proud to see the exceptional work by the Hallyburton Academy students.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Valdese, North Carolina, which extends appreciation to the students at Hallyburton Academy for their hard work to construct a beautiful podium for use at the Old Rock School.

IN WITNESS WHEREOF, I, John F. "Chip" Black, Jr., Mayor of the Town of Valdese have here unto set my hand and caused to be affixed the official seal of the Town of Valdese, this 1st day of August, 2016.

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

**INTRODUCTION OF NEW EMPLOYEE – WASTEWATER DEPARTMENT** Treatment Plant Superintendent Greg Padgett introduced Garrett Cruise, Treatment Plant Operator.

**GRANT AGREEMENT WITH NC DEPARTMENT OF COMMERCE (OLD WORLD BAKING COMPANY)** Mr. Eckard said Old World Baking Company received a \$175,000 grant from the NC Department of Commerce – Main Street Solutions Fund for repairs to the building located at 149 Main Street West in Valdese. All matching funds would come from Old World Baking Company. The company would maintain seven full-time jobs over two quarters.

Councilman Ogle made a motion to approve the aforementioned Grant Agreement, seconded by Councilwoman Stevenson. The vote was unanimous.

**BUSINESS GRANT AGREEMENT WITH OLD WORLD BAKING COMPANY** The agreement between the Town and Old World Baking Company for administration of the grant at no cost to the Town. The Main Street Director (Morrissa Angi) was required to administer the grant as part of the Main Street Program.

Councilman Ogle made a motion to approve the aforementioned Business Grant Agreement, seconded by Councilwoman Stevenson. The vote was unanimous.

**ADOPTION OF LOAN RESOLUTION WITH BB&T FOR STREET PAVING PROJECT** Mr. Eckerd presented the following resolution which was discussed during the budget process and the tax increase will fund the project.

**RESOLUTION APPROVING FINANCING TERMS**

WHEREAS: The Town of Valdese ("Town") has previously determined to undertake a project for the financing of a paving project, (the "Project"), and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

August 1, 2016, MB#31

1. The Town hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated July 13, 2016. The amount financed for paving shall not exceed \$473,273.75, the annual interest rate (in the absence of default or change in tax status) shall not exceed 2.00%, and the financing term shall not exceed four (4) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Town are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.
3. The Finance Director is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Director is authorized to approve changes to any Financing Documents previously signed by Valdese officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Director shall approve, with the Finance Director's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The Town shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Town hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).
5. The Town intends that the adoption of this resolution will be a declaration of the Town's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The Town intends that funds that have been advanced, or that may be advanced, from the Town's general fund, or any other Town fund related to the project, for project costs may be reimbursed from the financing proceeds.
6. All prior actions of Town officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 1<sup>st</sup> day of August, 2016.

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

/s/ Town Clerk

Councilwoman Hildebran said as a member of the Street and Resurfacing Paving Committee she commended staff for preparing the plan of action that prioritized the streets and roads to be resurfaced according to the needs in our Town.

After a brief discussion, Councilman Ogle made a motion to adopt the aforementioned Resolution Approving Financing Terms, seconded by Councilman Delp. The vote was unanimous.

**AGREEMENT WITH HARRIS LOCAL GOVERNMENT FOR UTILITY ONLINE PAYMENTS** Planning Director Larry Johnson said the Agreement with Harris Local Government was for software and services for online utility payments in the amount of \$2,374. Harris was the current accounting vendor for the Town. Staff recommended that the Town incur the initial fees and Mr. Johnson said with 5,500 customers and if there was a 10 percent participation, the cost would be \$13,600, a \$1 transaction fee goes to Harris and there would be a credit card fee. At this time, the tax component is not a part of this process which would require an update to the accounting software.

After a brief discussion, Councilman Ogle made a motion to approve the aforementioned Agreement with Harris Local Government for Utility Online Payments and for the Town to pay for the initial fees that would not be passed on to the citizens, seconded by Councilwoman Hildebran. The vote was unanimous.

**RESOLUTION PRESCRIBING PROCEDURES FOR DISPOSAL OF SURPLUS PERSONAL PROPERTY VALUED AT LESS THAN \$30,000** Mr. Eckard presented the following Resolution prepared by Town Attorney Marc Mitchell (Mr. Eckard said he would report any items sold to Members of Council):

**RESOLUTION OF THE VALDESE TOWN COUNCIL  
PRESCRIBING PROCEDURES  
FOR DISPOSAL OF SURPLUS PERSONAL PROPERTY**

**August 1, 2016, MB#31**  
**VALUED AT LESS THAN \$30,000**

Whereas the Town of Valdese from time to time has personal property that is no longer needed;

Whereas North Carolina General Statute 160A-266 authorizes a town council to adopt procedures for the disposal or exchange of personal property valued at less than \$30,000 for any one item or group of items; and

Whereas North Carolina General Statute 160A-270 provides that a town council may conduct electronic auctions of the town's personal property by authorizing the establishment of an electronic auction procedure or by authorizing the use of existing private or public electronic auction services; and

Whereas the Town Council desires to adopt procedures for the disposal and exchange of surplus personal property valued at less than \$30,000 for any one item or group of items;

NOW THEREFORE BE IT RESOLVED:

Section 1. Property That Can be Disposed of Under this Resolution. The Valdese Town Manager (the Town Manager) is hereby authorized to declare surplus and dispose of any personal property owned by the Town of Valdese when, in the Town Manager's judgment, each of the following three criteria are met:

- a) the item or group of items to be disposed of has a fair market value of less than thirty thousand dollars (\$30,000.00);
- b) the property is no longer necessary for the conduct of Town business; and,
- c) sound property management principles and financial considerations indicate that the interests of the Town of Valdese would be best served by disposing of the property.

Personal property that in the judgment of the Town Manager meets these three criteria is referred to in this Resolution as "Surplus Property."

Section 2. Methods of Disposition. The Town Manager may dispose of Surplus Property by any means that the Town Manager judges reasonably calculated to secure for the Town the fair market value in money or other consideration and to accomplish the disposal efficiently and economically, including but not limited to the methods of sale provided in Article 12 of North Carolina General Statutes, Chapter 160A-266 and 160A-270. Such sale may be public or private, and with or without notice and minimum waiting period.

Section 3. Sale by Electronic Auction. As one of several means of disposing of Surplus Property, the Town Manager is specifically authorized to dispose of Surplus Property by electronic means. The Town Manager is authorized to establish procedures for disposing of Surplus Property by electronic means, and is further authorized to use existing public or private electronic auction services to dispose of Surplus Property. Notwithstanding the requirements of North Carolina General Statute 160A-270, the Town shall not be required to provide advance notice of electronic auctions of such Surplus Property.

Section 4. Terms of Disposition. The Surplus Property shall be sold to the party who tenders the highest offer, or exchanged for any property or services useful to the Town of Valdese if greater value may be obtained in that manner, and the Town Manager is hereby authorized to execute and deliver any applicable title documents necessary or appropriate to consummate such sale. If no offers are received within a reasonable time, the Town Manager may retain the property for the Town, obtain any reasonably available salvage value, or cause it to be disposed of as waste material. No Surplus Property may be donated except by resolution of the Town Council.

Section 5. Records and Reports. The Town Manager shall keep a record of all property sold under the authority of this Resolution and that record shall describe the property sold or exchanged, to whom it was sold, or with whom it was exchanged, and the amount of money or other consideration received for each sale or exchange. This record shall be reported to the Town Council on a semiannual basis. One report will be due each February 1, summarizing sales from the preceding July 1 through December 31, and the other report will be due each August 1, summarizing sales from the preceding January 1 through June 30.

Section 6. This Resolution is adopted pursuant to the provisions of North Carolina General Statutes 160A-266(c).

Section 7. This Resolution shall become effective upon adoption.

Adopted this 1<sup>st</sup> day of August, 2016

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

ATTEST: /s/ Town Clerk

Councilman Ogle made a motion to approve the aforementioned Resolution, seconded by Councilman Delp. The vote was unanimous.

**BUDGET AMENDMENTS** Finance Director Jerry LaMaster presented the following four Budget Amendments:

### **BUDGET AMENDMENT NO. 01 - BUBBLE REPAIRS**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2016:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
10.6200.150 Maint & Repair	<u>84,000</u>	<u>      </u>
Total	<u>\$84,000</u>	<u>\$ 0</u>

This will result in a net increase of \$84,000 in the expenditures of the General Fund. To provide funding for the above, the following revenue budgets will be increased. These additional revenues have already been received.

10.3971.620 from Savings		<u>84,000</u>
Total	<u>\$ 0</u>	<u>\$84,000</u>

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget Officer and the Finance Officer for their direction.

### **BUDGET AMENDMENT NO. 02 - STREET CRACK SEALING**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2016:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
10.5700.150 Maint & Repair	<u>70,000</u>	<u>      </u>
Total	<u>\$70,000</u>	<u>\$ 0</u>

This will result in a net increase of \$70,000 in the expenditures of the General Fund. To provide funding for the above, the following revenue budgets will be increased. These additional revenues have already been received.

10.3990.001 Powell Bill Fund Balance		<u>70,000</u>
Total	<u>\$ 0</u>	<u>\$70,000</u>

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget Officer and the Finance Officer for their direction.

### **BUDGET AMENDMENT NO. 03 - FOOTHILLS CONSERVANCY**

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

**August 1, 2016, MB#31**

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2016:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
10.6200.451 Contract Services	<u>10,000</u>	
Total	<u>\$10,000</u>	<u>\$ 0</u>

This will result in a net increase of \$10,000 in the expenditures of the General Fund. To provide funding for the above, the following revenue budgets will be increased. These additional revenues have already been received.

10.3970.302 Capital Project Fund		<u>10,000</u>
Total	<u>\$ 0</u>	<u>\$10,000</u>

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget Officer and the Finance Officer for their direction.

**BUDGET AMENDMENT NO. 04 - OLD TOWN HALL BRICKWORK**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2016:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
10.5300.150 Maint & Repair	<u>7,500</u>	
Total	<u>\$ 7,500</u>	<u>\$ 0</u>

This will result in a net increase of \$ 7,500 in the expenditures of the General Fund. To provide funding for the above, the following revenue budgets will be increased. These additional revenues have already been received.

10.3970.302 Capital Project Fund		<u>7,500</u>
Total	<u>\$ 0</u>	<u>\$7,500</u>

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget Officer and the Finance Officer for their direction.

After a brief discussion, Councilman Ogle made a motion to approve the four aforementioned Budget Amendments, seconded by Councilwoman Stevenson. The vote was unanimous.

**ENGINE BAY HEATERS – FIRE DEPARTMENT** Council directed Town Manager Seth Eckard to find funds for the engine bay heaters. Mr. Eckard said funds would come from the current Fire Department budget.

**MAYOR AND COUNCIL COMMENTS:**

**HISTORIC DESIGNATIONS** Councilman Delp said a lady recommended specific historic designations in the Town, especially the area around the Farmers market. He said the lady also brought up identifying the historic buildings in the downtown area.

Mr. Eckard said he and Ms. Angi served on the Waldensian Presbyterian Church 125 Anniversary Committee for the 2018 celebration and the committee was working with the state on this issue. Some of the facades needed to be updated.

Councilman Delp said the lady was not as concerned about National Historic Designation as the Historic Downtown District. Mr. Eckard said previously the Town could not get historic designations for the downtown area because the

buildings did not look historical and within the next year or two the facades may be upgraded to historical standards. He also said there would be no guarantees but the attempt could be made. Ms. Angi said there was a local designation Council could declare as well as a state designation.

Councilman Delp said the lady was interested in the local designation. Mr. Eckard said staff could provide more information this fiscal year on the historic designation.

**RECREATION CENTER STAFF** Councilwoman Stevenson said a senior citizen fell at the Recreation Center with injuries and she commended Bret Watson and the Recreation Staff for handling the situation professionally and perfectly.

**HANDICAP PARKING – TOWN HALL** Councilwoman Stevenson said she was at Town Hall recently and walked out with a handicap person who had to walk to the end of the building for parking and on that particular day it was a very hot day. She recommended that staff look at parking and curb cuts in front of Town Hall. Mr. Eckard said staff obtained costs to relocate handicap parking from the east and west ends to the front of the building. He said staff would revisit the issue. Mr. Johnson said plans were in place to install four handicap parking spaces in front of the building and staff was working with the engineering firm to make sure the spaces would be ADA compliant.

**TOWN PARKS** Councilwoman Hildebran requested that staff look at our current parks, Children's Park and McGalliard Falls Park, to develop an improvement plan or upgrade of parks to be presented at the next fiscal budget.

**TRAFFIC LIGHTS - LAUREL/MAIN AND RODORET/MAIN** Councilman Delp said the traffic light on Laurel/Main was holding too long again. Mr. Eckard said these were NCDOT streets and staff would report the issues tomorrow and also the light at Rodoret/Main was holding too long as well.

**MANAGER'S REPORT:**

**FIRST CITIZENS ACADEMY STREET SWEEP PROJECT, SATURDAY, AUGUST 6, 2016, 8:00 A.M. – 11:00 A.M., OLD ROCK SCHOOL**

**41<sup>ST</sup> ANNUAL WALDENSIAN FESTIVAL AND FOOTRACE – AUGUST 12 & 13, 2016**

**TOWN OFFICES WOULD BE CLOSED ON MONDAY, SEPTEMBER 5, 2016, IN OBSERVANCE OF LABOR DAY**

**SEPTEMBER COUNCIL MEETING WOULD BE HELD ON TUESDAY, SEPTEMBER 6, 2016, 6:00 P.M., DUE TO LABOR DAY HOLIDAY**

**IT/SERVER ISSUES – TRIPLE OFFICE** Mr. Eckard reported server issues at the Triple office. The two office employees would report to Town Hall on Tuesday, August 2, 2016 and Triple customers could make payments at Town Hall.

At 7:25 p.m., there being no further business to come before Council, Councilman Ogle made a motion to adjourn, seconded by Councilman Delp. The vote was unanimous.

The next meeting is a regularly scheduled Council Meeting on Tuesday, September 6, 2016, 6:00 p.m., due to Labor Day Holiday.

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL MEETING  
SEPTEMBER 6, 2016**

The Town of Valdese Town Council met on Tuesday, September 6, 2016, (due to Labor Day Holiday) at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The following were present: Mayor John F. "Chip" Black, Jr., Councilman Keith Ogle, Councilwoman Susan Stevenson, and Councilman Roy F. Sweezy. Also present were Town Manager Seth Eckard, Town Attorney Marc Mitchell, Deputy Town Clerk Thelda B. Rhoney, and various department heads.

Absent: Councilwoman Frances Hildebran and Councilman Gary L. Delp

A quorum was present.

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

**OPEN FORUM/PUBLIC COMMENT:**

**TONY PIZZELANTI, 135 GRANDFATHER PASS, VALDESE** Mr. Pizzelanti spoke about the two-hour parking on Main Street. His property at 149 Main Street could have up to 20 cars with nine rental units, eight employees at the restaurant and four at the salon. He would ask them to park at the Faet Street parking lot but how could he enforce anyone parking in a legal public spot on Main Street. He said Main Street parking should only be for customers and it was rare that a customer would be parked more than two hours. He recommended keeping the two-hour parking signs and enforcing the two-hour parking.

**FREDA WHEATCRAFT, 1440 IVY LANE, NW** They had recent car break-ins but understood there was a wanted man staying on John Berry Road in one of the trailers. She asked if the trailers were in the Town limits because it looked terrible. Staff reported this area was in Burke County.

Town Manager Seth Eckard said he would ask the Police Chief to look into the issue.

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

**APPROVED MINUTES – AUGUST 1, 2016**

**ADOPTED RESOLUTION – EXEMPT PROJECT FOR ENGINEERING REQUESTS FOR QUALIFICATION**

**RESOLUTION AUTHORIZING THE TOWN MANAGER  
TO EXEMPT PROJECTS 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, G.S. 143-64.32 authorizes units of local government to exempt contracts for design services from the qualification-based selection requirements of G.S. 143-64.31 if the estimated professional fee is less than \$50,000; and

WHEREAS, the Town Council desires to authorize the Town Manager to exempt on behalf of the Town design services contracts for projects for which the estimated fee is less than \$50,000;

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

Section 1. The Town Manager of the Town of Valdese is hereby authorized to make exempt from the provisions of G.S. 143-64.31 design services contracts if the estimated professional fee is less than \$50,000. Each such contract exemption shall be set forth by the Town Manager in writing.

Section 2. This resolution shall be effective upon adoption.

Adopted this 6<sup>th</sup> day of September, 2016.

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

ATTEST: /s/ Town Clerk

**ADOPTED ORDINANCE FOR STREET CLOSURE – DRAUGHN HIGH SCHOOL PARADE**

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

WHEREAS, the Town of Valdese desires to schedule the Draughn High School Parade on Tuesday, September 20, 2016; and

WHEREAS, part of US 70/Main Street in Valdese will need to be closed for the parade; and

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

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

**DRAUGHN HIGH SCHOOL PARADE**

DATE: Tuesday, September 20, 2016

TIME: 6:30 p.m. – 7:30 p.m.

ROUTE: Main Street (US 70) from Hoyle Street to Eldred Street

Signs shall be erected giving notice of the limits and times of these street closures as required by G.S. 20-169.

THIS, the 6<sup>th</sup> day of September, 2016.

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

ATTEST: /s/ Town Clerk

**APPROVED RENEWAL OF LEASE AGREEMENT AT OLD ROCK SCHOOL WITH P & W RAILROAD**

**CLUB** Annual Lease Agreement at the Old Rock School with P & W Railroad Club in the amount of \$210 per month.

**ADOPTED RESOLUTION FOR VALDESE WATER REHAB FUNDING**

**RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF VALDESE**

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

WHEREAS, The Town of Valdese has need for and intends to construct a drinking water distribution system project described as the St. Germain Avenue Water System Improvements Project, and

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

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

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

That the Applicant will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the Town Council of the Applicant agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the Town of Valdese to make scheduled repayment of the loan, to withhold from the Town of Valdese any State funds that would otherwise be distributed to the Town of Valdese in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.

**September 6, 2016, MB#31**

That Seth Eckard, Town Manager, the Authorized Official, and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a loan and grant to aid in the construction of the project described above.

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

That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 6<sup>th</sup> day of September, 2016 at Valdese, North Carolina.

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

**ADOPTED RESOLUTION FOR AIA STATE FUNDING – PHASE I SEWER COLLECTION SYSTEM ASSESSMENT PROJECT**

**RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF VALDESE**

WHEREAS, The North Carolina Water Infrastructure Act of 2005 (NCGS 159G), as amended, has authorized the making of grants to aid eligible units of government in financing the cost to inventory the existing water and/or sewer systems and document the condition of the inventoried infrastructure, and

WHEREAS, The Town of Valdese has need for and intends to inventory and assess a portion of its wastewater collection system by undertaking a project described as the Phase I Sewer Collection System Assessment Project, and

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

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

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

That Seth Eckard, Town Manager, the Authorized Official, and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a grant to aid in the implementation of the project described above.

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

That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants pertaining thereto.

Adopted this the 6<sup>th</sup> day of September, 2016 at Valdese, North Carolina.

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

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

***End Consent Agenda***

**ITEMS REMOVED FROM CONSENT AGENDA:**

**APPOINTMENTS TO FIREFIGHTERS' RELIEF FUND BOARD OF TRUSTEES**

The Firemen's Relief Fund Board of Trustees due to House Bill 19 changed the name to Firefighters' Relief Fund Board of Trustees and there are no longer terms (formerly there were two year terms). Staff recommended that

Charles Lew Edwards be appointed to replace the late David Thompson and Morrissa Angi was appointed to replace Greg Cannon.

Councilman Ogle made a motion to approve the aforementioned Firefighters' Relief Fund Board of Trustees members, seconded by Councilman Sweezy. The vote was unanimous.

**PROCLAMATION FOR NATIONAL RECOVERY MONTH** Mayor Black introduced Joe Marks, Burke Recovery Executive Director. Mr. Marks said September was National Recovery Month and every year hundreds in Burke County have shown that recovery from addiction was possible. People in addition do a lot of strange things. Burke County has the second highest rate of overdose.

Mayor Black presented the following Proclamation to Mr. Marks  
:

**PROCLAMATION  
NATIONAL RECOVERY MONTH**

WHEREAS, an estimated 700 people are in recovery in Valdese; 12,500 people are in recovery in Burke County; 1,400,000 people are in recovery in North Carolina; and 45,000,000 people are in recovery across the nation; and

WHEREAS, prevention of mental and/or substance use disorders works, treatment is effective, and people recover in our area and around the nation; and

WHEREAS, preventing and overcoming substance abuse/dependence and mental disorders is essential to the health and wellness of individuals, families and communities; and

WHEREAS, recent cost benefit studies consistently find that benefits to society that result from the treatment of alcohol and/or drug use disorders include cutting drug use by 50 percent, reducing crime by 80 percent, and reducing arrests by up to 64 percent, as well as improving health, increasing employment, and increasing overall social functioning of the individuals who have been treated; and

WHEREAS, to help more people achieve and sustain long-term recovery, Burke Recovery, Burke Substance Abuse Network (BSAN), the U.S. Department of Health and Human Services (HHS), the Substance Abuse and Mental Health Services Administration (SAMHSA), the White House office of National Drug Control Policy (ONDCP), and the North Carolina Department of Health and Human Services Division of Mental Health, Developmental Disabilities and Substance Abuse Services invite all residents of North Carolina to participate in National Recovery Month; and

WHEREAS, the citizens of Valdese are invited to attend the First Annual Burke Rally for Recovery on Sunday, September 18, 2016, 2 – 6 p.m., Morganton Courthouse Square as BSAN celebrates and spreads the message that people do achieve sustained recovery from mental health concerns, alcohol, drugs, and other life challenges.

NOW, THEREFORE, I, John F. "Chip" Black, Jr., Mayor of the Town of Valdese, North Carolina, on behalf of the Valdese Town Council do hereby proclaim the month of September 2016 as "*National Recovery Month*" in the Town of Valdese and I urge all citizens to participate in programs and events that affirm the benefits of recovery.

This 6<sup>th</sup> day of September, 2016.

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

**PRESENTATION BY WPCOG – TAYLOR DELLINGER** Mr. Dellinger offered a lot of statistics about the economic and demographic profile for Valdese. He reviewed housing income and challenges and opportunities. He said there were strategies where data could help with jobs and the economy.

**TAX STATEMENT ANNUAL SETTLEMENT FOR 2015 – PROPERTY AND MOTOR VEHICLE** Tax Collector Greg Cannon presented the following report:

Tax Statement Annual Settlement for 2015- Property and Motor Vehicle

Property Valuations:

Real Estate	\$264,838,888
Personal Property	61,862,913
Senior Citizen Exemptions	-4,889,232

**September 6, 2016, MB#31**

Total Property Valuation Subject to Tax Rate per \$100(.485/100)    \$321,812,569

Gross Levy:

Levy	1,560,791
Discoveries	42,000
Late List Penalties	2,189
Total Levy	1,604,980
Less Collected as of 6/30/2016	1,588,987
Uncollected 2015 Taxes	15,993
Ratio of Taxes Collected to Total Levy	99.04%

Annual Settlement of the Classified Motor Vehicle Taxes for 2015:

Levy	\$115,000
2015 Collection by Burke County	\$116,538
Collection Cost (1.5% Levy)	\$1,725

Mayor Black said 99 percent was very good.

Councilman Ogle made a motion to accept the aforementioned report, seconded by Councilwoman Stevenson. The vote was unanimous.

**CHARGE TO COLLECT TAXES FOR 2016** Mayor Black read the charge for Tax Collector Gregory Cannon to collect taxes for 2016 and Deputy Town Clerk Thelda B. Rhoney administered the oath.

**APPROVAL OF MOVIE PROJECTOR PROJECT – OLD ROCK SCHOOL (TOWN & HISTORIC VALDESE FOUNDATION)** Community Affairs Director Morrissa Angi said the proposed project was a partnership with Historic Valdese Foundation and the Main Street Program. The goal was to sell seats and sponsorships at the Old Rock School and with the money raised they would purchase equipment to project movies that would be free to the community at the Old Rock School. She requested permission and approval for the sponsorships to install the small brass plaques on the seats in the auditorium.

Mayor Black asked about the amount of funds needed to be raised to purchase the equipment. Ms. Angi said the cost estimate for the projection equipment and screen and everything they would need was \$34,500 which includes \$2,000 for plaques and installation. If the money was not raised she would then reach out to local industries and companies for sponsorships.

The auditorium holds 500 but there are only 473 permanent seats, and sponsorships were \$50 - \$100. If all seats sold there would be \$36,450 raised.

Mr. Eckard commended Ms. Angi for the project as it was her idea.

Town Attorney Marc Mitchell asked about those who contributed and the goal was not met what would happen to the funds. Do they get their name on the seat or a refund. Ms. Angi said some would want their name on the seat or a plaque could be made for the wall.

The issue of food/drink was briefly discussed.

She checked into the movie licensure at a cost of \$575 per year.

Councilman Sweezy moved to approve and encourage the project, seconded by Councilman Ogle. The vote was unanimous.

**DOWNTOWN TWO HOUR PARKING** Town Manager Seth Eckard said this issue comes up from time to time and information had been obtained from the Valdese Merchants Association and a survey had been conducted of all downtown businesses. Survey results were divided with half merchants believing there should be restrictions and the other half believing there should not be restrictions. He said there were three options: 1) No enforcement of two-hour parking and remove signs; 2) Enforce two-hour parking consistently and fairly on Main Street or have a compromise where we do some degree of enforcement; or 3) Continue as is by leaving signs posted but not enforcing two-hour parking. He said some folks come to town and see the two-hour parking and do not park longer than two hours and then other folks take advantage of the parking.

Currently we have two-hour parking signs located downtown with a corresponding ordinance and no tickets have been written for violations in over two years.

He asked for direction from Council.

Councilman Sweezy said with the presentation earlier in the meeting by Mr. Pizzelanti, the problem was with a few merchants/business owners and no problem with customers. There should be some way to gain their cooperation other than to enact a law for additional personnel to enforce.

Mr. Eckard said the Police Chief (who was in training and had to leave the meeting earlier) would not have staff to monitor parking from 9:00 a.m. to 5:00 p.m., on a daily basis. Staff could possibly check vehicles in the mornings and then several hours later notice if the same vehicle were still parked on Main Street. The Police Chief did not believe we should get aggressive with enforcement and there was no true problem right now and limited resources would be counterproductive. Staff would execute any plan approved by Council.

Councilman Ogle said he was probably responsible for this and as part of the former Downtown Revitalization Committee they looked at parking by creating a better Valdese issue by having signs along the streets. They created the monuments and church signs and talked about doing away with the signs. Then two to three years ago tickets were issued but they were all dismissed. Tickets were issued for a \$5 amount and everyone was displeased. He said there was still a "No Cruising" sign in front of the Presbyterian Church.

Mr. Eckard said Valdese is not lacking for parking with the new parking lots. Main Street is NCDOT maintained and staff cannot dedicate handicap parking along the street.

Councilwoman Stevenson said staff marking tires every two hours was not necessary and there were some merchants who park on the street. She recommended leaving the signs up.

Mr. Eckard said Community Affairs Director Morrissa Angi did a parking campaign approximately six months ago.

Mayor Black said as he understood if merchants and staff did not park on the street, this would not be a problem. Mr. Eckard said there were four or five violators who were causing the issue. Some ladies who patronize the downtown beauty shops may need more than two hours occasionally.

Mayor Black said perhaps this issue could be revisited next month and in the meantime see if we could figure out a way to solve the problem with the merchants and staff. Mr. Eckard said staff would brainstorm the issue.

Councilman Sweezy made a motion to table this issue, seconded by Councilwoman Stevenson. The vote was unanimous.

**OFFER TO PURCHASE AND CONTRACT WITH BOBBY NELSON FOR PROPERTY LOCATED AT 209 COLOMBO STREET NW** Mr. Eckard said the Town was fortunate that the Rostan Family Foundation would contribute all necessary resources to obtain the property, clean it up, and provide more parking for the Old Rock School and Downtown Valdese. Current owner Bobby Nelson negotiated up to two parking spaces from time to time for his service vehicles to be parked on the property until his business was sold.

After a brief discussion, Councilman Ogle made a motion to approve the aforementioned contract, seconded by Councilman Sweezy. The vote was unanimous.

**AWARD OF BIDS – STREET PAVING PROJECT** Public Works Director Bryan Duckworth presented the following bid tabulation prepared by West Consultants for the Street Paving Project of the following streets: Praley Street NW; Faet Street, NW; Eldred Street N E; and Pineburr Avenue SE. The lowest bidder was Maymead, Inc., Mountain City, TN, in the amount of \$334,542.50. (Other bids: JT Russell & Sons, Conover, NC - \$360,981; Midstate Contractors, Inc., Hickory, NC - \$465,280; and Evans Construction, Connelly Springs, NC - \$520,710.30. Mr. Duckworth reviewed funding for the project.

Councilman Sweezy made a motion to award the bid to the lowest bidder, Maymead, Inc., Mountain City, TN, in the amount of \$334,542.50, seconded by Councilman Ogle. The vote was unanimous.

**AWARD OF BIDS – WATERLINE PROJECT** Public Works Director Bryan Duckworth presented the following bid tabulation prepared by West Consultants for the Waterline Project that includes the following streets: Zeline Avenue; Bentbrook Drive; and Baird Street (Triple Water District). The lowest bidder was Clark Ledbetter Grading & Hauling,

Inc., Shelby, NC, in the amount of 218,785. (Other bids: Iron Mountain Construction Co., Inc., Mountain City, TN - \$229,669; Davis Grading, Inc., Shelby, NC - \$317,680; and Wesson Septic Tank Services, Inc., Shelby, NC - \$329,417.50). Funding is available in the current CIP and the bids came in under estimated and after this project there is a \$54,000 balance and the Triple Fund Balance of \$29,000.

Councilwoman Stevenson made a motion to award the bid to the lowest bidder, Clark Ledbetter Grading & Hauling, Inc., Shelby, NC, in the amount of \$218,785, seconded by Councilman Ogle. The vote was unanimous.

**BUDGET AMENDMENTS** Town Manager Seth Eckard presented the following five budget amendments due to the absence of the Finance Director:

**Budget Amendment No. 05 - Purchase of the Bobby Nelson House**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2017:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
10.4900.720 Capital Outlay – Property	<u>26,500</u>	
Total	<u>\$26,500</u>	<u>\$ 0</u>

This will result in a net increase of \$26,500 in the expenditures of the General Fund. To provide funding for the above, the following revenue budgets will be increased. These additional revenues have already been received.

10.3350.000 Donations		<u>26,500</u>
Total	<u>\$ 0</u>	<u>\$26,500</u>

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget Officer and the Finance Officer for their direction.

**Budget Amendment No. 06 - BB&T Loan for Police Cars & Recreation Lighting**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2017:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
10.5100.740 Capital Outlay – Vehicle	105,667	
10.6200.150 Maint & Repair	<u>33,531</u>	
Total	<u>\$139,198</u>	<u>\$ 0</u>

This will result in a net increase of \$139,198 in the expenditures of the General Fund. To provide funding for the above, the following revenue budgets will be increased. These additional revenues have already been received.

10.3995.000 Loan Proceeds		<u>139,198</u>
Total	<u>\$ 0</u>	<u>\$139,198</u>

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget Officer and the Finance Officer for their direction.

**Budget Amendment No. 07 - Recreation Fitness Center Expansion**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2017:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
10.6200.150 Maint & Repair	<u>30,000</u>	
Total	<u>\$30,000</u>	<u>\$ 0</u>

This will result in a net increase of \$30,000 in the expenditures of the General Fund. To provide funding for the above, the following revenue budgets will be increased. These additional revenues have already been received.

10.3970.302 From Capital Project Funds		<u>30,000</u>
Total	<u>\$ 0</u>	<u>\$30,000</u>

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget Officer and the Finance Officer for their direction.

#### **Budget Amendment No. 08 - Street Paving Project**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2017:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
10.5600.151 Paving	<u>473,274</u>	
Total	<u>\$473,274</u>	<u>\$ 0</u>

This will result in a net increase of \$473,274 in the expenditures of the General Fund. To provide funding for the above, the following revenue budgets will be increased. These additional revenues have already been received.

10.3995.560 Loan Proceeds		<u>473,274</u>
Total	<u>\$ 0</u>	<u>\$473,274</u>

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget Officer and the Finance Officer for their direction.

#### **Budget Amendment No. 09 - Additional Expenses Grist Mill**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2017:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
10.6200.150 Maint & Repair	<u>12,700</u>	
Total	<u>\$12,700</u>	<u>\$ 0</u>



This will result in a net increase of \$12,700 in the expenditures of the General Fund. To provide funding for the above, the following revenue budgets will be increased. These additional revenues have already been received.

10.3990.000 From Fund Balance		12,700
Total	\$ 0	<u>\$12,700</u>

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget Officer and the Finance Officer for their direction.

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

**MAYOR AND COUNCIL COMMENTS:**

Councilwoman Stevenson said the road from Lovelady to the Wastewater Treatment Plant had been busy with a lot of people walking and some with animals. She said there were some speeding motorists in that area.

Councilwoman Stevenson said she received two calls about the Laundromat being dirty and the citizens had no where else to wash their clothes. Planning Director Larry Johnson said the facility had been inspected and there were no violations, just interior housekeeping issues.

Councilman Sweezy said the corner of Saint Germain and Carolina Street had been the site of a number of accidents and near misses over the years that he had witnessed. He asked if anything could be done or to investigate a traffic light or a four-way stop. Mr. Eckard said staff would investigate.

**MANAGER'S REPORT:**

**WESTERN NORTH CAROLINA RAIL MEETING, WEDNESDAY, SEPTEMBER 14, 2016, 12 NOON, THE WINERY**

**GRIST MILL RIBBON CUTTING/SUNRISE ROTARY DUCKY DERBY, SATURDAY, SEPTEMBER 17, 2016, 11:30 A.M., MCGALLIARD FALLS PARK (RAIN DATE: SEPTEMBER 24)** Mr. Eckard said the Friends of the Valdese Rec would also be holding a BBQ Fundraiser at the event.

**DRAUGHN HIGH SCHOOL PARADE, TUESDAY, SEPTEMBER 20, 2016, 6:30 P.M.** Mr. Eckard requested that Members of Council who wished to ride in the parade to please meet at the Fire Department at 6:00 p.m.

**RECEIVED GRANT FROM NC DEPARTMENT OF COMMERCE – RURAL ECONOMIC DEVELOPMENT (\$94,340) TO BE USED FOR DOWNTOWN STREET LIGHT PROJECT. TOWN MANAGER SETH ECKARD WAS AUTHORIZED TO SIGN THE DOCUMENTS** Mr. Eckard said Valdese was the only municipality in Burke County to receive the grant and only one of 60 to receive the allocation statewide. He asked that Members of Council thank our House Representative for his continued support of Valdese.

**DUKE ENERGY GRANT FOR ELECTRONIC VEHICLE CHARGING STATION** Mr. Eckard said the Town had applied for a grant.

**APPALACHIAN REGIONAL COUNCIL GRANT (ARC)** Mr. Eckard said a grant had been submitted for Downtown WiFi.

**FITNESS ROOM EXPANSION** Mr. Eckard said the expansion should begin September 14 and last through the weekend.

**WEBSITE LAUNCH** Mr. Eckard said the launch should be within the next few weeks.

**POSSIBLE NEW E-MAIL ADDRESS** Staff was looking about obtaining the address of ValdeseNC.Gov

**CLOSED SESSION PURSUANT TO NC GENERAL STATUTE 143-318.11 (A) (4)** To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations.

**September 6, 2016, MB#31**

At 7:36 p.m., Councilman Ogle made a motion to recess into Closed Session Pursuant to NC General Statute 143-318.11 (A) (4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations. The motion was seconded by Councilman Sweezy. The vote was unanimous.

Mayor Black said the Closed Session was only an informational item and there would be no action taken afterwards.

At 7:50 p.m., Councilman Ogle made a motion to return to Open Session, seconded by Councilwoman Stevenson. The vote was unanimous.

Mayor Black thanked BDI Executive Director Alan Wood for attending the meeting.

At 7:51 p.m., there being no further business to come before Council, Councilman Ogle made a motion to adjourn, seconded by Councilwoman Stevenson. The vote was unanimous.

The next meeting is a regularly scheduled meeting on Monday, October 3, 2016, 6:00 p.m., Valdese Town Hall.

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL MEETING  
OCTOBER 3, 2016**

The Town of Valdese Town Council met on Monday, October 3, 2016, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The following were present: Mayor John F. "Chip" Black, Jr., Councilman Keith Ogle, Councilwoman Frances Hildebran, Councilwoman Susan Stevenson, Councilman Gary L. Delp, and Councilman Roy F. Sweezy. Also present were Town Manager Seth Eckard, Town Attorney Marc Mitchell, Deputy Town Clerk Thelda B. Rhoney, and various department heads.

Absent: None.

A quorum was present.

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

**OPEN FORUM/PUBLIC COMMENT:**

**KEN STETTLER, 200 LOUISE AVENUE, REPRESENTING GUIGOU BROTHERS REGARDING DOWNTOWN PARKING** Mr. Stettler said they had five buildings (four retail and one restaurant) they lease Downtown Valdese, and there were parking issues at all of their buildings. They all were having problems with space for their customers to park and this issue has been going on for years but it had gotten worse lately because the business owners and employees were parking on Main Street all day long. He recommended going to two-hour parking from 9:00 a.m. to 5:00 p.m. He said 100 Main Restaurant was having issues getting customers in during the lunch hour. He recommended issuing parking tickets. He said the parking lot at Main/Italy has employees parking in that lot and the new lot which cost the Town \$60,000 was vacant.

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

**APPROVED REGULAR AND CLOSED SESSION MINUTES – SEPTEMBER 6, 2016**

**APPROVED RENEWAL OF LEASE AGREEMENT AT OLD ROCK SCHOOL WITH DAVID HARMON STUDIOS** Lease Agreement for rental space at the Old Rock School in the amount of \$283 per month.

**APPROVED RENEWAL OF LEASE WITH STATE EMPLOYEES CREDIT UNION FOR LOCATION OF ATM ON TOWN-OWNED PROPERTY** Lease for ATM located on Town-owned property near the Police/Fire Complex. The terms are \$350 per month for three years.

**SET PUBLIC HEARING DATE FOR ZONING AMENDMENT - PLANNING UNIT DEVELOPMENTS FOR MONDAY, NOVEMBER 7, 2016, 6:00 P.M.**

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

***End Consent Agenda***

**ITEMS REMOVED FROM CONSENT AGENDA:**

**REAPPOINTMENT TO VALDESE HOUSING AUTHORITY** The reappointment of Miriam Vaught for another five-year term. The term would expire October 31, 2021.

Councilman Ogle made a motion to approve the aforementioned reappointment, seconded by Councilman Delp. The vote was unanimous.

**DISCUSSION - DOWNTOWN TWO-HOUR PARKING** Town Manager Seth Eckard offered a brief background which was discussed at the September 6<sup>th</sup> Council meeting. He offered another option for a three or four hour parking limit on Main Street. Community Affairs Director Morrissa Angi offered photos of the downtown area and there was consistency with the same vehicles parking on Main Street on a daily basis.

After a brief discussion, Councilman Ogle made a motion to establish a 3 hour parking limit, from 8:00 a.m. to 5:00 p.m., Monday through Friday, a fee of \$25 to be charged for violations on the following streets: Main Street from Praley Street to Eldred Street, plus North and South Rodoret Street and Faet Street, SW. The motion was seconded by Councilman Sweezy.

Councilman Ogle amended his motion to include a one month warning after the November Council meeting, seconded by Councilman Sweezy.

Mayor Black requested that Mr. Eckard work with the Town Attorney to update the Town Code regarding Downtown Parking for the November Council meeting.

Mr. Eckard said staff would include a map of the perimeters of the downtown area that was affected and the Downtown Merchants would be notified, information posted on the Town's website and a CodeRed® message would be sent out.

The motion carried unanimously.

**DISCUSSION - RELOCATION OF TOWN HALL HANDICAP PARKING** West Consultants Representative Benjie Thomas presented several options to relocate handicap parking to the front of the building. He said there would need to be two handicap parking spaces at Town Hall.

After a brief discussion, Councilman Ogle made a motion to go with the option with two handicap parking spaces on the front, right side of the building and do away with the handicap parking on each side of the building in an estimated amount of \$11,700, seconded by Councilwoman Stevenson. The vote was unanimous.

Mr. Eckard said West Consultants would provide an award of bid for the November agenda for relocation of handicap parking spaces at Town Hall and there would also need to be a Budget Amendment.

**BUDGET AMENDMENT** Finance Director Jerry LaMaster presented the following amendment:

**BUDGET AMENDMENT NO. 10 - STREET CRACK SEALING PROJECT**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2017:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
10.5700.150 Maint & Repair	<u>84,000</u>	
Total	<u>\$84,000</u>	<u>\$ 0</u>

This will result in a net increase of \$84,000 in the expenditures of the General Fund. To provide funding for the above, the following revenue budgets will be increased. These additional revenues have already been received.

10.3991.000 Powell Bill Fund Balance		<u>84,000</u>
Total	<u>\$ 0</u>	<u>\$84,000</u>

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget Officer and the Finance Officer for their direction.

After a brief discussion, Councilman Ogle made a motion to approve the aforementioned Budget Amendment, seconded by Councilman Sweezy. The vote was unanimous.

**PRESENTATION OF SAFETY AWARDS – FIRE CHIEF CHARLIE WATTS** Chief Watts presented the following awards and he commended the Department Heads and he thanked Public Works Director Bryan Duckworth for holding a weekly safety meeting for his employees:

Community Affairs      5 years

Parks & Recreation	5 years
Administration	28 years
Fire	1 Gold
Police	2 Gold
Public Works	9 years
Triple Water	3 Gold
Water	7 years

**AWARD OF BID FOR LADDER TRUCK** Fire Chief Charlie Watts said the bid was with Pierce Manufacturing and Atlantic Emergency Solutions for a Pierce Enforcer 75' Heavy Duty Aluminum Ladder Truck for the Fire Department in the amount of \$851,097. The delivery date was approximately 12-13 months.

After a brief discussion, Councilman Ogle made a motion to approve the bid for the aforementioned ladder truck, seconded by Councilman Delp. The vote was unanimous.

**MAYOR AND COUNCIL COMMENTS:**

**GYM UPGRADES** Councilman Delp recommended everyone go by the gym to see the upgrades.

**MCGALLIARD FALLS PARK** Councilwoman Stevenson commended the Public Works staff and Councilman Delp and his wife for all the hard work. The park looks great and the recent event was very nice.

**TEACHERS COTTAGE** Councilwoman Hildebran said she recently picked up a friend's granddaughter from Valdese Elementary School and as she waited in line she noticed the Teachers Cottage looked really bad and recommended that the front door be painted. She said the Industrial Arts Building looked bad as well. These buildings are an eye sore in the community.

**MANAGER'S REPORT:**

**BLUEGRASS AT THE ROCK BEGINS ON FRIDAY, OCTOBER 7, 2016, 7:30 P.M.**

**"TREATS IN THE STREETS," MONDAY, OCTOBER 31, 2016, 4:00 P.M. – 6:00 P.M., WITH COSTUME CONTEST AT WELLS FARGO PARKING LOT AT 6:00 P.M.**

**UPDATE ON ONLINE UTILITY PAYMENTS** Mr. Eckard reported that the Online Utility Payments Program went live this date. He commended Planning Director Larry Johnson and Community Affairs Director Morrissa Angi for their hard work on this project.

**UPDATE ON RECYCLING PROGRAM** Mr. Eckard said the new recycling bins had been delivered to Valdese residents and he said recycling would be collected this Wednesday for the east side of Town and the following Wednesday for the west side of Town. Recycling would be picked up every other week. He said there were cards attached to the recycling bins explaining everything that could be recycled.

**TOWN E-MAIL ADDRESS** Mr. Eckard said staff was in the process of changing the e-mail addresses.

At 7:05 p.m., there being no further business to come before Council, Councilman Ogle made a motion to adjourn, seconded by Councilwoman Stevenson. The vote was unanimous.

The next meeting is a regularly scheduled meeting on Monday, November 7, 2016, 6:00 p.m., Valdese Town Hall.

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL MEETING  
NOVEMBER 7, 2016**

The Town of Valdese Town Council met on Monday, November 7, 2016, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The following were present: Mayor John F. "Chip" Black, Jr., Councilwoman Frances Hildebran, Councilwoman Susan Stevenson, Councilman Gary L. Delp, and Councilman Roy F. Sweezy. Also present were Town Manager Seth Eckard, Town Attorney Marc Mitchell, Deputy Town Clerk Thelda B. Rhoney, and various department heads.

Absent: Councilman Keith Ogle

A quorum was present.

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

**OPEN FORUM/PUBLIC COMMENT:** None.

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

**APPROVED MINUTES – OCTOBER 3, 2016**

**APPROVED RESOLUTION CHANGING DATE OF ANNUAL JOINT COUNCIL/DOWNTOWN MERCHANTS DINNER MEETING**

**RESOLUTION CHANGING DATE OF NOVEMBER 17, 2016 ANNUAL VALDESE TOWN COUNCIL  
JOINT DINNER MEETING WITH VALDESE MERCHANTS**

WHEREAS, Council adopted its Meeting Schedule for 2016 on December 7, 2015; and

WHEREAS, the Annual Valdese Town Council and Valdese Merchants Joint Dinner Meeting was scheduled for Thursday, November 17, 2016; and

WHEREAS, due to a conflict, staff recommends that the November 17, 2016 Annual Joint Dinner Meeting be held on Tuesday, November 15, 2016, 6:30 p.m., Old Rock School, Waldensian Room.

NOW, THEREFORE, BE IT RESOLVED that the 2016 Annual Valdese Town Council and Valdese Merchants Joint Dinner Meeting be held on Tuesday, November 15, 2016, 6:30 p.m., Old Rock School, Waldensian Room.

This the 7<sup>th</sup> day of November, 2016

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

ATTEST: /s/ Town Clerk

**APPROVED REQUEST FROM WALDENSIAN STYLE WINES TO SELL WINE AT CHRISTMAS IN NOVEMBER  
EVENT ON SATURDAY, NOVEMBER 12, 2016, 9:00 A.M. – 4:00 P.M., OLD ROCK SCHOOL, WALDENSIAN  
ROOM**

**APPROVED VALDESE ABC BOARD FOURTH INSTALLMENT LOAN** The fourth installment loan is in the amount of \$30,000.

**APPROVED CONTRACT FOR WASTEWATER MANAGEMENT SERVICES WITH THE TOWN OF CONNELLY  
SPRINGS** The three-year contract with the Town of Connelly Springs for Wastewater Management Services to mow 34,000 feet of sewer line, maintain 83 manholes and one flow meter station. Year one the Town of Valdese will receive \$28,000 and years two and three the Town will receive \$23,000 per year.

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

***End Consent Agenda***

**ITEMS REMOVED FROM CONSENT AGENDA:** None.

**INTRODUCTION OF NEW PUBLIC WORKS COWORKER** Public Works Director Bryan Duckworth introduced Utility Field Technician Robert E. "Robbie" Franklin.

**PRESENTATION OF PEDESTRIAN PLAN** (Copy of plan on file in the Office of Planning Director.) WPCOG Technical Assistance Planner Erin Schotte offered a brief overview of the plan. The Towns of Valdese/Rutherford College received a grant from NCDOT for a pedestrian/bicycle plan in the summer in 2014. Kostelec Planning, LLC and JM Teague prepared the plan. Ms. Schotte introduced Ms. Kristy Carter of JM Teague Engineering who presented the "WalkRCV Pedestrian Plan." Ms. Carter reviewed the highlights. She said Valdese had a lot of sidewalks compared to other towns. Valdese also had a lot of plans in place such as subdivision, land use, and development policies. She reviewed the following top ten things to do to begin to implement the plan and by adopting the plan that would only leave nine items to implement:

1. Adopt the Plan
2. Pursue Funding for Lovelady Pathway
3. Complete Walk-Friendly Community Application
4. Emphasize Complete Streets Practices & Amend Zoning Ordinances
5. Organize a Pathways Committee
6. Develop Supportive Education & Enforcement Programs
7. Evaluate 20 mph Residential Speed Limit
8. Engage Youth/Seniors to Raise Awareness
9. Incorporate Walkability into Economic Development & Health Messaging
10. Measure Performance

Councilwoman Hildebran said the plan was from Sterling to Eldred and why was Tunnel Road not included in the plan because there were 52 senior adult homes in the subdivision. Ms. Carter said they did look at that area and it would be very expensive because there was no connection to the area and Council could request the area for a short-term project instead of a long-term project.

Councilwoman Stevenson asked if the plan could be changed because some citizens were opposed to the project because it would go through the center of their property. Ms. Carter said the plan could be changed.

Mayor Black thanked Ms. Carter for working on the plan and offering the presentation. He said regarding the Pathways Committee that Mr. Eckard could work with Rutherford College Manager to appoint a Pathways Committee.

Mr. Eckard asked Ms. Carter if there was a professional model for the committee or if every committee was different and perhaps the Friends of the Valdese Rec could serve as the committee. Ms. Carter said recreation committees do not always understand DOT funding and they have different reasons for greenways and walkability.

Councilman Sweezy made a motion to adopt the Pedestrian Plan, seconded by Councilman Delp. The vote was unanimous.

**PRESENTATION REGARDING FUTSAL COURT (OLD TENNIS COURTS) AT MCGALLIARD FALLS PARK** Parks & Recreation Director Doug Knight said staff looked at Futsal Courts at the current location of the old tennis courts at McGalliard Falls Park and after further investigation it was cost prohibitive. The cost to crack seal was \$8,500 and would probably last only one year; futsal goals and nets would cost \$3,600 - \$6,380; painting new lines would cost \$800 - \$2,000. The total project estimate for futsal courts - \$12,986 - \$16,880. The estimate to demolish the current old tennis courts - \$9,350 and use for future activities such as a dog park and other opportunities. Staff recommended demolishing the courts but keep the fence.

Mayor Black recommended Staff obtain additional information for the demolition of the courts and to leave fencing and bring back to council.

Town Manager Seth Eckard recommended this item be a budget item for next year and staff would obtain a price and e-mail the information to Members of Council.

**PUBLIC HEARING – AMENDMENTS TO RESIDENTIAL PLANNED UNIT DEVELOPMENTS (#03-09-16)** Mayor Black opened the Public Hearing and asked if anyone wished to speak either for or against the proposed amendments.

Ms. Erin Schotte said the proposed amendment came about at a Planning Board Meeting and it was the Manager's idea to work on the pedestrian facilities and require the developers to develop where possible which would be less for

the town to fund. She said there were residential sections and commercial sections and the commercial sections require sidewalks and defines what the sidewalks should be like and where they should be and the residential section currently says they shall install adequate pedestrian facilities. The Planning Board recommended that the Residential section mirror the Commercial section and she briefly reviewed the proposed amendments. **(Amendments may be found in Ordinance Book No. 9, page 137.)**

Mr. Jeff Morse said he still maintained a residence at 133 Morgan Trace Drive. He said Lake Rhodhiss LLC had approximately 400 acres to be developed and he said the cost to install sidewalks on both sides of the street, especially along a lake front with topography issues, would be cost prohibitive.

Planning Director Larry Johnson said the Planning Board discussed large parcels and a private, gated, lake front would not be applicable. He said the taxpayers would not share in the cost to install sidewalks but the developers would pay for the cost.

Ms. Rose Mueller had questions. Town Manager Seth Eckard addressed her concerns and said the developers would pay to install sidewalks and not the taxpayers.

There being no one else wishing to speak, Mayor Black closed the public hearing.

Councilwoman Hildebran asked could there be exceptions if a developer wanted to develop a nice subdivision but did not want the expense of installing sidewalks. Mayor Black said that was purpose of the ordinance. Mr. Eckard said Council could always change its mind and change the ordinance.

Councilman Sweezy made a motion to approve the amendments to the Residential Planned Unit Developments to become effective immediately, seconded by Councilman Delp. The vote was unanimous.

**RESOLUTION APPROVING PARKING ORDINANCE AMENDMENTS** Mr. Eckard reviewed the proposed ordinance amendments as discussed at the October Council meeting. Mr. Eckard said signs would be installed and warnings would be issued for one month before fineable tickets were issued.

#### **AMENDMENTS TO TOWN OF VALDESE PARKING ORDINANCES**

WHEREAS, the Valdese Code of Ordinances (the Code) limits parking on Main Street between Morgan Street and Columbo Street to two (2) hours between the hours of 6:00 a.m. and 6:00 p.m. on any day except Sundays and public holidays; and

WHEREAS, the town council desires to amend the Code to provide that parking on Main Street between Eldred Street and Praley Street shall be limited to three (3) hours between the hours of 8:00 a.m. and 5:00 p.m. on any day except Saturdays, Sundays and public holidays; and

WHEREAS, the town council also desires to limit parking on North and South Rodoret Street and on Faet Street SW to three (3) hour parking as hereafter provided; and

WHEREAS, the town council desires to make certain technical corrections to the parking ordinances;

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF VALDESE ADOPTS THE FOLLOWING ORDINANCE AMENDMENTS:

1. "Section 7-1184 Parking Time Limited on Certain Streets" of the Code is amended to read as follows:

**"Section 7-1184            Parking time limited on certain streets.**

When signs are erected in each block giving notice thereof, no person shall park a vehicle for longer than the times specified within the district or upon any of the streets described in Appendix I, sections 103 through 105 and 138 through 140, hereby made a part hereof."

2. Section 103 of Appendix I is amended to read as follows:

"Section 103    Parking limited to three hours between the hours of 8:00 a.m. and 5:00 p.m. on any day except Saturday, Sunday and public holidays within the district or upon any of its streets as follows (see Section 7-1184).



Street	Location
Main Street	between Eldred Street and Praley Street
Rodoret Street	both north and south Rodoret Street
Faet Street	Faet Street SW."

3. Section 7-1230 of Article S of the Code of Ordinances is amended to read as follows:

**"Section 7-1230 Civil penalty procedure.**

(a) The violation of any ordinance restricting, regulating or prohibiting parking shall subject the offender to a civil penalty as hereafter enumerated. Such violation shall not constitute a criminal offense or an infraction.

(b) Whenever a member of the police department or other person charged with the enforcement of the provision of the chapter regulating parking of vehicles shall find any of such provisions are being, or have been, violated by the owner or operator of any vehicle, such officer or person shall notify such owner or operator or such vehicle of such violation by conspicuously attaching to such vehicle a parking violation notice or citation in such form as the chief of police may direct.

(c) Such parking violation or notice shall, among other things:

(1) State upon its face that the amount of such penalty for the specified violation shall be \$25 if such penalty is paid within forty-eight (48) hours from and after such violation;

(2) Notify such offender that a failure to pay the penalty within the prescribed time shall subject such offender to a civil action in the nature of a debt for the stated penalty plus an additional penalty in the amount of \$25, together with the costs of the action to be taxed by the court;

(3) Further provide that such offender may answer the town parking citation by mailing the citation and the stated penalty to the Town of Valdese, Valdese, North Carolina 28690, or may pay the amount at the Valdese Town Hall and that upon payment the claim by the town will be deemed compromised and settled;

(4) State that such penalty must either be paid or such failure to pay must be cleared with the Town of Valdese within forty-eight (48) hours of issuance of the citation;

(5) The notice shall further state that if the parking violation citation is not cleared within forty-eight (48) hours, court action by the filing of a civil complaint for collection of the penalty may be taken. As used upon the parking violation citation, the work "cleared" shall mean either: payment, arrangements for payment to be made; or a prima facie showing that such parking citation was received as a result of mistake, inadvertence or excusable neglect.

(d) The town is authorized to accept such payments in full and final settlement of the claim or claims which the town may have to enforce such penalty by civil action in the nature of debt. Acceptance of such penalty shall be deemed a full and final release of any and all such claims arising out of such contended violation or violations.

(e) All penalties paid to the town or as may be recovered in a civil action in the nature of debt as herein provided shall be paid into the general fund of the town as such time and under such regulations as may be prescribed by the town manager. (Ord. of 4/2/90; as amended by Ord. of 6/6/94)."

4. These amendments to shall become effective upon adoption; however, for a period of thirty (30) days from the date of the adoption of these ordinance amendments warning tickets shall be given for violations of these amended parking ordinances.

ADOPTED THIS, THE 7<sup>TH</sup> DAY OF NOVEMBER, 2016.

/s/ JOHN F. BLACK, JR., MAYOR

ATTEST: /s/ TOWN CLERK

After a brief discussion, Councilwoman Stevenson made a motion to adopt the aforementioned Resolution Approving Parking Ordinance Amendments, seconded by Councilman Delp. The vote was unanimous.

**DISCUSSION REGARDING THE SETTINGS AMENDMENT** Mayor Black introduced The Settings Representative Jeff Morse.

Mr. Morse requested that Mr. Eckard review the Amendment.

Mr. Eckard presented the following:

The developer (Bond Safeguard Insurance Company) of the residential subdivision "The Settings" is requesting an extension to the Settlement Incentive Agreement. The requested extension is for April 29, 2017, and it will only be an extension for very specific elements of the current agreement. All requirements of the incentive agreement are still to be completed by December 31, 2016, unless otherwise mentioned in this memo.

The justification for an extension to the agreement is to provide the very best outcome possible related to the quality of the infrastructure for future property owners and citizens of the aforementioned subdivision. Jeff Morse (the appointed representative of the Bond Safeguard Insurance Company) will be on hand to explain the specific details of the request and provide further clarification of the need to amend the current agreement.

Staff negotiated with representatives of Bond Safeguard Insurance Company last week and we agreed in good-faith on the following elements to be included in a formal amendment that will be considered for adoption during the December 5, 2016 Town Council Meeting.

### **General Requirements**

- No incentive money or escrow funds will be released to the developer until after the April 29, 2017 date. These funds will only be released if all elements of the original agreement and any amendments are met. Specifically, the Town will use the adopted plats, planned unit development ordinance and engineering specifications to determine if all infrastructure improvement requirements have been met. Town Engineer Benjie Thomas will use the above criteria to recommend completion or not to the Town.
- The approval of any new amendment will be contingent upon the completed transfer and recording of the parcel of land that is dedicated to be the home of a future fire substation by 5:00 p.m., December 31, 2016. Evidence of the completion of this land transfer is to be submitted to the Town Manager.
- Specific information submitted to the Town of Valdese related to T&K's (contractor) one-year warranty for all work performed at the site. The one-year warranty will begin on April 30, 2017. This document needs to be submitted to the Town Manager by December 31, 2016 at 4:00 p.m.
- Provide the Town Manager by December 31, 2016, with an official offer or rejection of the Town's request for a donation of land from Bond Safeguard Insurance Company to be used as a public park. The possible donation of land has no bearing on the incentive.

### **Specific Elements to be Considered for Inclusion in the Amended Agreement (April 29, 2017)**

- Installation of one-inch of asphalt for all streets in the subdivision
- Subdivision entrance turning lane as detailed in the approved plans and specs
- Grass to be satisfactorily planted back in areas of the development detailed in the approved plans and specs (one year warranty)
- Convey to the Town of Valdese satisfactory right-of-way access as detailed in sections 17 and 18 of the adopted PUD
- Revision of the final plat to reflect appropriate buffering as shown on all attached exhibits (contained in the settlement memorandum) of the formal settlement agreement and settlement agreement memorandum

Councilwoman Hildebran asked about the delay for the property owners. Mr. Morse said they had a contract with the town and the completion of five phases was December 31. He said one element the bonding company did not have to consider but did any way was the installation of power. The power contract took over one year dealing with Pike and Duke Energy. The Town allowed the bonding company to use the reserve to install power (still \$100,000 remaining). The bonding company then contracted for power installation and the challenge was the power company never went to the site to look at the right-of-way but prepared by maps. Pike discovered there was not enough right-of-way to construct and they did everything possible to avoid damage. Pike pulled off the job and there were 2-inches of asphalt. Mr. Morse met with Town staff and all agreed for Pike to continue the installation then come back and do repairs and add the 1-inch of asphalt at a cost to the bonding company. He said the bonding company's obligation

was December 31, 2016 and they were not holding up any citizen and they were requesting April 29, 2017 as a final date for the last 1-inch of asphalt. Mr. Morse said road, water and sewer was basically complete. He said the turn lanes would be completed in two days.

Mr. Morse thanked Members of Council for their perseverance in working with staff, Attorney Mitchell, and Campbell Shatley from Asheville to file the lawsuit to complete the development which will not turn into a Zombie Development. The Settings plan to sell the remaining 150 lots.

Attorney Mitchell asked if the bonding company completed the work and requested funds, for example in March 2017, would they be expected to receive funds. Mr. Morse said no the funds would only be paid April 29, 2017.

Mr. Morse recommended using the escrow account of \$100,000 for the warranty.

Attorney Mitchell asked about the contract with Duke or Pike (subcontract with Duke) and Mr. Morse said that agreement was between Duke and the LLC. Mr. Morse said the power will be installed by April 29. Their goal is to have everything completed by April 29.

Mr. Eckard said the Town would like for an extension of the conveyance of the utilities to the Town by the State. Mr. Morse said when they get certification they will turn over to the Town on April 29.

Mayor Black said Council needed to provide information to the Town Attorney that it was in agreement that if the amendment is prepared and contains the provisions that has been discussed and in favor to be adopted at the December 5 meeting.

After a brief discussion, Mayor Black recommended that the Town Attorney prepare an amendment for the December 5 agenda.

**EMERGENCY REPLACEMENT OF CHILLER – OLD ROCK SCHOOL** Community Affairs Director Morrissa Angi said the 31 year old chiller was down and not repairable as parts were no longer available. She presented three quotes for a new, four compressor chiller. Pyatt Heating and Air Conditioning, Marion, NC - \$ 46,814 for a 55 ton Carrier chiller. (Other quotes: Wm. C. Reynolds Co., Hickory, NC - \$55,450 for a 55 ton Daikin and Triangle Contractors - \$68,617.50 for a 50 ton York.)

Mr. Eckard said there was a Duke Energy Rebate that staff would apply for that could bring the cost down an additional \$3,000. The quotes also included the privacy fencing around the chiller.

Ms. Angi said there may be a Duke Energy Rebate available in January for the Carrier chiller from Pyatt Heating & Air Conditioning.

After a brief discussion, Councilwoman Hildebran made a motion to award the quote to Pyatt Heating and Air Conditioning, Marion, NC - \$ 46,814, seconded by Councilwoman Stevenson. The vote was unanimous.

**ADOPTION OF LOAN RESOLUTION WITH BB&T FOR PUBLIC WORKS EQUIPMENT** Finance Director Jerry LaMaster presented the following resolution:

#### **RESOLUTION APPROVING FINANCING TERMS**

WHEREAS: The Town of Valdese has previously determined to undertake a project for the financing of vehicles and equipment, (the "Project"), and the Finance Director has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. Valdese hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal October 29, 2016. The amount financed shall not exceed \$256,899.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 2.00%, and the financing term shall not exceed four (4) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of Valdese are hereby authorized and directed to

execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.

3. The Finance Director is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Director is authorized to approve changes to any Financing Documents previously signed by Valdese officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Director shall approve, with the Finance Director's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. Valdese shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. Valdese hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. Valdese intends that the adoption of this resolution will be a declaration of Valdese's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. Valdese intends that funds that have been advanced, or that may be advanced, from the Valdese's general fund, or any other Valdese fund related to the project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Valdese officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 7<sup>th</sup> day of November, 2016.

/s/ John F. "Chip" Black, Jr.

/s/ Town Clerk

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

**APPROVAL OF VEHICLE AND EQUIPMENT PURCHASE – PUBLIC WORKS DEPARTMENT** Public Works  
Director Bryan Duckworth recommended the following items be purchased with the aforementioned financing terms:

Two Ford F150 4 x 4 trucks (\$27,807.81 each) State Contract – Capital Ford, Raleigh	\$ 55,615.62
60 inch Grasshopper Front Deck Mower – Diesel West End Sales - \$14,600 plus \$685.50 tax and tag (Other bids: Southern Farm - \$14,995 and New South 'Kubota' - \$20,800)	15,285.50
Brush Truck, Brush Hawg Model G2224C Public Works Equipment - \$138,990 plus \$1,000 accessories and \$4,169.17 tax and tag (Other bids: Environmental Products Georgia - \$147,997 and Cavalier Equipment - \$148,976)	144,159.17
60 HP Tractor 4 x 4 – Enclosed Cab with 6 ft Bushhog and front loader New South Tractor - \$34,900; accessories - \$4,200; tax and tag - \$2,737 (Other bids: West End Sales- Kioti Tractor – \$38,245 Parker Farm Service - Kabota Tractor – \$38,410)	<u>41,837.00</u>
<b>TOTAL</b>	<b><u>\$256,897.29</u></b>

Mr. Duckworth also requested to purchase one Ford F250 4 x 4 truck on State Term Contract with Piedmont Ford, Greensboro, NC in the amount of \$36,172; accessories - \$1,000; tax and tag - \$1,085.16 for a total of \$38,257.16. Note: Funding in the amount of \$24,000 would come from the budget line item and \$14,257.16 would come from unbudgeted Connelly Springs Sewer Revenue.

Councilman Sweezy made a motion to approve the aforementioned equipment and vehicle purchases including the Ford F250 4 x 4 truck to be paid for out of current budget \$24,000 plus funds in the amount of \$14,256.16 from the Connelly Springs Contract for wastewater management services (contract approved under consent agenda), seconded by Councilwoman Stevenson. The vote was unanimous.

**RESOLUTION FOR OFFER TO PURCHASE TOWN-OWNED PROPERTY LOCATED AT 508 MAIN STREET EAST**

Mr. Eckard said this property was known as The Flowers Building and the couple that is offering to purchase the property plan to open a Mexican Restaurant. The funds from the sale will go to the Street Light Project.

**RESOLUTION  
(Sale of property at 508 Main Street East)**

WHEREAS, Donna Zamora has offered to purchase from the Town of Valdese for the sum of \$120,000 that parcel containing .52 acres more or less located at 508 Main Street East in Valdese, North Carolina (REID 13890, PIN 2743143886), said parcel being more particularly described in that deed recorded in book 1382, page 705, Burke County Registry (hereafter "the property"); and

WHEREAS, the Town of Valdese would retain an easement 20 feet in width running along the entire west margin of the property to allow the town to maintain the town's existing underground water line and to provide a means of ingress and egress to and from the town property that lies west of the property; and

WHEREAS, the town council proposes to accept Donna Zamora's offer; and

WHEREAS, pursuant to G.S. 160A-269, Donna Zamora is required to deposit 5% of her bid with the town clerk; and

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

IT IS THEREFORE RESOLVED AS FOLLOWS:

1. The town council intends to accept Donna Zamora's offer to purchase the property for the sum of \$120,000.
2. Donna Zamora shall be required pursuant to G.S. 160A-269 to deposit with the town clerk the sum of \$6,000, which is 5% of her \$120,000 bid.
3. A notice of the offer shall be published as required by G.S. 160A-269.

This resolution was adopted November 7, 2016.

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

/s/ Town Clerk

Councilman Delp made a motion to approve the aforementioned Resolution, seconded by Councilman Sweezy. The vote was unanimous.

**BUDGET AMENDMENTS** Finance Director Jerry LaMaster presented the following five Budget Amendments:

**BUDGET AMENDMENT NO. 05R1 - PURCHASE OF THE BOBBY NELSON HOUSE**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2017:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
10.4900.720 Capital Outlay – Property	26,500	
10.4900.720	<u>13,500</u>	

November 7, 2016, MB#31

Total	<u>\$40,000</u>	<u>\$ 0</u>
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This will result in a net increase of \$40,000 in the expenditures of the General Fund. To provide funding for the above, the following revenue budgets will be increased. These additional revenues have already been received.

10.3350.000 Donations		26,500
10.3350.000 Donations		<u>13,500</u>
Total	<u>\$ 0</u>	<u>\$40,000</u>

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget Officer and the Finance Officer for their direction.

**BUDGET AMENDMENT NO. 11 - ROCK SCHOOL REPAIRS**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2017:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
10.6250.150 Maint & Repair	<u>50,000</u>	
Total	<u>\$50,000</u>	<u>\$ 0</u>

This will result in a net increase of \$50,000 in the expenditures of the General Fund. To provide funding for the above, the following revenue budgets will be increased. These additional revenues have already been received.

10.3970.302 From Capital Project Funds		<u>50,000</u>
Total	<u>\$ 0</u>	<u>\$50,000</u>

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget Officer and the Finance Officer for their direction.

**BUDGET AMENDMENT NO. 12 - MISC CAPITAL PROJECT FUNDINGS**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2017:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
10.6200.150 Pool Heater	20,000	
10.6200.150 Rec Fitness Room	5,000	
10.4900.721 WiFi Project	10,000	
10.4200.450 WPCC – VR	3,000	
10.4200.040 Phase I – Robinson Hosiery	<u>2,500</u>	
Total	<u>\$40,500</u>	<u>\$ 0</u>

This will result in a net increase of \$40,500 in the expenditures of the General Fund. To provide funding for the above, the following revenue budgets will be increased. These additional revenues have already been received.

10.3970.302 From Capital Project Funds		<u>40,500</u>
Total	<u>\$</u>	<u>\$40,500</u>

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget Officer and the Finance Officer for their direction.

### BUDGET AMENDMENT NO. 13 - PUBLIC WORKS VEHICLES AND EQUIPMENT

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2017:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
10.5600.740 Capital Outlay	<u>256,899</u>	
Total	<u>\$256,899</u>	<u>\$ 0</u>

This will result in a net increase of \$256,899 in the expenditures of the General Fund. To provide funding for the above, the following revenue budgets will be increased. These additional revenues have already been received.

10.3995.001 Loan Proceeds		<u>256,899</u>
Total	<u>\$ 0</u>	<u>\$256,899</u>

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget Officer and the Finance Officer for their direction.

### BUDGET AMENDMENT NO. 14 - OLD ROCK SCHOOL CHILLER

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2017:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
10.6250.150 Maint & Repair Building	<u>48,000</u>	
Total	<u>\$48,000</u>	<u>\$ 0</u>

This will result in a net increase of \$ 70,000 in the expenditures of the General Fund. To provide funding for the above, the following revenue budgets will be increased. These additional revenues have already been received.

10.3990.000 Fund Balance		<u>48,000</u>
Total	<u>\$ 0</u>	<u>\$48,000</u>

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget Officer and the Finance Officer for their direction.

Councilwoman Hildebran made a motion to approve the aforementioned five budget amendments as presented, including Budget Amendment No. 14 from \$70,000 as presented to \$48,000 to cover the installation of the chiller, seconded by Councilwoman Stevenson. The vote was unanimous.

### MAYOR AND COUNCIL COMMENTS:

**CHILDREN AT PLAY SIGNS** Councilman Delp said he received a request for a sign on Cline Avenue "Children at Play." Mr. Duckworth said the Town no longer installs those signs.

**RICHARD DEAL PROPERTY LOCATED AT 909/913 MAIN STREET WEST** Councilwoman Hildebran said Pastor King, neighbor of Richard Deal, sent her an e-mail with several concerns that an occupant was living in the garage apartment, and with the occupant, there was loud noises and music all hours of the night; increased traffic in the pastor's driveway; occupant had a pit bull dog which was unleashed and roaming the neighborhood; and the house was still a blight to the Valdese landscape because it is uninhabitable. She forwarded the e-mail to the Town Manager and asked him to follow up on the complaints.

Mr. Eckard said he forwarded the e-mail to Planning Director Larry Johnson who sent a certified letter to Mr. Deal reminding him of the occupancy rules for the property. Staff saw no evidence that there were any current violations. Valdese Police increased patrol in the area and had not observed any noise violations. Animal Control visited the property numerous times and did not find a pit bull dog or any unleashed dog on the property. Staff continues to monitor the property for solid waste violations. Mr. Eckard said he sent an e-mail to Pastor King letting him know staff had addressed his concerns and when they were checked.

Councilwoman Hildebran requested that the record reflect the update.

Mr. Eckard said Pastor King did not respond to his e-mail. Councilwoman Hildebran said twice she responded to Pastor King and did not get a response from him as well.

**CHURCH AND NONPROFIT RECYCLING** Councilman Delp said his church asked for recycling containers and he would like an answer for the record. Mr. Eckard said he developed a new Administrative Policy with the assistance of Public Works Director Bryan Duckworth and requested Mr. Duckworth address the issue.

Mr. Duckworth said there were several users in town who were not paying the small users fee and staff was obtaining a list of the businesses and nonprofits of who were and were not paying. A letter would be sent out the first of December notifying them of the policy and that they need to sign up for the small user fee. Hopefully, the issue would be addressed by January 1. If they would like to go ahead and sign up for the small user fee, they can contact Town Hall to be placed on the program. The small user fee is for businesses and nonprofits that do not generate enough trash to constitute a monthly fee for a dumpster or do not have space for a dumpster. He said the fee is \$13.30 per month which offers two town regular trash cans and one recycle container.

Mayor Black said they could go through GDS for a private pickup. Mayor Black requested that the policy be in writing and presented to the churches and nonprofits. Mr. Eckard said letters would be sent out and the Public Housing Authority had questions as well.

**TREATS IN THE STREETS** Councilwoman Stevenson thanked the Community Affairs Department and Downtown Merchants for "Treats in the Streets."

**PAVING PROJECT UPDATE** Councilwoman Stevenson asked about the street paving project. Mr. Eckard said the second half of the crack sealing would happen in mid-December. The street paving would begin late spring, when it warms up. The Town received a lower bid by waiting until spring due to the NCDOT contracts.

**ZELINE WATERLINE PROJECT UPDATE** Councilwoman Stevenson asked about the waterline project on Zeline. Mr. Duckworth said the project would be completed in a few weeks and paved by wintertime.

**MOVIE PROJECTOR PROJECT UPDATE** Councilwoman Hildebran asked how the movie projector project was going at the Old Rock School. Community Affairs Director Morrissa Angi said sponsorships were steady for seats and it was a slow process and they receive calls on a regular basis. They received a lot of interest on social media. Mr. Eckard said we need to give it at least a year to raise funds.

**MANAGER'S REPORT:**

November Events: Town Manager Seth Eckard reviewed the following:

Event	Day	Date	Location	Note
Town Hall – Voter Precinct	Tuesday	November 8, 2016 6:30 a.m.- 7:30 p.m.	Valdese Town Hall	
Town Offices Closed	Friday	November 11, 2016	Observance of Veterans Day	



**November 7, 2016, MB#31**

Christmas in November	Saturday	November 12, 2016, 9:00 a.m. – 4:00 p.m.	Old Rock School	Entry \$1 or free with one can good donation (first 250 shoppers get complimentary shopping tote)
Annual Dinner Meeting with Valdese Merchants	Tuesday	November 15, 2016, 6:30 p.m.	Old Rock School, Waldensian Room	
Chamber Annual Business Showcase	Thursday	November 17, 2016 3:30 – 6:00 p.m. 6:30 p.m. – Dinner	Waldensian Mill	Hosted by the Town of Valdese
Employee Thanksgiving Luncheon	Friday	November 18, 2016, 11:30 a.m. – 1:00 p.m.	Old Rock School, Waldensian Room	
Trail of Faith Lighting Ceremony	Tuesday	November 22, 2016, 6:00 p.m. (lights will be on 6:00 p.m. – 9:00 p.m., through December 24)	Trail of Faith	
Town Offices Closed	Thursday & Friday	November 24 and 25, 2016	Observance of Thanksgiving	
Opening Reception for Holiday Art & Handcrafted Gifts – Hosted by Pilot Club of Valdese	Sunday	November 27, 2016 2:00 p.m. – 4:00 p.m.	Old Rock School	

**ANNOUNCEMENT OF GRAND MARSHAL FOR VALDESE CHRISTMAS PARADE, SATURDAY, DECEMBER 3, 2016, 10:00 A.M.** Mr. Eckard said Pat Draughn was chosen as the Grand Marshal. Mr. Draughn is Principal at Draughn High School and he would be retiring at the end of the school year.

**BEST OF BURKE** Mr. Eckard thanked Community Affairs Director Morrissa Angi and her Team for being voted by the people of Burke County as Burke's Best Music Venue for 2016.

**TOWN'S NEW WEBSITE** Mr. Eckard said the Town's new website is live as of this date and he requested that Council check out the website and notify staff if they have any recommendations for updates. The website address is: [townofvaldese.com](http://townofvaldese.com).

**ADJOURNMENT** At 7:52 p.m., there being no further business to come before Council, Councilwoman Stevenson made a motion to adjourn, seconded by Councilwoman Hildebran. The vote was unanimous.

The next meeting is a regularly scheduled meeting on Tuesday, November 15, 2016, 6:30 p.m., Joint Dinner Meeting with the Downtown Merchants, Old Rock School, Waldensian Room.

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL ANNUAL/JOINT DINNER MEETING WITH VALDESE MERCHANTS  
TUESDAY, NOVEMBER 15, 2016, 6:30 P.M.**

The Town of Valdese Town Council met jointly with the Valdese Merchants for the Annual Dinner Meeting on Tuesday, November 15, 2016, at 6:30 p.m., at the Old Rock School, Waldensian Room.

The following were present: Mayor John F. "Chip" Black, Jr., Councilwoman Susan Stevenson, Councilman Gary Delp, and Councilman Roy Sweezy.

Also present: Town Manager Seth Eckard, Deputy Town Clerk Thelda B. Rhoney, and Community Affairs Director Morrissa Angi.

Absent: Councilwoman Frances Hildebran and Councilman Keith Ogle

A quorum was present and no action was taken.

At 6:30 p.m., Mayor Black welcomed everyone and thanked the business owners for investing their time and money into the Town of Valdese. He offered the invocation and invited everyone to enjoy dinner catered by Myra's Catering. There were approximately 50 downtown merchants and building owners in attendance.

Town Manager Seth Eckard offered a brief overview of the following Town projects: Public WiFi (ARC Grant Awarded); Planter Boxes and Hanging Baskets; Old World Baking Company; Duke Energy's Electric Vehicle Charging Station Grants (Town Hall and Downtown Park); Los Compadres Mexican Restaurant; Downtown Street Lights; and 3-hour Parking and he encouraged the merchants to please use the new parking lot on Bobo Avenue.

Mayor Black said staff was in the planning stages regarding the downtown street lights and requested anyone traveling through towns and cities that saw lighting that looked nice to please take photos and send to town staff.

Valdese Merchants Association President Maryann Diamond offered a brief update about the association and the benefits of being a member. She said their mission was to promote the Valdese Business District by working together to support each other and raise funds to sponsor events. Ms. Diamond said Sandi Walker would be the upcoming President, Danny Wells, Vice President; Beverly Carlton, Treasurer; and Jeanine Barus, Secretary.

At 7:46 p.m., the meeting adjourned.

The next meeting is a regularly scheduled Council Meeting on Monday, December 5, 2016, 6:00 p.m.

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL MEETING  
DECEMBER 5, 2016**

The Town of Valdese Town Council met on Monday, December 5, 2016, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The following were present: Mayor John F. "Chip" Black, Jr., Councilman Keith Ogle, Councilwoman Frances Hildebran, Councilwoman Susan Stevenson, Councilman Gary L. Delp, and Councilman Roy F. Sweezy. Also present were Town Manager Seth Eckard, Town Attorney Marc Mitchell, Deputy Town Clerk Thelda B. Rhoney, and various department heads.

Absent: None.

A quorum was present.

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

**OPEN FORUM/PUBLIC COMMENT:**

Ms. Jean-Marie Cole, 705 Bertis Street thanked Council and staff for improvements to the Recreation Center.

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

**APPROVED MINUTES – NOVEMBER 7 AND 15, 2016**

**ADOPTED RESOLUTION FOR 2017 TOWN COUNCIL MEETINGS CALENDAR**

**TOWN OF VALDESE  
RESOLUTION ADOPTING 2017 TOWN COUNCIL MEETING SCHEDULE**

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

NOW, THEREFORE, BE IT RESOLVED that the Town of Valdese Town Council adopts the following Meeting Schedule for 2017:

January 9, 2017, Monday, 6:00 p.m., due to New Year's Day Holiday  
February 6, 2017  
March 6, 2017  
Monday, March 20, 2017 – 1:00 p.m. – 8:00 p.m., Annual Budget Retreat – Waldensian Room  
April 3, 2017  
April 24, 2017, Monday, 5:30 p.m., Council Budget Workshop Dinner - Town Hall Community Room  
May 1, 2017  
June 5, 2017  
June 26, 2017 – Budget Public Hearing; also serves as the July Council Meeting  
August 7, 2017  
September 5, 2017, Tuesday, 6:00 p.m., due to Labor Day Holiday  
October 2, 2017  
November 6, 2017  
November 16, 2017, 6:30 p.m., Thursday, Annual Dinner Meeting with Valdese Merchants  
Association, Old Rock School, Waldensian Room  
December 4, 2017

This 5<sup>th</sup> day of December, 2016.

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

**APPROVED APPOINTMENTS/REAPPOINTMENTS TO BOARDS AND COMMISSIONS**

**2016 Board and Commission Appointments/Reappointments**

**Planning Board & Board of Adjustment (4-year terms)**

Reappointment of Scott Watts

**Parks and Recreation Commission (3-year terms)**

Appointment of Robert Murray to replace Chip Cooper who did not wish to be reappointed

Appointment of Grayson Turner to replace Paul Mears who serves on the Planning Board

**Rock School Advisory (4-year terms)**

Reappointment of Chuck Moseley and Tim Barus

**Arbor-Beautification (3-year terms)**

Reappointment of Rose Mueller

Appointment of Theresa Pizzelanti

**Public Art Commission (3-year terms)**

Reappointment of Marc Mitchell

**Valdese Youth Council**

Appointment of the following students: Hannah Johnson, Breanna Johnson, Shaylee Johnson, Faith Carswell, Christian Baquix, Ciara Yarbrough, and Ciara Cox

**APPROVED UPDATES OF CDBG POLICIES AND PROCEDURES**

**RESOLUTION  
POLICIES AND GUIDELINES FOR THE  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM and  
ECONOMIC DEVELOPMENT ADMINISTRATION GRANT PROGRAM**

WHEREAS, the Town of Valdese is applying for a Community Development Block Grant; and

WHEREAS, the Town has adopted plans in place from past grants but the granting agency has requested an update; and

WHEREAS, the plans are required by the granting agency but they are not to supersede the federal and state regulations; and

NOW, THEREFORE, BE IT RESOLVED, the Town of Valdese hereby adopts the attached policies and plans as herein contained.

Adopted this the 5th day of December, 2016

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

ATTEST: /s/ Thelda B. Rhoney, Deputy Town Clerk

**REVISED RESOLUTION APPROVING PARKING ORDINANCE AMENDMENTS**

**AMENDMENTS TO TOWN OF VALDESE PARKING ORDINANCES**

WHEREAS, Section 7-1230 of the Valdese Code of Ordinances (the Code) provides that penalties for parking violations are to be paid at the Valdese town hall; and

WHEREAS, the town council desire to amend that section of the Code to provide that such citations shall be paid at the Valdese Police Department instead of the town hall; and

WHEREAS, the town council also desires to add that proof of ownership of any vehicle parked in violation of this article shall be prima facie evidence that the owner parked the vehicle;

NOW, THEREFORE, the town council of the Town of Valdese hereby amends Section 7-1230 of Article S of the Code of Ordinances to read as follows:

"Section 7-1230 Civil penalty procedure.

- (a) The violation of any ordinance restricting, regulating or prohibiting parking shall subject the offender to a civil penalty as hereafter enumerated. Such violation shall not constitute a criminal offense or an infraction.
- (b) Whenever a member of the police department or other person charged with the enforcement of the provision of the chapter regulating parking of vehicles shall find any of such provisions are being, or have been, violated by the owner or operator of any vehicle, such officer or person shall notify such owner or operator or such vehicle of such violation by conspicuously attaching to such vehicle a parking violation notice or citation in such form as the chief of police may direct.
- (c) Such parking violation or notice shall, among other things:
  - (1) State upon its face that the amount of such penalty for the specified violation shall be \$25 if such penalty is paid within forty-eight (48) hours from and after such violation;
  - (2) Notify such offender that a failure to pay the penalty within the prescribed time shall subject such offender to a civil action in the nature of a debt for the stated penalty plus an additional penalty in the amount of \$25, together with the costs of the action to be taxed by the court;
  - (3) Further provide that such offender may answer the town parking citation by mailing the citation and the stated penalty to the Valdese Police Department or may pay the amount at the Valdese Police Department and that upon payment the claim by the town will be deemed compromised and settled;
  - (4) State that such penalty must either be paid or such failure to pay must be cleared with the Valdese Police Department within forty-eight (48) hours of issuance of the citation;
  - (5) The notice shall further state that if the parking violation citation is not cleared within forty-eight (48) hours, court action by the filing of a civil complaint for collection of the penalty may be taken. As used upon the parking violation citation, the word "cleared" shall mean either: payment, arrangements for payment to be made; or a prima facie showing that such parking citation was received as a result of mistake, inadvertence or excusable neglect.
- (d) The Valdese Police Department is authorized to accept such payments in full and final settlement of the claim or claims that the town may have to enforce such penalty by civil action in the nature of debt. Acceptance of such penalty shall be deemed a full and final release of any and all such claims arising out of such contended violation or violations.
- (e) All penalties paid to the Valdese Police Department or as may be recovered in a civil action in the nature of debt as herein provided shall be paid into the general fund of the town as such time and under such regulations as may be prescribed by the town manager. (Ord. of 4/2/90; as amended by Ord. of 6/6/94).
- (f) Proof of ownership of a vehicle parked in violation of this article shall be prima facie evidence that the owner parked the vehicle."

These amendments shall become effective upon adoption.

Adopted this, the 5<sup>th</sup> day of December, 2016.

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

Attest: /s/ Town Clerk

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

***End Consent Agenda***

**ITEMS REMOVED FROM CONSENT AGENDA:** None

**MANAGEMENT AND MARKETING AGREEMENT WITH AMERICAN TOWER** Mr. Eckard said the Town owned two towers and several years ago the town contracted with American Tower to market the tower on Barus Avenue. The other tower is located at 100 Whisnant Street near the Public Works facility and the town owns the tower and has one tenant, Carolina Wireless. The town has no way to add new tenants so staff worked with American Tower to try to obtain new tenants. Profits for any new tenants would be split 40 percent to American Tower and 60 percent to the Town.

American Towers Representative Mark Landers said the carriers would come to them first as they coordinate nationwide agreements. The town's tower would go in their database. They have over 100,000 towers worldwide.

Mr. Landers said generally their leases run \$1,800 - \$2,500 per month.

Mr. Eckard said the Town could use the tower for its own purpose.

Councilman Delp made a motion to approve the Management and Marketing Agreement with American Tower for wireless communication as presented, seconded by Councilman Sweezy. The vote was unanimous.

**EXTENSION AGREEMENT FOR THE SETTINGS** Mayor Black said the agreement was discussed at the last Council meeting and there was a revised agreement with a revision that was not included in the agenda packet. Mr. Eckard said the revision made this date was concerning dates for completion and all dates would be the April 29, 2017 due date. The Bonding Company had some last minute issues with the agreement and was not excited about approving the agreement although they negotiated the agreement with the town. The company may not execute the agreement, meaning they would have to fulfill their original obligations of December 31, 2016.

NORTH CAROLINA  
BURKE COUNTY

#### **EXTENSION AGREEMENT**

THIS EXTENSION AGREEMENT ("Extension Amendment"), dated December \_\_\_\_\_, 2016, is entered into by and between the TOWN OF VALDESE ("Town") and BOND SAFEGUARD INSURANCE COMPANY ("Bonding Company") (collectively, the "Parties").

WHEREAS, The Settings of Lake Rhodhiss, LLC and Lake Rhodhiss Holdings, LLC owned land located in the Town's corporate limits that they began developing as a Planned Unit Development ("PUD") commonly referred to as The Settings of Lake Rhodhiss ("Subdivision"); and

WHEREAS, the Town contended that the developer of the Subdivision failed to complete the required infrastructure in a timely manner, and as a result the Town brought legal action against, among others, the Bonding Company, which had issued subdivision bonds assuring the completion of certain infrastructure required under the terms of the PUD: and

WHEREAS, as a result of the Town's legal action, the Parties entered into a Memorandum of Settlement dated October 3, 2012, and a Formal Settlement Agreement dated October 3, 2012 (these two agreements are sometimes referred to as the "Agreements"); and

WHEREAS, the Parties subsequently amended the Agreements as set forth in the First Amendment to Settlement Agreement dated December 7, 2015; and

WHEREAS, the Agreements provided that the Town would make certain incentive payments to the Bonding Company provided that all bonded infrastructure was completed and in service by December 31, 2016; and

WHEREAS, the Bonding Company has requested an extension of time within which to complete part of that infrastructure; and

WHEREAS, the Town has agreed to the requested extension of time subject to the terms and conditions set forth in this Extension Agreement; and

WHEREAS, the Parties have duly authorized the signatories to execute this Extension Agreement on behalf of their respective entities.

NOW, THEREFORE, in consideration of the mutual promises, the payments or promise of payments herein and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. By 5:00 p.m. on April 29, 2017, the Bonding Company must have:
  - (i) Conveyed to the Town by a recorded general warranty deed that property shown on that plat recorded in Plat Book 44, page 285, Burke County Registry, which is the property on which the Town intends to construct a fire station; and
  - (ii) Conveyed to the Town by a recorded general warranty deed the parcel on which the second Subdivision pump station was constructed; and

(iii) Provided to the town clerk a letter in which the Bonding Company agrees to maintain all Subdivision improvements and any ditch that has been dug in connection with such improvements for a period of one (1) year beginning April 30, 2017 (see Section 9-2034.04(2) of the Town Code of Ordinances).

(iv) Added an additional one (1) inch of asphalt paving to all Subdivision streets. This additional one (1) inch of asphalt must result in a total of at least three (3) inches of asphalt paving having been applied to all streets in the Subdivision. This additional one (1) inch of asphalt must not be installed until after the installation of underground electric lines running along the Subdivision street rights of way has been completed and any damage to the existing asphalt pavement must be repaired to its original condition prior to placement of the final one (1) inch of asphalt paving; and

(v) Completed the Subdivision entrance turning lanes as detailed in the approved plans and specifications of the Subdivision PUD and to the satisfaction of the NCDOT, in accordance with the NCDOT's standards and policies based on the number of lots being served.; and

(vi) Replanted grass as reasonably necessary in the areas of the Subdivision where grass is required as detailed in the approved plans and specifications of the PUD; and

(vii) Conveyed to the Town by recorded easement acceptable to the Town right of way access as required by Sections 17 and 18 of the PUD; and

(viii) Recorded a revised final plat of the Subdivision showing the buffer areas shown on the Exhibits attached to the Agreements and formally dedicated to the Town those buffer areas as areas of protected vegetation within which no development shall be allowed; and

(ix) Completed construction of all required Subdivision water and sewer infrastructure and provided the Town with as-built drawings of that infrastructure; and

(x) Obtained and provided to the Town all certifications and state approvals required in connection with the Subdivision water and sewer infrastructure; and

(xi) Completed all testing required in connection with the Subdivision water and sewer infrastructure and provided those test results to the Town, including the retesting of infrastructure in the vicinity of underground electric line installations and repairs of any defects discovered as a result of such testing or retesting; and

(xii) After having completed vi, vii and viii above, caused ownership of the Subdivision water and sewer that infrastructure to be transferred to the Town; and

(xiii) The Bonding Company must have provided to the Town a bond or other security satisfactory to the Town guaranteeing the Subdivision infrastructure improvements against defects for a period of one (1) year beginning April 30, 2017 (see Section 9-2034.04(1) of the Town Code of Ordinances); and

(xiv) Completed repairs of the pavement of Grandfather's Pass NW (Road B west of Settings Parkway and continuing to Road RA) as required in order for that road to conform to the original design as shown on the approved plans of The Settings of Lake Rhodhiss; and

(xv) Otherwise complied with all of the terms of the Agreements and this Extension Agreement.

2. Provided that the Bonding Company has complied with all of the requirements set forth in this Extension Agreement within the time set forth herein, the Town shall pay to the Bonding Company the incentive payments required to be paid under the terms of the Agreements as modified by the First Amendment to Settlement Agreement and this Extension Agreement. If the Bonding Company is entitled to be paid incentives, the amount held in escrow and the \$250,000 payment referred to in paragraph 2.b. of the Memorandum of Settlement shall be paid by the Town to the Bonding Company no earlier than April 30, 2017 and no later than May 30, 2017. Subsequent incentive payments shall be paid after April 29, 2017, at such times and as due under the Agreements. If, on the other hand, the Bonding Company fails to comply with all of the requirements of this Extension Agreement within the time set forth herein, the Town shall have no obligation to make any incentive payments whatsoever to the Bonding Company or to any other party. Time is of the essence with regard to all requirements and all dates established by this Extension Agreement.

3. The Bonding Company shall notify the Town in writing when it contends that all of the required Subdivision infrastructure improvements have been completed. After receiving that notice, the Town will rely on the recommendation of Town Engineer Benjie Thomas, who will use the adopted Subdivision plats, the PUD ordinance and engineering requirements, the Agreements and this Extension Agreement, in determining whether all of the required infrastructure improvements have been completed.
4. Except as amended by this Extension Agreement, the terms and conditions of the Agreements and First Amendment to Settlement Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Town and the Bonding Company have caused this Extension Agreement to be executed by the following:

TOWN OF VALDESE

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

Seth Eckard  
Town Manager

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

BOND SAFEGUARD INSURANCE CO.

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

Name: \_\_\_\_\_

Title: \_\_\_\_\_

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

After a brief discussion, Councilwoman Stevenson made a motion to approve the extension agreement for The Settings, seconded by Councilwoman Hildebran. The vote was unanimous.

**AWARD OF BID TO RELOCATE HANDICAP PARKING IN FRONT OF TOWN HALL** Mr. Eckard invited West Consultant Representative Benjie Thomas to review the bids. Mr. Thomas said bids were received to relocate two handicap parking spaces to the front of Town Hall. The lowest bid received was from Evans Construction Company, Connelly Springs, in the amount of \$15,600. Other bid: Bennick Enterprises, LLC, Nebo, NC - \$23,492.

Councilman Ogle made a motion to approve the bid with Evans Construction in the amount of \$15,600, seconded by Councilwoman Stevenson. The vote was unanimous.

**AWARD OF BID TO DEMOLISH OLD TENNIS COURTS – MCGALLIARD FALLS PARK** Parks and Recreation Director Doug Knight received two bids to demolish the old tennis courts at McGalliard Falls Park. The lowest bid was from D.H. Griffin Wrecking:

1. Remove courts, lights, and fencing - \$ 9,350
2. Remove courts, lights and keep fencing - \$ 9,350

Other bid from Vance Blackburn:

1. Remove courts, lights, and fencing - \$12,295\*
2. Remove courts, lights, and keep fencing- \$ 9,845\*

\* Contingent on being able to take asphalt to Maymead. There would be an additional cost of \$18,000 if taken to the landfill.

Mr. Eckard said funds would need to come from Fund Balance and he recommended that this project be part of the FY 2017-18 budget process.

Councilwoman Stevenson made a motion to table this issue and include in the FY 2017-18 budget process, seconded by Councilman Ogle. The vote was unanimous.

**RESOLUTION FOR SALE OF THE FLOWERS BUILDING, 508 MAIN STREET EAST** Mr. Eckard presented the following resolution:

**RESOLUTON APPROVING THE SALE OF REAL PROPERTY**  
(508 Main Street East)

WHEREAS, Donna Zamora offered to purchase from the Town of Valdese for the sum of \$120,000 that parcel of land containing .52 acres more or less located at 508 Main Street East in Valdese, North Carolina, said parcel being more particularly described in that deed recorded in Book 1382, page 705, Burke County Registry (REID 13890) (hereafter "the Property"); and

WHEREAS, at its November 2016 regular meeting, the town council adopted a resolution proposing to accept this offer on condition that the town retain an easement twenty (20) feet in width running along the entire west margin of the Property to allow the town to maintain the town's existing underground water line and to provide a means of ingress and egress to and from the town property that lies west of the Property; and



WHEREAS, the town council directed town representatives to publish notice of the town council's intent to accept the offer as required by G.A. 160A-269, and that notice was published on November 11, 2016; and

WHEREAS, the town did not receive an upset bid in response to the publication; and

WHEREAS, the town does not need the Property, and the town therefore desires to accept the offer made by Donna Zamora to purchase the Property for the purchase price of \$120,000;

IT IS THEREFORE RESOLVED pursuant to G.S. 160A-269 that the sale of the Property to Donna Zamora for the purchase price of \$120,000 is approved. The proper officials of the town are authorized and directed to execute and deliver to Donna Zamora a special warranty deed for the Property upon receipt of the \$120,000 purchase price. In the deed, the town shall retain and reserve an easement twenty (20) feet in width running along the entire west margin of the Property to allow the town to maintain the town's existing underground water line and to provide a means of ingress and egress to and from the town property that lies west of the Property.

THIS RESOLUTION WAS ADOPTED THIS 5th DAY OF DECEMBER, 2016.

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

ATTEST: /s/ Town Clerk

Councilwoman Hildebran made a motion to adopt the aforementioned resolution to sell the property at 508 Main Street East, seconded by Councilwoman Stevenson. The vote was unanimous.

**DISCUSSION OF SMALL USER POLICY** Public Works Director Bryan Duckworth presented a proposed Small User Program for small, non-residential accounts that do not generate enough waste to justify a commercial dumpster or that has no space to locate a dumpster. The Small User Program would be available to small businesses, churches, nonprofits, or any other non-residential account.

Mr. Duckworth said the Town picks up 1,600 cans per week and has only 1,400 single family parcels. The Town picks up 168 cans (apartment complexes, businesses, churches and nonprofits), and is not receiving revenue for 105 of them. He said some apartment complexes are billed for sanitation services on the utility bill and would like to continue to treat them as residential and some apartment complexes are on a master meter meaning there is one meter the owner is responsible for and not the tenant. He recommended changing apartment complexes over to the small user policy, which would be added to the monthly utility bills. Nine apartment complexes were identified and seven were not paying; twenty-two businesses were identified and seven were not paying; eight churches were identified and six are not paying; and six nonprofits were identified and the Town is not receiving payment from two of them. The Town is collecting from residential apartments.

Mr. Eckard said a letter would be sent by January informing customers of the Small User Program and they also have an option to contract with Republic Services. He said data and year by year tonnage and recycling participation rates could be presented at the annual budget retreat.

### **SMALL USER POLICY**

The Small User Policy is for small, non-residential accounts that do not generate enough waste to justify a commercial dumpster or that has no space to locate a dumpster and is available to small businesses, churches, nonprofits, or any other non-residential account.

The small user fee would be billed monthly on the utility bill in the amount of \$13.30.

The program contains the following services:

Regular Trash Service: maximum of 2 carts and Recycle Service – 1 cart maximum

Any additional carts requested would be billed at the rate of 13.30 for each additional 2 trash carts. This includes one additional recycle cart.

Effective Date: February 1, 2017.

After a brief discussion, Councilman Ogle made a motion to approve the aforementioned Small User Policy to become effective February 1, 2017, seconded by Councilman Sweezy. The vote was unanimous.

**MAYOR AND COUNCIL COMMENTS:**

**DOWNTOWN CHRISTMAS LIGHTS** Councilman Delp said the Christmas lights in Valdese were very nice.

**WATER BILL FEE** Councilman Ogle said he received a surcharge of \$3.50 for paying his water bill online. Mr. Eckard said the town was not charging a fee and he requested that Planning Director Larry Johnson check on this issue. Mr. Johnson said no one else had reported any issues with fees.

**EMERGENCY 911 ISSUES** Councilwoman Hildebran thanked Fire Chief Charlie Watts who went over and above about a 911 issue complaint she received and some changes have been made. She said the family also appreciated the changes made.

**RECREATION BOWLING PROGRAM** Councilwoman Hildebran commended staff on the Bowling Report and the program was doing well and making money.

**HOUSE ON DIXIE AVENUE – “MORGANTON NEWS HERALD” NEWSPAPER ARTICLE** Councilwoman Hildebran read an article where a few residents purchased high quality primer and paint and the homeowners family painted and installed additional improvements to the home. She contacted Town Manager Seth Eckard to talk with neighbors on Dixie Avenue to find out who was responsible so they could be recognized. Staff contacted the neighbors and they did not want to be recognized. She said this could be used as an example as communities coming together to do some renovations to some of the older, elderly citizens' homes. She realized the Town had no funds to assist in these type programs and she just wanted to let Members of Council know about the act of kindness and she encouraged others to participate.

Councilman Sweezy said the Main Street Program was working on choosing a site, a business, to work on and improve in the downtown area.

Councilwoman Hildebran said if some point in the future if funds could be set aside and if there was a home that needed rehab the citizens could apply for funds to purchase paint and the community come together to do the work.

WPCOG Representative Leah Martin said the Legislators moved all rehab money completely over to water and sewer.

Councilman Ogle said Dixie Avenue was in his Ward and he also recommended funds be set aside for this type program.

Mr. Eckard said he would need to find the right model to make the program work in Valdese.

**McGALLIARD FALLS PARK CONSERVATION EASEMENT** Councilman Sweezy said there was no Conservation Easement for McGalliard Falls Park when it was created and it needed to be added to the next agenda. By having the easement in place it would assist in obtaining a Clean Water Grant.

**FIRE DEPARTMENT STAFF COMMENDED** Councilwoman Stevenson commended Fire Chief Charlie Watts as he responded to her home when her husband's truck caught on fire. She said the firemen were very professional and dedicated and she requested that Chief Watts thank the Firemen.

**DOWNTOWN FESTIVITIES** Mayor Black said he would be a judge this week for the best Christmas window in the downtown district. He asked Beverly Carlton about the tractor rides provided by the Downtown Merchants Association. She said they continued to be successful. She said the tractor rides would be offered on Fridays through December 16, 2016, begin at 6:00 p.m. and end at 9:00 p.m. They begin at Village Park and ended at the Trail of Faith and you can get on and off at several locations. She also offered information about the Shop Hop.

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

**MINGLE WITH KRIS KRINGLE** Old Rock School, Waldensian Room, Saturday, December 17, 2016, 8:00 a.m. and 10:00 a.m.

**TOWN OFFICES CLOSED FOR HOLIDAYS** December 23, 26 & 27, 2016, in Observance of Christmas and January 2, 2017, in Observance of New Year's Day

**December 5, 2016, MB#31**

At 6:50 p.m., there being no further business to come before Council, Councilman Ogle made a motion to adjourn, seconded by Councilwoman Hildebran. The vote was unanimous.

The next meeting is a regularly scheduled meeting on Monday, January 9, 2017, 6:00 p.m., Valdese Town Hall.

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Town Clerk

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Mayor

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