

**TOWN OF VALDESE
TOWN COUNCIL REGULAR MEETING
APRIL 6, 2020**

The Town of Valdese Town Council met electronically via Zoom on Monday, April 6, 2020, at 6:00 p.m. The following were electronically present: Mayor John F. "Chip" Black, Jr., Councilwoman Frances Hildebran, Councilwoman Susan Stevenson, Councilman J. Andrew Thompson, and Councilman Roy F. Sweezy. Also present were: Town Attorney Marc Mitchell, Town Manager Seth Eckard, Deputy Town Clerk Jessica Lail, and various department heads.

Absent: Councilman Keith Ogle

A quorum was present.

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

OPEN FORUM/PUBLIC COMMENT: Citizens were asked to submit their public comments through a form on the Town's website. Deputy Town Clerk, Jessica Lail, read the comments aloud to the Council.

DEAL PROPERTY- KATHY DURHAM, 1779 ENON RD., VALDESE: Ms. Durham submitted the following comment: As a Burke County resident and water customer for Town of Valdese, I urge you to continue demolition efforts for the residential property at 909 West Main St. After living in Valdese for 5 years, I really love it, but do not love seeing this property that is, frankly, an eyesore. As a gateway property entering Valdese from Highway #70, the Town deserves a more pleasing site to better promote the outstanding lifestyle it offers to its citizens and future residents. Thank you for this opportunity to voice my opinion and thank you for being a proactive municipality. Valdese is a wonderful place to live and offers a wonderful quality of life. Kathy Durham

CODE ENFORCEMENT- KAY DRAUGHN, 108 W END STREET SW., VALDESE: Ms. Draughn submitted the following comments: Dear Valdese Town Council, Attorney, Manager & Clerk:

Regarding code enforcement, I encourage the VTC (Valdese Town Council) to:

- Continue to move forward with the 14 cases currently on the WPCOG's docket, especially demolition of the Deal property on Main Street.
- Continue to contract with the WPCOG for code enforcement services and support their recommendations. Despite the failure of the former code enforcement officer, the WPCOG is doing a good job and they have a good system in place. The new officer seems to be knowledgeable, is straightforward, appears to be a hard worker and has been helpful and responsive thus far.
- Work with the WPCOG to recoup contractual losses associated with shortcomings of the former code enforcement officer. The Town did not receive the service it expected and paid for.
- Transition from a complaint driven approach to a proactive approach and consider increasing funding for code abatement.

• Oppose waiving or reducing code enforcement/abatement fines. Taxpayers should not have to further subsidize violators. The fines that are collected should be used to offset monies spent for abatement.

Regarding the virtual meetings:

- I applaud the VTC for holding its first virtual meeting. Many towns and municipalities in North Carolina cancelled their April meetings.

Regarding transparency & accessibility:

- To foster civic engagement and to improve transparency, I encourage the VTC to video or live stream its meetings and post them on a YouTube Channel and/or air them on a local cable channel.
- Further, I encourage the VTC to publish its monthly meeting agenda earlier. Currently, the agenda is published on Friday afternoon for a Monday evening meeting. Two (2) days is an inadequate amount of time for citizens to review the materials and prepare for the meeting.

Regarding litter on Hwy 70 across from the ABC Store / Shopping Center:

- I encourage the VTC to take whatever actions are possible to remove the litter in the ditch on Hwy 70 In front of the ABC Store / Shopping Center during the biannual Litter Sweep drive, April 11 -25.

Thank you for your service and for your consideration of these items

CODE ENFORCEMENT- JO BOGGS, 200 W END STREET SW., VALDESE: Ms. Boggs submitted the following comments: Regarding code enforcement, I encourage the Valdese Town Council to continue to move forward with the cases currently on the WPCOG docket, especially the demolition of the Deal property

April 6, 2020, MB#31

on Main Street. I also encourage the council to continue the contract with the WPCOG for code enforcement services and support their recommendations. Thank you for your service and your consideration of this request.

DOGS, CODE ENFORCEMENT, MCGAILLIARD FALLS- WILL MUELLER, 610 DIXIE AVE NW.,

VALDESE: Mr. Mueller submitted the following comments: Our concerns are as follows: 1) regarding the ongoing problem with dogs running loose in our neighborhood, especially on 600-700 Dixie Ave. NW, the dogs roam through yards in this area unchecked, and have gotten so brazen that they chase not only neighbors' vehicles, but now harass the postal delivery truck and drivers so much that the postal workers have refused to deliver mail to some houses on our street from time to time. The dogs are apparently owned by Ronnie Carver, living at the notorious Bass St. property, which is on the list for abatement. 2) We understand that the aforementioned Bass St. location is under appeal for possible abatement, and want to be assured that if Carver's appeal is denied the funds to carry out the abatement are already designated in the town's budget. 3) Regarding McGailliard Falls Park, the partially eroded bank adjacent to the overlook is not the only critical problem needed to be dealt with as soon as possible. There are several very tall trees still growing only a few feet away from the stump of the tree that destroyed the water wheel a few years ago. If one or more of those trees fell in the same direction, they could damage or destroy not only the new water wheel, but the mill building which the water wheel was used to power the grinding apparatus. 4) Regarding the town Code Enforcement: we feel that during the time that Billy Rickles was the Code Enforcement officer, Valdese definitely did not get the service the town had been promised, and hope that there is a way for the town to be reimbursed, or compensated some other way for services-not-rendered. Todd Justice, by comparison, is a very professional and conscientious Code Enforcement Officer

CONSENT AGENDA: (enacted by one motion)

APPROVED REGULAR MEETING MINUTES OF MARCH 2, 2020

APPROVED BUDGET RETREAT MINUTES OF MARCH 23, 2020

SPRING LITTER SWEEP, APRIL 11-25, 2020

SET PUBLIC HEARING DATE FOR CONDITIONAL USE PERMIT APPLICATION #1-3-20 PINE CROSSING (CROWHILL PARK) Staff requests Monday, May 4, 2020, as the date to hold a public hearing for Conditional use permit application #1-3-20.

SET PUBLIC HEARING DATE FOR CONDITIONAL USE PERMIT APPLICATION #2-3-20 TRON PLACE (STROUP) Staff requests Monday, May 4, 2020, as the date to hold a public hearing for Conditional use permit application #2-3-20.

APPROVED LEASE AGREEMENTS AT THE OLD ROCK SCHOOL WITH DREAM CONNECTIONS AND STILL WATERS COUNSELING, INC. Lease agreements for rental space at the Old Rock School. The Dream Connections Lease in the amount of \$1045 per month and the Still Waters Counseling Lease in the amount of \$305 per month.

Councilman Sweezy 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: None

APPROVAL OF COUNCIL ELECTRONIC MEETING POLICY Mayor Black presented an Electronic Meetings Policy that will be used only in emergency situations.

TOWN OF VALDESE ELECTRONIC MEETINGS POLICY

When a State of Emergency has been declared that is applicable to the Town, the Town Council may hold a regular, special or emergency meeting as a remote, electronic meeting using technology such as Zoom, Ring Central, or another virtual or teleconferencing platform provided that one or both of the following conditions are met:

1. Meeting in person would pose a threat to health or safety of members of the Town Council, Town staff and the general public who might otherwise attend the meeting in person; or
2. Restrictions or prohibitions implemented in conjunction with the declaration of the State of Emergency make it impractical or not feasible to hold an in-person meeting of the Town Council.

The Mayor and participating Council members must be able to hear and speak to each other simultaneously during the electronic meeting. An electronic meeting conducted according to this policy shall be treated as though it were a meeting at which all of the Council members who are participating are actually present. Electronic participation by a member shall be deemed to be physical presence at the meeting.

The Town Clerk shall act as the electronic host of the meeting, and shall be responsible for monitoring which members are connected (present) during the meeting. Provided that a quorum is participating and connected to the meeting when the meeting is called to order, if one or more participating members is unintentionally disconnected and reconnection cannot be established within a reasonable time, this shall not defeat the presence of a quorum. For so long as the member is disconnected, the member shall not be counted as "present" for the purposes of counting votes. Notwithstanding the foregoing, any member participating may make a motion to adjourn the electronic meeting if one or more members becomes unintentionally disconnected from the electronic meeting and reconnection cannot be re-established within a reasonable time.

When stating or seconding a motion, a Council member shall identify himself or herself for the record before stating such motion or second. Voting shall be by roll-call vote.

In addition to complying with the meeting notice requirements of the North Carolina Open Meetings Law, the Town shall give as much advance notice to the Council members, the media and the public of the fact that a regular, special or emergency meeting will be an electronic meeting as is reasonable under the circumstances. An electronic meeting must allow access to the meeting by all members of the Council, the media and the public, subject to reasonable limitations in the technology used to hold the electronic meeting as to the number of people that can access the electronic meeting. The notice stating the meeting shall be an electronic meeting shall include the means by which the public can access the electronic meeting, and shall state a location for the public to view or hear the meeting.

Councilwoman Hildebran made a motion to approve the Electronic Meeting Policy, seconded by Councilwoman Stevenson. The vote was unanimous.

PUBLIC HEARING FOR TEXT AMENDMENT TO VALDESE ZONING ORDINANCE-OFF STREET PARKING Mayor Black stated that he would like more clarification on the Off-Street parking definitions on the proposed Zoning Ordinance for Off-Street Parking. Mayor Black suggested that the Public Hearing be tabled to the May 4th, 2020 meeting.

Councilwoman Stevenson made a motion to table the Public Hearing until the May 4th, 2020 Council meeting, seconded by Councilman Sweezy. The vote was unanimous.

AWARD OF BID – HIGH SERVICE PUMP REPLACEMENT Public Service Director Greg Padgett presented a Resolution with two bids recommended by McGill Associates, P.A., for the installation of a 3.0 MGD High Service Pump Replacement. The lowest bidder was from Charles R. Underwood, Inc., Sanford, NC, in the amount of \$78,048.00. (Other bid: ClearWater, Inc., Hickory, NC - \$181,000.00) Mr. Padgett explained that this ties into the MCC project that has already been approved by Council. Councilwoman Hildebran questioned the difference in the bid amounts but understood from a previous conversation with Mr. Padgett that ClearWater was not interested in winning the bid.

Councilman Sweezy made a motion to award the bid to Charles R. Underwood, Inc., in the amount of \$78,048, seconded by Councilwoman Stevenson. The vote was unanimous.

EROSION AT MCGALLIARD FALLS OVERLOOK Parks and Recreation Director Doug Knight presented two bid recommendations for the bank repairs at McGalliard Falls Park Overlook. Mr. Knight explained that during heavy rains this past winter, a section of the bank was partially washed out and

April 6, 2020, MB#31

needed to be repaired. The lowest bidder was Dickinson Hauling and Grading, Inc., Hickory, NC, in the amount of \$3,500. (Other bid: Danny Harris Grading, Morganton, NC - \$10,000 - \$15,000) Councilwoman Stevenson asked if this bid includes the removal of the trees that was mentioned as a problem in the public comment section. Mr. Knight explained that it was not included in this quote because it was a separate issue. Mr. Knight will be getting a quote for one of the trees that could potentially be an issue.

Councilwoman Hildebran made a motion to award the bid to Dickinson Hauling and Grading, Inc., in the amount of \$3,500, seconded by Councilman Thompson. The vote was unanimous.

BUDGET AMENDMENT Finance Director Bo Weichel presented the following budget amendment:

Valdese Town Council Meeting

Monday, April 6, 2020

Budget Amendment #

23

Subject:

Recreation - Emergency repairs to overlook at McGalliard Falls Park (reference memo from Doug Knight). This is to repair erosion issues on a section of bank next to the observation deck. Similar issues in 2013

Proposed Action:

BE IT ORDAINED by the Council of the Town of Valdese that, pursuant to Section 15 of Chapter 159 of the General Statutes of North Carolina, the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2020:

Section I:

The following revenues available to the Town will be increased:

Account	Description	Decrease/ Debit	Increase/ Credit
10.3970.302	Capital Projects		3,500
	Total	\$0	\$3,500

Amounts appropriated for expenditure are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
10.4250.740	Capital Outlay	3,500	
	Total	\$3,500	\$0

Section II:

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

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

MANAGER'S REPORT: Town Manager Seth Eckard made the following announcements:

Mr. Eckard reminded all Valdese Citizens to complete the 2020 Census either through mail or online. Mr. Eckard stressed the importance of completing the census because it will impact the Town, County, and School System's revenue for the next ten years.

Town Offices Will Be Closed Friday, April 10, 2020, in observance of the Easter Holiday.

The next regular Council meeting is scheduled for Monday, May 4, 2020, at 6 p.m.

MAYOR AND COUNCIL COMMENTS: Councilwoman Hildebran addressed her constituents from the open forum regarding the Deal property. Councilwoman Hildebran stated that an order had been given to

April 6, 2020, MB#31

demolish according to our minimum housing code at 909 Main St. W. Mr. Deal has a total of 60 days to demolish the house himself, ten days to file an appeal to the Town which he did not do. After May 22, 2020, the Town can vote on an ordinance to demolish the house in conjunction with a budget amendment. This will be on the June 1st, 2020 agenda for consideration. Councilwoman Hildebran stated that we do not know how much this will cost yet.

Councilwoman Stevenson thanked the Valdese employees, citizens, business owners and healthcare workers for everything they are doing during this time.

Councilman Thompson thanked those who made the electronic meeting possible.

Mayor Black thanked everyone for what they are doing to address the needs of the Town. Mayor Black encouraged the citizens to pay attention to the request that has been made by the governor to keep the coronavirus under control.

ADJOURNMENT: At 6:26 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 Monday, May 4, 2020, 6:00 p.m.

Town Clerk

Mayor

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