

**TOWN OF VALDESE
TOWN COUNCIL REGULAR MEETING
JUNE 6, 2022**

The Town of Valdese Town Council met on Monday, June 6, 2022, 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 Charles Watts, Councilman Keith Ogle, Councilwoman Frances Hildebran, Councilwoman Rexanna Lowman, and Councilman Paul Mears. Also present were: Town Attorney Tim Swanson, Town Manager Seth Eckard, Town Clerk Jessica Lail, and various department heads.

Absent: Councilman J. Andrew Thompson

A quorum was present.

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

OPEN FORUM/PUBLIC COMMENT:

Mayor Pro Tem Frances Hildebran read the Rules & Procedures for Public Comment:

Rule 5. Public Comment

Any individual or group who wishes to address the council shall inform the town clerk, any time prior to the start of the meeting, and provide their name, address and subject matter about which they wish to speak. Comments should be limited to five minutes per speaker.

ZONING - SUSAN BOTTAFUOCO, 605 CAROLINA ST, VALDESE, NC: Ms. Bottafuoco shared her history of how her family chose Valdese to live. Ms. Bottafuoco expressed her concern with the re-zoning at the Pineburr Mill, where she lives close. Ms. Bottafuoco reminded Council that it was stated that our Valdese taxes would not go up. Ms. Bottafuoco shared that based on the age, history, and the property on Pineburr Ave., she is concerned about what will come next. The EPA was not created until 1970. Ms. Bottafuoco stated that this property is a Pandora's Box, and it is best to leave it unopened.

CONSENT AGENDA: (enacted by one motion)

APPROVED REGULAR MEETING AND CLOSED SESSION MINUTES OF MAY 2, 2022

APPROVED VEDIC BOARD OF DIRECTORS APPOINTMENTS The VEDIC Board of Directors recommended the re-appointment of Forrest Fleming(second term) and T.R. Robinson(third term) to the VEDIC Board. The three-year terms will expire on July 1, 2025.

APPROVED ANIMAL CONTROL APPELLATE BOARD APPOINTMENTS Town Manager Seth Eckard recommended appointing Mayor Charles Watts and Planning Director Larry Johnson to the Animal Control Appellate Board.

APPROVED LEASE AGREEMENT AT THE OLD ROCK SCHOOL WITH DREAM CONNECTIONS Lease agreement for rental space at the Old Rock School. The Dream Connections Lease in the amount of \$1,045 per month.

**APPROVED RESOLUTION FOR FUNDING OFFER AND ACCEPTANCE FOR VALDESE BLUFFS
SEWER LINE PROJECT**

TOWN of VALDESE
RESOLUTION
Funding Offer and Acceptance
Valdese Bluffs Sewer Line Extension
Project: SRP-W-ARP-0015

WHEREAS, the Town of Valdese has received an earmark for the American Rescue Plan (ARP) funded from the State Fiscal Recovery Fund established in S.L. 2021-180 to assist eligible units of government with meeting their water/wastewater infrastructure needs, and

WHEREAS, the North Carolina Department of Environmental Quality has offered American Rescue Plan (ARP) funding in the amount of \$721,580 to perform work detailed in the submitted application, and

WHEREAS, the Town of Valdese intends to perform said project in accordance with the agreed scope of work,

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

That the Town of Valdese does hereby accept the American Rescue Plan Grant offer of \$721,580.

That the Town of Valdese does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.

That Bo Weichel (Finance Director), and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

THE FOREGOING RESOLUTION IS ADOPTED THIS 6th DAY OF JUNE, 2022.

/s/ Charles Watts, Mayor

ATTEST:

/s/ Town Clerk

**STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WATER INFRASTRUCTURE**

Funding Offer and Acceptance

Legal Name and Address of Award Recipient

Town of Valdese
PO Box 339
Valdese NC 28690

Project Number: SRP-W-ARP-0015

CFDA Number:

Funding Program

Drinking Water	<input type="checkbox"/>	Additional Amount for	Previous Total	Total Offered
Wastewater\Stormwater	<input checked="" type="checkbox"/>	Funding Increases		
State Revolving Fund (SRF)	<input type="checkbox"/>			
State Reserve Loan (SRP)	<input type="checkbox"/>			
State Reserve Grant (SRP)	<input type="checkbox"/>			
State Grant Appropriation (SAP)	<input type="checkbox"/>			
American Rescue Plan Act (ARPA)	<input checked="" type="checkbox"/>			\$721,580

Project Description:

Valdese Bluffs Sewer Line Extension project

Total Financial Assistance Offer: \$721,580

Total Project Cost: \$721,580

Estimated Closing Fee*: na

For Loans

Principal Forgiveness: \$0

Interest Rate: 0.0% Per Annum

Maximum Loan Term: 0 Years

**Estimated closing fee calculated based on grant and loan amount.*

Pursuant to North Carolina General Statute 159G:

- The applicant is eligible under Federal and State law,
- The project is eligible under Federal and State law, and
- The project has been approved by the Department of Environmental Quality as having sufficient priority to receive financial assistance,

The Department of Environmental Quality, acting on behalf of the State of North Carolina, hereby offers the financial assistance described in this document.

For The State of North Carolina:

Shadi Eskaf, Director, Division of Water Infrastructure
North Carolina Department of Environmental Quality

	4/5/2022
Signature	Date

On Behalf of:

Town of Valdese

Name of Representative in Resolution:

Bo Weichel

Title (Type or Print):

CFO

I, the undersigned, being duly authorized to take such action, as evidenced by the attached CERTIFIED COPY OF AUTHORIZATION BY THE APPLICANT'S GOVERNING BODY, do hereby accept this Financial Award Offer and will comply with the Assurances and the Standard Conditions.

Signature	Date
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STANDARD CONDITIONS

1. Acceptance of this Funding Offer does not exempt the Recipient from complying with requirements stated in the U.S. Treasury's [Final Rule](#) for the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) and the [SLFRF Compliance and Reporting Guidance](#) not explicitly referred to in this document and any future requirements implemented by the U.S Treasury.
2. Acquisition of Real Property must comply with all applicable provisions of the Uniform Relocation and Real Property Acquisition Policies Act of 1970 (PL 92-646), as amended. The applicant shall certify that it has or will have a fee simple or such other estate or interest in the site of the project, including necessary easements and rights-of-way, to assure undisturbed use and possession for the purpose of construction and operation for the estimated life of the project using a certification form provided by DEQ.
3. Specific MBE/WBE (DBE) forms and instructions are provided that are to be included in the contract specifications. These forms will assist with documenting positive efforts made by recipients, their consultants and contractors to utilize disadvantaged businesses enterprises. Such efforts should allow DBEs the maximum feasible opportunity to compete for subagreements and subcontracts to be performed. Documentation of efforts made to utilize DBE firms must be maintained by all recipients, and construction contractors, and made available upon request.
4. Subrecipients shall fully comply with Subpart C of 2 CFR Part 180 entitled, "Responsibilities of Participants Regarding Transactions Doing Business with Other Persons," as implemented and supplemented by 2 CFR Part 1532. Recipient is responsible for ensuring that any lower tier covered transaction, as described in Subpart B of 2 CFR Part 180, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. Recipient is responsible for further requiring the inclusion of a similar term or condition in any subsequent lower tier covered transactions. Subrecipients may access suspension and debarment information at: <http://www.sam.gov>. This system allows subrecipients to perform searches determining whether an entity or individual is excluded from receiving Federal assistance.
5. Projects with a total cost of \$10,000,000 or more must meet U.S. Treasury requirements for prevailing wage rates, project labor agreements, and related requirements. Recipients can either certify meeting the requirements or provide plans and reports as the [SLFRF Compliance and Reporting Guidance](#) specifies.
6. The Uniform Guidance 2 CFR 200.317 through 2 CFR 200.327 gives minimum requirements for procurement, with 2 CFR 200.319(b) addressing engineering services procurement guidelines. ARPA-funded projects must also adhere to North Carolina State law, specifically NC General Statute 143-64.31, Article 3D Procurement of Architectural, Engineering, and Surveying (A/E) Services. NCGS 143-64.32 cannot be used to exempt funding recipients from a qualification-based selection for A/E. The State provides applicable certification forms that must be completed prior to receiving funds for any engineering services covered under this funding offer.
7. Local government units designated as distressed must complete associated requirements of statute §159G-45(b).
8. Funds made available by the ARPA that are not disbursed to the entity accepting the funds in this document by December 31st, 2026, will no longer be available for the project. Unused Federal funds will revert from the State of North Carolina to the U.S. Treasury.

ASSURANCES

1. The Applicant intends to construct the project or cause it to be constructed to final completion in accordance with the Application approved for financial assistance by the Division.
2. The Applicant is responsible for paying for the costs ineligible for ARPA funding.
3. The construction of the project, including the letting of contracts in connection therewith, conforms to the applicable requirements of State and local laws and ordinances.
4. The Applicant will provide and maintain adequate engineering supervision and inspection.
5. The recipient agrees to establish and maintain a financial management system that adequately accounts for revenues and expenditures. Adequate accounting and fiscal records will be maintained during the construction of the project and these records will be retained and made available for a period of at least three years following completion of the project.
6. All ARPA funds shall be expended solely for carrying out the approved project, and an audit shall be performed in accordance with G.S. 159-34. Partial disbursements on this loan will be made promptly upon request, subject to adequate documentation of incurred eligible costs, and subject to the recipient's compliance with the Standard Conditions of this Award. The Applicant agrees to make prompt payment to its contractor, and to retain only such amount as allowed by North Carolina General Statute.
7. The applicant will expend all of the requisitioned funds for the purpose of paying the costs of the project within three (3) banking days following the receipt of the funds from the State. Please note that the State is not a party to the construction contract(s) and the Applicant is expected to uphold its contract obligations regarding timely payment.
8. Funds must be fully spent (i.e., fully reimbursed to the recipient) by December 31, 2026.

Acknowledgement of Standard Conditions and Assurances

The Applicant hereby gives assurance to the Department of Environmental Quality that the declarations, assurances, representations, and statements made by the Applicant in the Application; and all documents, amendments, and communications filed with the Department of Environmental Quality by the Applicant in support of its request for financial assistance will be fulfilled.

.....
Signature

.....
Date

APPROVED RESOLUTION FOR FUNDING OFFER AND ACCEPTANCE FOR VALDESE BLUFFS WATER LINE PROJECT

TOWN of VALDESE
RESOLUTION
Funding Offer and Acceptance
Valdease Bluffs Water Line Extension
Project: SRP-D-ARP-0016

WHEREAS, the Town of Valdese has received an earmark for the American Rescue Plan (ARP) funded from the State Fiscal Recovery Fund established in S.L. 2021-180 to assist eligible units of government with meeting their water/wastewater infrastructure needs, and

WHEREAS, the North Carolina Department of Environmental Quality has offered American Rescue Plan (ARP) funding in the amount of \$80,403 to perform work detailed in the submitted application, and

WHEREAS, the Town of Valdese intends to perform said project in accordance with the agreed scope of work,

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

That the Town of Valdese does hereby accept the American Rescue Plan Grant offer of \$80,403.

That the Town of Valdese does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.

That Bo Weichel (Finance Director), and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

THE FOREGOING RESOLUTION IS ADOPTED THIS 6th DAY OF JUNE, 2022.

/s/ Charles Watts, Mayor

ATTEST:

/s/ Town Clerk

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WATER INFRASTRUCTURE

Funding Offer and Acceptance

Legal Name and Address of Award Recipient

Town of Valdese
PO Box 339
Valdese NC 28690

Project Number: SRP-D-ARP-0016

CFDA Number:

Funding Program

Drinking Water	<input checked="" type="checkbox"/>	Additional Amount for	Previous Total	Total Offered
Wastewater\Stormwater	<input type="checkbox"/>	Funding Increases		
State Revolving Fund (SRF)	<input type="checkbox"/>			
State Reserve Loan (SRP)	<input type="checkbox"/>			
State Reserve Grant (SRP)	<input type="checkbox"/>			
State Grant Appropriation (SAP)	<input type="checkbox"/>			
American Rescue Plan Act (ARPA)	<input checked="" type="checkbox"/>			\$80,403

Project Description:

Valdese Bluffs Water Line Extension project

Total Financial Assistance Offer: \$80,403
Total Project Cost: \$80,403
Estimated Closing Fee*: na
For Loans
Principal Forgiveness: \$0
Interest Rate: 0.0% Per Annum
Maximum Loan Term: 0 Years

**Estimated closing fee calculated based on grant and loan amount.*

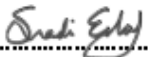
Pursuant to North Carolina General Statute 159G:

- The applicant is eligible under Federal and State law,
- The project is eligible under Federal and State law, and
- The project has been approved by the Department of Environmental Quality as having sufficient priority to receive financial assistance,

The Department of Environmental Quality, acting on behalf of the State of North Carolina, hereby offers the financial assistance described in this document.

For The State of North Carolina:

Shadi Eskaf, Director, Division of Water Infrastructure
North Carolina Department of Environmental Quality

 Signature	5/2/2022 Date
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On Behalf of:

Town of Valdese

Name of Representative in Resolution:

Bo Weichel

Title (Type or Print):

CFO

I, the undersigned, being duly authorized to take such action, as evidenced by the attached CERTIFIED COPY OF AUTHORIZATION BY THE APPLICANT'S GOVERNING BODY, do hereby accept this Financial Award Offer and will comply with the Assurances and the Standard Conditions.

Signature	Date
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STANDARD CONDITIONS

1. Acceptance of this Funding Offer does not exempt the Recipient from complying with requirements stated in the U.S. Treasury's [Final Rule](#) for the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) and the [SLFRF Compliance and Reporting Guidance](#) not explicitly referred to in this document and any future requirements implemented by the U.S Treasury.
2. Acquisition of Real Property must comply with all applicable provisions of the Uniform Relocation and Real Property Acquisition Policies Act of 1970 (PL 92-646), as amended. The applicant shall certify that it has or will have a fee simple or such other estate or interest in the site of the project, including necessary easements and rights-of-way, to assure undisturbed use and possession for the purpose of construction and operation for the estimated life of the project using a certification form provided by DEQ.
3. Specific MBE/WBE (DBE) forms and instructions are provided that are to be included in the contract specifications. These forms will assist with documenting positive efforts made by recipients, their consultants and contractors to utilize disadvantaged businesses enterprises. Such efforts should allow DBEs the maximum feasible opportunity to compete for subagreements and subcontracts to be performed. Documentation of efforts made to utilize DBE firms must be maintained by all recipients, and construction contractors, and made available upon request.
4. Subrecipients shall fully comply with Subpart C of 2 CFR Part 180 entitled, "Responsibilities of Participants Regarding Transactions Doing Business with Other Persons," as implemented and supplemented by 2 CFR Part 1532. Recipient is responsible for ensuring that any lower tier covered transaction, as described in Subpart B of 2 CFR Part 180, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. Recipient is responsible for further requiring the inclusion of a similar term or condition in any subsequent lower tier covered transactions. Subrecipients may access suspension and debarment information at: <http://www.sam.gov>. This system allows subrecipients to perform searches determining whether an entity or individual is excluded from receiving Federal assistance.
5. Projects with a total cost of \$10,000,000 or more must meet U.S. Treasury requirements for prevailing wage rates, project labor agreements, and related requirements. Recipients can either certify meeting the requirements or provide plans and reports as the [SLFRF Compliance and Reporting Guidance](#) specifies.
6. The Uniform Guidance 2 CFR 200.317 through 2 CFR 200.327 gives minimum requirements for procurement, with 2 CFR 200.319(b) addressing engineering services procurement guidelines. ARPA-funded projects must also adhere to North Carolina State law, specifically NC General Statute 143-64.31, Article 3D Procurement of Architectural, Engineering, and Surveying (A/E) Services. NCGS 143-64.32 cannot be used to exempt funding recipients from a qualification-based selection for A/E. The State provides applicable certification forms that must be completed prior to receiving funds for any engineering services covered under this funding offer.
7. Local government units designated as distressed must complete associated requirements of statute §159G-45(b).
8. Funds made available by the ARPA that are not disbursed to the entity accepting the funds in this document by December 31st, 2026, will no longer be available for the project. Unused Federal funds will revert from the State of North Carolina to the U.S. Treasury.

ASSURANCES

1. The Applicant intends to construct the project or cause it to be constructed to final completion in accordance with the Application approved for financial assistance by the Division.
2. The Applicant is responsible for paying for the costs ineligible for ARPA funding.
3. The construction of the project, including the letting of contracts in connection therewith, conforms to the applicable requirements of State and local laws and ordinances.
4. The Applicant will provide and maintain adequate engineering supervision and inspection.
5. The recipient agrees to establish and maintain a financial management system that adequately accounts for revenues and expenditures. Adequate accounting and fiscal records will be maintained during the construction of the project and these records will be retained and made available for a period of at least three years following completion of the project.
6. All ARPA funds shall be expended solely for carrying out the approved project, and an audit shall be performed in accordance with G.S. 159-34. Partial disbursements on this loan will be made promptly upon request, subject to adequate documentation of incurred eligible costs, and subject to the recipient's compliance with the Standard Conditions of this Award. The Applicant agrees to make prompt payment to its contractor, and to retain only such amount as allowed by North Carolina General Statute.
7. The applicant will expend all of the requisitioned funds for the purpose of paying the costs of the project within three (3) banking days following the receipt of the funds from the State. Please note that the State is not a party to the construction contract(s) and the Applicant is expected to uphold its contract obligations regarding timely payment.
8. Funds must be fully spent (i.e., fully reimbursed to the recipient) by December 31, 2026.

Acknowledgement of Standard Conditions and Assurances

The Applicant hereby gives assurance to the Department of Environmental Quality that the declarations, assurances, representations, and statements made by the Applicant in the Application; and all documents, amendments, and communications filed with the Department of Environmental Quality by the Applicant in support of its request for financial assistance will be fulfilled.

.....
Signature

.....
Date

APPROVED RESOLUTION FOR FUNDING OFFER AND ACCEPTANCE FOR WATER DISTRIBUTION SYSTEM ASSESSMENT

TOWN of VALDESE
RESOLUTION
Funding Offer and Acceptance
Water Distribution System Assessment
Project: H-AIA-D-20-0203

WHEREAS, the North Carolina General Statutes Chapter 159G has created Asset Inventory and Assessment grants to assist eligible units of government with meeting their water infrastructure needs, and

WHEREAS, the North Carolina Department of Environmental Quality has offered a State Reserve Grant in the amount of \$150,000 to perform asset inventory and assessment work, and

WHEREAS, the Town of Valdese intends to perform said project in accordance with the agreed scope of work,

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

That the Town of Valdese does hereby accept the State Reserve Grant offer of \$150,000.

That the Town of Valdese does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.

That Bo Weichel (Finance Director), 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 by the Division of Water Infrastructure.

THE FOREGOING RESOLUTION IS ADOPTED THIS 6th DAY OF JUNE, 2022.

/s/ Charles Watts, Mayor

ATTEST:

/s/ Town Clerk

**STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WATER INFRASTRUCTURE**

Funding Offer and Acceptance

Legal Name and Address of Award Recipient

Project Number:

H-AIA-D-20-0203

Town of Valdese
PO Box 339
Valdese, NC 28690

Drinking Water	<input checked="" type="checkbox"/>	Additional Amount for Funding Increases	Previous Total	Total Offered
Wastewater	<input type="checkbox"/>			
State Revolving Fund (SRF)	<input type="checkbox"/>			
State Reserve Loan (SRP)	<input type="checkbox"/>			
State Reserve Grant (SRP)	<input type="checkbox"/>			
State Emergency Loan (SEL)	<input type="checkbox"/>			
Asset Inventory & Assessment Grant (AIA)	<input checked="" type="checkbox"/>			150,000.00
Merger/Regionalization Feasibility Grant (MRF)	<input type="checkbox"/>			

Project Description:

Asset Inventory Assessment Project

Total Financial Assistance Offer: **\$150,000**

Match Percentage 5% \$ 7,500

Grant Fee* (1.5 %): \$2,250

**Grant fee calculated based on grant amount.*


Pursuant to North Carolina General Statute 159G:

- The applicant is eligible under State law,
- The project is eligible under State law, and
- The project has been approved by the Department of Environmental Quality as having sufficient priority to receive financial assistance,

The Department of Environmental Quality, acting on behalf of the State of North Carolina, hereby offers the financial assistance described in this document.

For The State of North Carolina:

Kim H. Colson, P.E., Director, Division of Water Infrastructure
North Carolina Department of Environmental Quality

 Signature	June 22, 2020 Date
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On Behalf of:

Name of Representative in Resolution:

Title (Type or Print):

Town of Valdese

Bo Weichel

CFO

I, the undersigned, being duly authorized to take such action, as evidenced by the attached CERTIFIED COPY OF AUTHORIZATION BY THE APPLICANT'S GOVERNING BODY, do hereby accept this Financial Award Offer and will comply with the Assurances and the Standard Conditions.

Signature	Date
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STANDARD CONDITIONS FOR ASSET INVENTORY AND ASSESSMENT GRANTS

1. The recipient acknowledges that no disbursements will be made until the grant fee has been received by the Division of Water Infrastructure.
2. The recipient acknowledges that no disbursements will be made until applicable service agreements or contracts are submitted. The description of work listed on invoices must be included in the scope of work shown on the agreements or contracts.
3. The required grant match must be documented to receive the full amount of this financial assistance offer. The grant match is a percentage of the financial assistance offer amount.
4. All funds provided pursuant to North Carolina General Statute 159G shall be expended solely for carrying out the approved project and an audit shall be performed in accordance with G.S. 159-34, as amended. **The recipient will expend all of the requisitioned funds for the purpose of paying the costs of the project within three (3) banking days following the receipt of the funds from the State.** Please note that the State is not a party to any contract(s) and the grant recipient is expected to uphold its contract obligations regarding timely payment.
5. Partial disbursements will be made promptly upon request, subject to adequate documentation of incurred eligible costs and grant match, and subject to the recipient's compliance with the conditions of this grant. Requests for reimbursement must be made using the Division of Water Infrastructure's reimbursement form.
6. The recipient must provide a digital copy of the Asset Inventory and Assessment products in a universally readable format.
7. The recipient must provide an executive level summary of the work performed, any conclusions made, and the next steps to be taken as a result of this work.
8. The recipient must provide approved minutes or a resolution confirming the completed Asset Inventory and Assessment work has been presented to the recipient's governing board.
9. A maximum of 95% of the grant will be paid prior to receipt of the documentation described in Standard Condition Nos. 6, 7, and 8. After receipt of this documentation, final payment will be made once it is requested.

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APPROVED REQUEST FROM OLD COLONY PLAYERS TO SELL ALCOHOL AT OLD ROCK SCHOOL & FRED B. CRANFORD AMPHITHEATRE Request from Old Colony Players to sell alcohol at the *Love Letters* Dinner Theatre on June 24-26 & 30, 2022, and July 2-3, 2022, at the Old Rock School. The request also included *From This Day Forward* performance on July 15-16, 2022, & August 12-13, 2022, at the Fred B. Cranford Amphitheatre.

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

End Consent Agenda

ITEMS REMOVED FROM CONSENT AGENDA: None

2021 SAFETY AWARDS Safety Director Truman Walton presented the North Carolina Department of Labor Safety Awards for 2021. Mr. Walton presented the following Safety awards: Administration – 34th consecutive year, Community Affairs – 11th consecutive year, Fire Department – 7th consecutive year, Public Works – 4th consecutive year, Water Department – 5th consecutive year, and WasteWater

Department – 6th consecutive year. Mr. Walton thanked all the staff for their hard work in maintaining safety for another year.

PUBLIC HEARING FOR RE-ZONING OF TOWN-OWNED PROPERTY ON PINEBURR AVE. Mayor Watts re-opened the Public Hearing that was recessed at the May 2, 2022, Council meeting at 6:11 p.m.

Planning Director Larry Johnson presented a re-zoning for town-owned property on Pineburr Ave., the Valdese Town Council zoning map amendment consistency/inconsistency statement, and the Valdese Town Council zoning map amendment reasonableness statement. Mr. Johnson requested that Council re-zone the current M-1 Manufacturing, R-12 Residential, and R-8 Residential to B-2 General Business. Mr. Johnson explained that this would allow for government buildings and residential uses.

Planning Director Larry Johnson presented the following presentation:

Property Location: 408 – 800 Pineburr Avenue SE

Parcel ID Numbers: 2743038327, 2743037173, 2743137307, 2743135181

Requested Action: Rezone properties from current designations of M-1 Manufacturing, R-12 Residential, and R-8 Residential to B-2 General Business District

BACKGROUND: The Town of Valdese purchased and received donated property along Pineburr Avenue SE. The property is under consideration for the location of a new public safety building. The current zoning designations of M-1 Manufacturing, R-12 Residential, and R-8 Residential restrict the use of the properties for government buildings over 5,000 square feet or do not list "government building" as a permitted use. As the probable site, Staff recommended a zoning designation of B-2 General Business. Government buildings are allowed in the B-2 General Business District without size restrictions.

REVIEW CRITERIA:

1. Existing land uses in the general vicinity of the subject's property are residential and vacant and right-of-way.

- **North:** The properties to the North are manufacturing and residential, separated by rail and street right of way.
- **South:** The properties to the South are residential, zoned R-8 and R-12 Residential, and vacant and wooded land.
- **East:** The properties to the East are zoned manufacturing and residential, with wooded areas.
- **West:** The properties to the West are zoned R-8 Residential and R-12 Residential. The properties are single-family residences.

To the extent to which zoning will detrimentally affect properties in the general vicinity of the applicant's properties, the requested B-2 General Business District is an upgrade to the predominant manufacturing zoning designation. The B-2 General Business District also permits residential uses similar to those in the area, including single-family and multifamily.

2. Traffic

- A traffic study on Pineburr Avenue by Valdese Public Works reveals an Average Daily Traffic count (ADT) of 442 vehicles per day during a seven-day period.
- There was no traffic study conducted for Ribet Avenue SE.
- Additional traffic on Pineburr Avenue SE is expected due to shifting changes, administrative trips, meal breaks, and emergency response.
- Police and Fire anticipate an average of forty (40) vehicles per day (vpd) increase in traffic on Pineburr Avenue SE and ten (10) cars per day along Ribet Avenue SE.

Anticipated Traffic volume generated from the development of four lots should not negatively impact existing traffic. Pineburr Avenue SE can expect a traffic increase of less than ten percent if developed for a government building.

3. Public Services;
The extent to which the proposed amendment (zoning map) will cause public services to fall below acceptable levels, public services are in place and serve the area. These include public infrastructure, water and sewer, and possibly police and fire protection.
4. Consistency of the proposed zoning with the Valdese Vision: A Land Use Action Plan for the Future;
*The general area is classified as industrial, residential, and commercial by the land use plan adopted by the Valdese Town Council. There are aspects of this rezoning petition **inconsistent** with The Valdese Vision: Land Use Action Plan.*

REVIEW:

Staff finds Rezoning Petition 2-3-22 **inconsistent** with the Valdese Vision: A Land Use Action Plan for the Future. In so finding, Staff provides the following review:

1. The Town of Valdese requested a zoning map amendment in March 2022 to rezone four parcels with zoning designations of M-1 Manufacturing, R-12 Residential, and R-8 Residential to B-2 General Business District.
2. Three of four parcels are vacant or undeveloped. The fourth contains the primary and accessory structures.
3. The four parcels are contiguous with residential uses, utility easement, and rail tracks. The proposed Rezoning to B-2 General Business permits "government building" without size restrictions.
4. The rezoning petition is consistent with one of four parcels identified in The Valdese Vision: Land Use Action Plan. The Land Use Action Plan identifies Parcel #4, the parking lot, for commercial development, which will be consistent with the proposed B-2 General Business designation.
5. Staff confirmed the following steps were taken in advance of the public hearing on Rezoning Petition 2-3-22:
 - a. adjoining property owners received first-class mail notifications.
 - b. The Town Clerk advertised the public hearing in the local paper.
 - c. Staff placed Rezoning Public Hearing signs along with the properties.

<div data-bbox="193 165 711 258"></div> <div data-bbox="228 260 531 510"><p>Town of Valdese</p><p>Rezoning Application</p><p>2-3-22</p><p>Filed by</p><p>Town of Valdese</p></div>	<div data-bbox="816 165 1325 258"><p>Introduction</p></div> <div data-bbox="842 306 1393 451"><p>An application was filed March 14, 2022 by the Town of Valdese to rezone four parcels purchased and donated to the Town. The current zoning designation of the parcels are a combination of M-1 Manufacturing District, R-12 Residential District and R-8 Residential District.</p></div>
<div data-bbox="193 634 711 726"><p>Zoning and Location</p></div> <div data-bbox="295 831 711 871"><p>(PINEBURR MILL PROPERTIES)</p></div>	<div data-bbox="816 634 1325 726"><p>Parcel #1 408 Pineburr Avenue SE (3.7 Acres)</p></div> <div data-bbox="860 747 1390 1045"></div>
<div data-bbox="193 1102 711 1194"></div> <div data-bbox="233 1247 711 1400"><ul style="list-style-type: none">▶ The 3.7 acre parcel is located along Pineburr Avenue SE and Ribet Avenue SE. Vacant plant buildings are located on the parcel.▶ This parcel has two zoning designations, M-1 Manufacturing District and R-12 Residential district.</div>	<div data-bbox="816 1102 1325 1194"></div> <div data-bbox="816 1207 1409 1518"></div>
<div data-bbox="193 1572 711 1665"><p>Parcel #2 650 Pineburr Avenue SE (13.8 Acres)</p></div> <div data-bbox="269 1675 768 1950"></div>	<div data-bbox="816 1572 1325 1665"></div> <div data-bbox="842 1707 1304 1875"><ul style="list-style-type: none">▶ The 13.8 acre parcel is located along Pineburr Avenue SE. The lots is vacant, partially wooded, and contains high voltage lines and rail right of way to the North.▶ This parcel has two zoning designations, M-1 Manufacturing District and R-8 Residential district.</div>

	<p>Parcel #3 800 Pineburr Avenue SE (0.5 Acres)</p> 
<ul style="list-style-type: none"> ▶ The 0.5 acre parcel is located along Pineburr Avenue SE. The lots is vacant, partially wooded, and is bordered to the north by Parcel #2. ▶ This parcel has a zoning designation of R-8 Residential district. 	
<p>Parcel #4 409 Pineburr Avenue SE (0.4 Acres)</p> 	<ul style="list-style-type: none"> ▶ The 0.4 acre parcel is located along Pineburr Avenue SE. The parcel is vacant, served as the parking lot for the main plant building. ▶ This parcel has a zoning designation of R-8 Residential district.
	<p><u>Request</u> Amendment of the Valdese Zoning Map to reclassify four parcels to B-2 General Business District</p> 

9-3056 General Business District B-2
9-3056.1 Permitted Uses (65)

- (26) Essential services 1 and 2
- (27) Farmers Market
- (28) Feed, seed, and fertilizer sales, retail
- (29) Financial Services
- (30) Florist shops, but not commercial greenhouses
- (31) Food stores, retail only
- (32) Funeral Homes
- (33) Government buildings
- (34) Gunsmiths
- (35) Hospice and Palliative Care Facility
- (36) Hospitals
- (37) Hotels, Motels, boarding houses
- (38) Laundromats
- (39) Locksmiths
- (40) Massage therapy
- (41) Medical or professional services

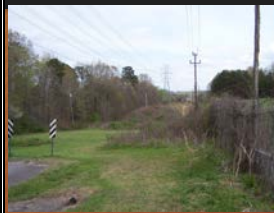
(c) B-2 General Business District
Uses permitted with a Special Use Permit:

- (1) Automotive Body Repair
- (2) Bars
- (3) Modular Home
- (4) Multi-family building
- (5) Planned Unit Development - Business
- (6) Planned Unit Development - Residential
- (7) Public and private elementary and secondary schools
- (8) Sign painting and fabrication shops
- (9) Single-family dwellings, excluding manufactured houses
-

Surrounding Land Use and Zoning



North



South



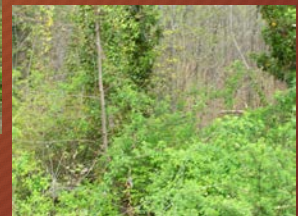
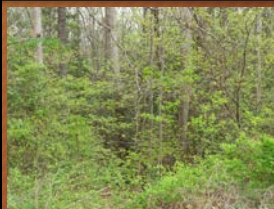
South



West



East



Approval Considerations

- Traffic Impact
- Zoning Use Consistency
- The Valdese Vision - Land Use Action Plan for Future



Traffic Impact

- Pineburr Avenue SE (between Carolina Street and Eldred) is identified as a local or minor street residential street. It currently provides ingress and egress for a multi-family building complex, mobile home park and approximately twenty-five single-family homes
- Ribet Avenue SE ends at Parcel #2. It is the probable means of ingress and egress for emergency fire vehicles
- Approximately six single family homes are along Ribet Avenue, east of Carolina Street

Traffic Impact Cont.

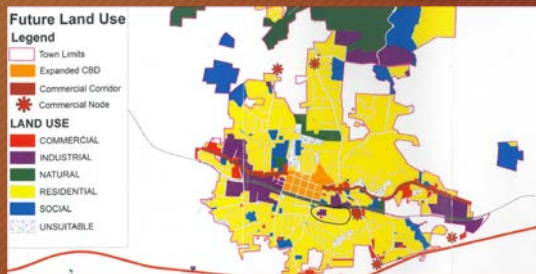
- A traffic study on Pineburr Avenue by Valdese Public Works reveals Average Daily Traffic count (ADT) of 442 vehicles per day during a seven day period.
- There was no traffic study conducted for Ribet Avenue SE
- Additional traffic on Pineburr Avenue SE is due to shift changes, administrative trips, meal breaks, emergency responses
- Police and Fire anticipates an increase in traffic that will average of 40 vehicles per day (vpd) on Pineburr Avenue SE.
- Increase in traffic along Ribet Avenue SE is 10 vehicles per day.



Zoning Consistency

The four parcels are contiguous with residential and manufacturing uses within the corporate limits. A zoning change from M-1 Manufacturing to B-2 General Business is a zoning upgrade for the area. While the R-8 Residential District permits all residential type, the B-2 also supports residential development including single-family, multifamily, and Planned Unit Developments with permission from Town Council.

The Valdese Vision: A Land Use Action Plan Future Land Use Map



The Valdese Vision - Land Use Action Plan for Future

- Adopted by Town Council in 2014, the Valdese Vision: A Land Use Plan established a vision for future growth, and constitutes the legal basis for land-use decision making.
- There are aspects of the current zoning designations that are *inconsistent* with the Land Use Action Plan
- There are aspects of the proposed rezoning that are *inconsistent* with the Land Use Action Plan.
- However, Town Council is not bound by the comprehensive or land use plan and may adopt an amendment even though inconsistent with the land use plan.
- But, if Town Council adopts an amendment that is inconsistent with the plan, the decision has the effect of amending the future land-use map

The Valdese Vision - Land Use Action Plan Current Zoning Designations

- The Valdese Vision identifies the 408 Pineburr (parcel #1) as industrial, consistent with the current zoning, except for NW corner zoned R-12 Residential.
- The Valdese Vision identifies parcel #2 (650 Pineburr Ave) the 13+ acre parcel as residential, but it is mostly zoned industrial. Industrial is inconsistent with plan.
- The Valdese Vision identifies parcel #3 (800 Pineburr) as residential, consistent with the current zoning designation.
- The Valdese Vision identifies the parking lot and parcel #4 (409 Pineburr) as commercial, inconsistent with the current R-8 designation.

The Valdese Vision - Land Use Action Plan Proposed Zoning Designation

The proposed B-2 General Business zoning designation of the four parcels will be inconsistent with for three of four parcels. Only Parcel #4, the parking lot that is identified as commercial in the land use plan will be consistent with the proposed B-2 Business District designation.

<div data-bbox="240 121 714 247">Review and Discussion</div> <ul style="list-style-type: none"> • Town of Valdese requested a zoning map amendment, March 14, 2022 to rezone four parcels with zoning designations of M-1 Manufacturing, R-12 Residential and R-8 Residential to B-2 General Business District • Three of four parcels are vacant or undeveloped. The fourth contains the principal and accessory structures • The four parcels are contiguous with residential, manufacturing uses, utility easement and rail tracks. 	<div data-bbox="808 121 1282 247"></div> <ul style="list-style-type: none"> • The proposed rezoning to B-2 General Business will permit "government building" without square footage limitations • The B-2 General Business District permits residential development including single-family, multi-family, and Planned Unit Development Residential. • Rezoning petition 2-3-22 is <i>consistence</i> with parcel #4.
<div data-bbox="240 554 714 659">Adjoining Property Owners</div> 	<div data-bbox="808 554 1282 659"></div> <ul style="list-style-type: none"> • Adjoining property owners were notified initially of the May 2nd public hearing and of the recess public hearing to June 6th by first class mailings. • The four parcels remain posted with Notices of Public Hearing Signage
<div data-bbox="240 982 714 1108">Planning Board's Recommendation</div> <p>The Planning Board met on April 18, 2022 to consider four parcels under the ownership of the Town of Valdese for a rezoning change from M-1 Manufacturing, R-8 Residential and R-12 Residential to B-2 General Business District.</p>	<div data-bbox="808 982 1282 1108"></div> <p>The Planning Board considered and adopted a statement affirming the petition's request is <i>inconsistence</i> with the Valdese Vision: A Land Use Action Plan; In a vote of <u>five</u> to <u>zero</u>, the Planning Board presents a recommendation to approve the petition to the Valdese Town Council.</p>
<div data-bbox="240 1415 714 1541">TOWN COUNCIL ACTION</div> <ul style="list-style-type: none"> • G.S. 160D-605 - For an amendment to the zoning Map or the governing board must consider the recommendation from the Planning Board • Town Council must adopt a statement describing whether that action is consistent or inconsistent with an adopted plan (The Valdese Vision: A Land Use Action Plan) 	<div data-bbox="808 1415 1282 1541"></div> <ul style="list-style-type: none"> • For zoning map amendments, the governing board (Town Council) must also adopt a Statement of Reasonableness.

<p>Town Council CONSISTENCY STATEMENT</p> <p><i>On June 6, Town Council met to consider Rezoning Petition 2-3-22, and received a recommendation from the Planning Board. Upon consideration, the Valdese Town Council finds:</i></p> <p>1. The Town of Valdese Planning Board has considered rezoning the following parcels from their currently designated zoning (as set forth below) to B-2 General Business District.</p> <ul style="list-style-type: none"> • A 3.70 parcel commonly known as 408 Pineburr Avenue SE, Valdese, NC, Parcel ID Number 2743038327, Zoned M-1 Manufacturing and R-12 Residential; • A 13.80-acre parcel commonly known as 650 Pineburr Avenue SE, Valdese, NC, Parcel ID Number 2743137307, Zoned M-1 Manufacturing and R-8 Residential; • A 0.50-acre parcel commonly known as 800 Pineburr Avenue SE, Valdese, NC, Parcel ID Number 2743135181, Zoned R-8 Residential; and • A 0.40-acre parcel commonly known as 409 Pineburr Avenue SE, Valdese, NC, Parcel ID Number 2743037173, Zoned R-8 Residential. 	<p>2. Found the request to amend the Town's Zoning Map around the parcels described above from their currently designated zoning to Zone B-2 General Business District to be <i>inconsistent</i> with the adopted Town of Valdese 2014, The Valdese Vision: A Land Use Action Plan.</p> <p>3. The Land Use Plan calls for Manufacturing and Residential uses on three parcels of interest. Valdese's B-2 General Business District does not allow manufacturing uses.</p> <p>4. The B-2 General Business District permits government buildings and residential development, including single-family, multi-family, and Planned Unit Development Residential.</p> <p>5. The four parcels are contiguous with residential uses and manufacturing uses.</p> <p>6. The Planning Board voted five to zero to recommend that Town Council amend the Town's zoning map regarding the parcels from M-1 Manufacturing, R-8 Residential, and R-12 Residential to B-2 General Business District.</p>
<p>• Based upon the recommendation of the Valdese Planning Board and the findings from the public hearing, the Valdese Town Council, having found Rezoning Petition 2-3-22 to be inconsistent with the Valdese Vision: A Land Use Action Plan for the Future, approves Rezoning Petition 2-3-22 and the recommendation from the Valdese Planning Board to amend the Town's zoning map regarding the parcels of interest from M-1 Manufacturing, R-8 Residential and R-12 Residential to B-2 General Business District.</p>	<p>Town Council Statement of Reasonableness</p> <p>On June 6, 2022, the Valdese Town Council met to consider Rezoning Petition 2-3-22 and found the proposed zoning amendment is reasonable and in the public interest because:</p> <p>1. The total acreage of the four parcels subject to Rezoning Petition 2-3-22 (18.4 acres) is of sufficient size so as not to be construed as "spot" zoning.</p> <p>2. The surrounding zoning designations are R-8 Residential, R-12 Residential, and M-1 Manufacturing. The surrounding land uses include residential development and manufacturing.</p>
<p>3. As zoned (M-1 Manufacturing), a portion of the subject properties could be developed for industrial and related uses, which could include, by way of example and not limited to, an automotive body repair shop, automotive repair, automotive service station, recycling center, a collection point or plant, manufacturing, truck terminal, and warehousing. In addition, with a Special Use Permit, a portion of the subject properties could be developed and used as, by way of example and with no limitation, a flea market, landfill, lumberyard, mixing plant for concrete or paving materials, stone crushing, cutting and polishing, and tobacco processing and storage.</p>	<p>The B-2 General Business District permits residential development, including single-family, multi-family, and Planned Unit Development Residential. Some of the above M-1 Manufacturing uses could be more detrimental to the surrounding residential development than the permitted uses in a B-2 General Business District and the intended use of the subject properties for the construction and operation of a public safety building.</p>
<p>Based upon those above and the findings from the public hearing, the Valdese Town Council, finds Rezoning Petition 2-3-22 to be reasonable and approves Rezoning Petition 2-3-22.</p>	<p>QUESTIONS?</p>

PLANNING BOARD ACTION:

The Planning Board took up the issue of the Town's request to amend the Town's Zoning Map around the parcels described by Parcel ID Numbers: 2743038327, 2743037173, 2743137307, 2743135181 from their

currently designated zoning to Zone B-2 General Business District. The Land Use Plan calls for industrial and residential uses on three parcels of interest.

The Planning Board found Rezoning Petition 2-3-22 map amendment request to be **inconsistent** with the Town of Valdese 2014 Valdese Vision: A Land Use Action Plan. However, in a five to zero vote, the Planning Board recommends that Town Council amend the Town's zoning map regarding the parcels of interest from M-1 Manufacturing, R-8 Residential, and R-12 Residential to B-2 General Business District. The Planning Board consistency/inconsistency stated is included with this memorandum.

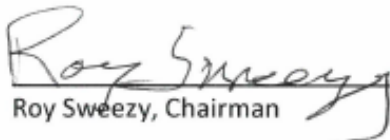
**VALDESE PLANNING BOARD
ZONING MAP AMENDMENT CONSISTENCY/INCONSISTENCY STATEMENT**

The Town of Valdese Planning Board has considered rezoning the following parcels from their currently designated zoning (as set forth below) to Zone B-2 General Business District.

1. A 3.70 parcel commonly known as 408 Pineburr Avenue SE, Valdese, NC, Parcel ID Number 2743038327, Zoned M-1 Manufacturing and R-12 Residential;
2. A 13.80-acre parcel commonly known as 650 Pineburr Avenue SE, Valdese, NC, Parcel ID Number 2743137307, Zoned M-1 Manufacturing and R-8 Residential;
3. A 0.50-acre parcel commonly known as 800 Pineburr Avenue SE, Valdese, NC, Parcel ID Number 2743135181, Zone R-8 Residential; and
4. A 0.40-acre parcel commonly known as 409 Pineburr Avenue SE, Valdese, NC, Parcel ID Number 2743037173, Zoned R-8 Residential.

The Planning Board finds the Petitioner's request to amend the Town's Zoning Map around the parcels described above from their currently designated zoning to Zone B-2 General Business District to be inconsistent with the adopted Town of Valdese 2014, The Valdese Vision: A Land Use Action Plan. The Land Use Plan calls for Manufacturing and Residential uses on three parcels of interest. The Town's B-2 General Business District zoning does not allow manufacturing and residential uses.

Even though the Planning Board found Rezoning Petition 2-3-2022 map amendment request to be inconsistent with the Town of Valdese 2014 Valdese Vision: A Land Use Action Plan, per NCGS 160A-383 in a 5 to 0 vote, the Planning Board recommends that Town Council amend the Town's zoning map regarding the parcels of interest from M-1 Manufacturing, R-8 Residential and R-12 Residential to B-2 General Business District.


Roy Sweezy, Chairman

4-18-22
Date

TOWN COUNCIL ACTION:

Before taking such lawful action as it may deem advisable, the Town Council shall consider the Planning Board's recommendations. In turn, Town Council must adopt a written statement (Consistency Statement) documenting its consideration of the land-use plan when making rezoning map amendment decisions. Town Council does not have to take actions consistent with The Valdese Vision: A Land Use Action Plan.

Additionally, when adopting or rejecting any petition for a zoning map amendment, a statement analyzing the reasonableness of the proposed Rezoning shall be approved by the Town Council. This statement of reasonableness may consider, among other factors, (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment.

**VALDESE TOWN COUNCIL
ZONING MAP AMENDMENT
CONSISTENCY/INCONSISTENCY STATEMENT**

On June 6, 2022, the Valdese Town Council met to consider Rezoning Petition 2-3-22 and received a recommendation from the Valdese Planning Board. Upon consideration, the Valdese Town Council finds:

1. The Town of Valdese Planning Board has considered rezoning the following parcels from their currently designated zoning (as set forth below) to B-2 General Business District.
 - a) A 3.70 parcel commonly known as 408 Pineburr Avenue SE, Valdese, NC, Parcel ID Number 2743038327, Zoned M-1 Manufacturing and R-12 Residential;
 - b) A 13.80-acre parcel commonly known as 650 Pineburr Avenue SE, Valdese, NC, Parcel ID Number 2743137307, Zoned M-1 Manufacturing and R-8 Residential;
 - c) A 0.50-acre parcel commonly known as 800 Pineburr Avenue SE, Valdese, NC, Parcel ID Number 2743135181, Zoned R-8 Residential; and
 - d) A 0.40-acre parcel commonly known as 409 Pineburr Avenue SE, Valdese, NC, Parcel ID Number 2743037173, Zoned R-8 Residential.
2. Found the request to amend the Town's Zoning Map around the parcels described above from their currently designated zoning to Zone B-2 General Business District to be ***inconsistent*** with the adopted Town of Valdese 2014, The Valdese Vision: A Land Use Action Plan.
3. The Land Use Plan calls for Manufacturing and Residential uses on three parcels of interest. Valdese's B-2 General Business District does not allow manufacturing uses.
4. The B-2 General Business District permits government buildings and residential development, including single-family, multi-family, and Planned Unit Development Residential.
5. The four parcels are contiguous with residential uses and manufacturing uses.
6. The Planning Board voted five to zero to recommend that Town Council amend the Town's zoning map regarding the parcels from M-1 Manufacturing, R-8 Residential, and R-12 Residential to B-2 General Business District.

Based upon the recommendation of the Valdese Planning Board and the findings from the public hearing, the Valdese Town Council, having found Rezoning Petition 2-3-22 to be ***inconsistent*** with the Valdese Vision: A Land Use Action Plan for the Future, approves Rezoning Petition 2-3-22 and the recommendation from the Valdese Planning Board to amend the Town's zoning map regarding the parcels of interest from M-1 Manufacturing, R-8 Residential and R-12 Residential to B-2 General Business District.

/s/ Charles Watts, Mayor

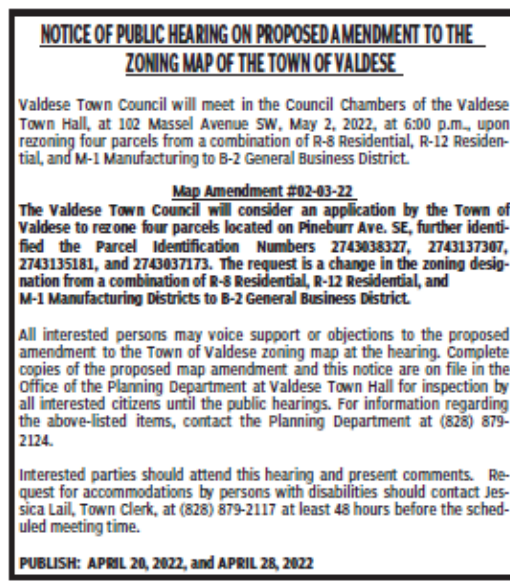
**VALDESE TOWN COUNCIL
Zoning Map Amendment Reasonableness Statement**

On June 6, 2022, the Valdese Town Council met to consider Rezoning Petition 2-3-22 and found the proposed zoning amendment is reasonable and in the public interest because:

7. The total acreage of the four parcels subject to Rezoning Petition 2-3-22 (18.4 acres) is of sufficient size so as not to be construed as “spot” zoning.
8. The surrounding zoning designations are R-8 Residential, R-12 Residential, and M-1 Manufacturing. The surrounding land uses include residential development and manufacturing.
9. As zoned (M-1 Manufacturing), a portion of the subject properties could be developed for industrial and related uses, which could include, by way of example and not limited to, an automotive body repair shop, automotive repair, automotive service station, recycling center, a collection point or plant, manufacturing, truck terminal, and warehousing. In addition, with a Special Use Permit, a portion of the subject properties could be developed and used as, by way of example and with no limitation, a flea market, landfill, lumberyard, mixing plant for concrete or paving materials, stone crushing, cutting and polishing, and tobacco processing and storage. The B-2 General Business District permits residential development, including single-family, multi-family, and Planned Unit Development Residential. Some of the above M-1 Manufacturing uses could be more detrimental to the surrounding residential development than the permitted uses in a B-2 General Business District and the intended use of the subject properties for the construction and operation of a public safety building.
10. B-2 General Business development will not harm the surrounding land uses in that, among other things, it will remain subject to the site plan ordinance governing development criteria.
11. The zoning amendment will allow the construction of a government building to benefit the Town and surrounding landowners and enable non-industrial development in the vacant primary building.
12. The Valdese Vision: A Land Use Action Plan for the Future was adopted in 2014. The Town subsequently acquired the subject property while exploring locations for constructing and operating a new public safety building. There are few reasonably available alternate locations in the Town of Valdese to build and operate a new public safety building, which is needed to protect and serve the community and hire, retain, and serve the community's emergency responders. Town Council finds that conditions have changed since adopting the Valdese Vision: A Land Use Action Plan for the Future, warranting this zoning amendment.

Based upon those above and the findings from the public hearing, the Valdese Town Council, finds Rezoning Petition 2-3-22 to be reasonable and approves Rezoning Petition 2-3-22.

/s/ Charles Watts, Mayor



Councilman Mears asked Mr. Johnson if any citizens inquired about this public hearing. Mr. Johnson shared that he received one call from someone who lived outside the zoning area and answered their question on the use of the new zoning. Council discussed the traffic count in that area.

Mayor Watts asked if anyone wished to speak either for or against the proposed amendments.

Rick McClurd – 408 Garrou Ave., SE, Valdese: Mr. McClurd shared that he grew up in this area and was concerned about the parking lot across from the Mill and would hate to see a business come across the street. Mr. McClurd shared that he understands zoning from past experiences.

There being no one else wishing to speak, Mayor Watts closed the public hearing at 6:48 p.m.

Councilman Mears made a motion to approve Application #2-3-22 for re-zoning, adopt the Valdese Town Council Zoning Map Consistency/Inconsistency Statement, and the Valdese Town Council Zoning Map Amendment Reasonableness Statement as presented, seconded by Councilwoman Lowman. Three – Yes(Councilman Mears, Councilwoman Lowman, Councilwoman Hildebran), One – No(Councilman Ogle)

APPROVED RESOLUTION APPROVING ADDING LAKE RHODHISS DRIVE RD TO NCDOT SECONDARY ROAD SYSTEM Planning Director Larry Johnson presented the following Resolution:

A RESOLUTION FROM THE TOWN OF VALDESE COUNCIL TO THE NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION TO REQUEST THE ADDITION OF ROADS TO THE STATE MAINTAINED SECONDARY ROAD SYSTEM

WHEREAS, petitions are from time to time filed with the Town of Valdese Town Council for addition of roads to the North Carolina Department of Transportation State Maintenance System; and

WHEREAS, Town Council does not investigate these petitioned roads for addition to the State Maintenance System, but instead, relies on the North Carolina State Department of Transportation to investigate the petitioned roads and to determine if they meet the established standards and criteria for addition to the State Maintenance System.

NOW, THEREFORE BE IT RESOLVED, that Town Council adopts this resolution requesting the Division of Highways to process all road additions without the further approval of Town Council and requesting to receive notification of each addition to the State Maintenance System.

THIS RESOLUTION IS ADOPTED this ____ day of _____, 2022.

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

(SEAL)

/s/ Charles Watts, Mayor



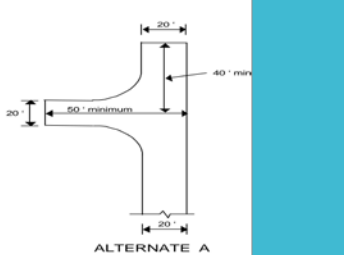
ATTEST:

/s/ Town Clerk

Mr. Johnson explained that this is just a part of the process for NCDOT to take over the road and is recommended by the staff. Mr. Johnson shared that NCDOT will take over road maintenance; however, the Police can still enforce speed.

Councilman Ogle made a motion to approve the Resolution Adding Lake Rhodhiss Drive to NCDOT Secondary Road System as presented, seconded by Councilwoman Lowman. The vote was unanimous.

LAKE RHODHISS DRIVE ROAD IMPROVEMENTS Interim Public Works Director Allen Hudson explained to Council that for NCDOT to take over Lake Rhodhiss Drive, the Town would need to construct a turnaround at the end of the road that will meet DOT standards.

 <p>Valdese Public Works</p> <p>Project: Lake Rhodhiss Drive Turn Around</p>	<p>Project Description</p> <p>Before NCDOT accepts for maintenance Lake Rhodhiss Drive NE, the Town will have to complete the following task:</p> <p><input type="checkbox"/> Construct a turnaround at the end of Lake Rhodhiss Drive according to DOT standards,</p> <p>Valdese Public Works</p> <p>Project: Lake Rhodhiss Drive Turn Around</p>
 <p>Valdese Public Works</p> <p>Project: Lake Rhodhiss Drive Turn Around</p>	 <p>Turn Around Proposed Location</p> <p>Valdese Public Works</p> <p>Project: Lake Rhodhiss Drive Turn Around</p>
 <p>Project Site</p> <p>Valdese Public Works</p> <p>Project: Lake Rhodhiss Drive Turn Around</p>	 <p>Site Plan</p> <p>Valdese Public Works</p> <p>Project: Lake Rhodhiss Drive Turn Around</p>
<p>Cost Estimates received to construct a Turnaround to North Carolina Department of Transportation standards:</p> <ol style="list-style-type: none"> 1. \$7,848.00 - Evans Construction (Connelly Springs) 2. \$6,730 - Foothills Asphalt (Connelly Springs) <p>Staff recommends Foothills Asphalt</p>	

Mr. Hudson recommends Foothills Asphalt of Connelly Springs to complete this project in the amount of \$6,730. (Other Bid – Evans Construction, Connelly Springs - \$7,848)

Councilman Ogle made a motion to award the bid to Foothills Asphalt in the amount of \$6,730 to construct the DOT required turnaround, seconded by Councilman Mears. The vote was unanimous.

FY 2022-2023 BUDGET PUBLIC HEARING & ORDINANCE ADOPTION: Mayor Watts opened the Public Hearing at 6:59 p.m. Mayor Watts asked Town Manager Seth Eckard if there had been any changes since the May 2, 2022, Council meeting. Mr. Eckard said there were no changes.

Mayor Watts asked if anyone wished to speak either for or against the proposed budget.

RICK MCCLURD – 408 GARROU AVE., SE, VALDESE: Mr. McClurd asked Council to adopt three TVs for the Council Chambers because you cannot see what is being presented. Town Manager Seth Eckard shared that there is money in the budget for the Chambers audio/visual upgrades.

There being no one else wishing to speak, Mayor Watts closed the public hearing at 7:01 p.m.

Councilman Ogle shared that he is concerned with the increase in the water/sewer rates with the current economy and the funds going to the Burke County Library.

Councilwoman Hildebran shared that she has always advocated for not increasing rates, but with the aging infrastructure, if we do not do it gradually, there may be a big jump in the future. Councilwoman Hildebran feels the 10-year CIP has put us on a good path forward.

Town of Valdese Budget Ordinance
Fiscal Year 2022-2023

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

Section 1: 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, 2022, and ending June 30, 2023, in accordance with the chart of accounts heretofore established for this town:

GENERAL FUND - OPERATIONS		\$	6,364,259
Governing Body	\$	82,835	
Administration		1,139,938	
Public Works		193,523	
Maintenance & Grounds		261,432	
Planning		66,944	
Police		1,210,334	
Fire		972,961	
Street		408,041	
Powell Bill		146,300	
Sanitation		335,472	
Recreation		938,939	
Tourism/Community Affairs		607,540	
GENERAL FUND - CAPITAL OUTLAY		\$	405,000
Governing Body	\$	23,000	
Administration		2,000	
Public Works		20,000	
Maintenance & Grounds		-	
Planning		16,000	
Police		45,000	
Fire		175,000	
Street		32,000	
Powell Bill		-	
Sanitation		32,000	
Recreation		-	
Tourism/Community Affairs		60,000	
WATER SEWER FUND - OPERATIONS		\$	4,910,641
Water	\$	1,907,590	
Wastewater		1,739,692	
Water & Sewer Construction		1,263,359	
WATER SEWER FUND - CAPITAL OUTLAY		\$	764,600
Water	\$	400,000	
Wastewater		364,600	
Water & Sewer Construction		-	
TOTAL BUDGET		\$	12,444,500

Section 2: 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, 2022 as follows:

GENERAL FUND	\$	6,769,259
UTILITY FUND		5,675,241
TOTAL REVENUES	\$	12,444,500

Section 3: 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, 2021, 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 \$390,920,742 will generate a levy of \$2,081,302 with

an estimated collection rate of 97.69%.

Section 4: As set forth in the Utility Fund Debt Service of the FY 2022-2023 budget document, the amount of \$360,688 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, 2022, and ending June 30, 2023.

Section 5: As set forth in the General Fund Debt Service Section of the FY 2022-2023 budget document, the amount of \$260,244 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, 2022, and ending June 30, 2023.

Section 6: The operating funds encumbered on the financial records of June 30, 2022 are hereby reappropriated into this budget.

Section 7: The corresponding "Fiscal Year 2022-2023 Rate and Fee Schedule" is approved with the adoption of this Annual Budget Ordinance.

Section 8: 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 line-item expenditures within a department without limitation and without a report being required.
- b. He may transfer amounts of \$10,000 between departments of the same fund without a report being required.
- c. He may not transfer any amounts between funds or from any fund balance appropriation within any fund without approval of the Town Council.

Section 9: The Budget Officer is hereby authorized to execute agreements, within funds included in the Budget Ordinance or other actions by the Governing Body, for the following purposes:

- a. Form grant agreements to public and non-profit organizations
- b. Leases of routine business equipment
- c. Consultant, professional, or maintenance service agreements
- d. Purchase of supplies, materials, or equipment where formal bids are not required by law
- e. Applications for and agreements for acceptance of grant funds from federal, state, public, and non-profit organizations, and other funds from other governmental units, for services to be rendered which have been previously approved by the Governing Body
- f. Construction or repair projects
- g. Liability, health, life, disability, casualty, property, or other insurance or performance bonds
- h. Other administrative contracts which include agreements adopted in accordance with the directives of the Governing Body.

Section 10: 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

Council _____, and seconded by Council _____, the vote was _____.

This ordinance is adopted on this the 6th day June, 2022.

/s/ Charles Watts, Mayor

ATTEST:
/s/ Town Clerk

PUBLIC NOTICE
TOWN OF VALDESE

Public notice is hereby given that a public hearing will be held on **Monday, June 6, 2022, at 6:00 p.m.**, Valdeese Town Hall, Town Council Chambers, 102 Massel Avenue SW, Valdeese, North Carolina, to receive public comments and input concerning the Fiscal Year 2022 – 2023 proposed budget. The budget has been submitted to the Governing Board and is available for public inspection in the Office of Town Clerk.

SUMMARY OF FISCAL YEAR 2022 – 2023 PROPOSED BUDGET

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, 2022, and ending June 30, 2023, in accordance with the Chart of Accounts heretofore established for this Town:

GENERAL FUND - OPERATIONS	\$	6,364,259
Governing Body	\$	82,835
Administration		1,139,938
Public Works		193,523
Maintenance & Grounds		261,432
Planning		66,944
Police		1,210,334
Fire		972,961
Street		408,041
Powell Bill		146,300
Sanitation		335,472
Recreation		938,939
Tourism/ Community Affairs		607,540
GENERAL FUND - CAPITAL OUTLAY	\$	\$405,000
Governing Body		\$23,000
Administration		2,000
Public Works		20,000
Maintenance & Grounds		-
Planning		16,000
Police		45,000
Fire		175,000
Street		32,000
Powell Bill		-
Sanitation		32,000
Recreation		-
Tourism/ Community Affairs		60,000
WATER SEWER FUND - OPERATIONS	\$	4,910,641
Water	\$	1,907,590
Wastewater		1,739,692
Water & Sewer Construction		1,263,359
WATER SEWER FUND - CAPITAL OUTLAY	\$	764,600
Water	\$	400,000
Wastewater		364,600
Water & Sewer Construction		-
TOTAL BUDGET	\$	12,444,500
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, 2022 as follows:		
GENERAL FUND		\$6,769,259
UTILITY FUND		<u>5,675,241</u>
TOTAL REVENUES	\$	12,444,500

Jessica Lail

Clerk

PUBLISH: May 24, 2022

Councilwoman Hildebran made a motion to adopt the FY 2022-2023 Fee Schedule, FY 2022-2023 General Fund Capital Improvement Plan, FY 2022-2023 Utility Capital Improvements Plan, and the FY 2022-2023 Budget Ordinance, seconded by Councilwoman Lowman. Three – Yes(Councilman Mears, Councilwoman Lowman, Councilwoman Hildebran), One – No(Councilman Ogle)

BUDGET AMENDMENT: Finance Director Bo Weichel presented the following Budget Amendment:

Valdese Town Council Meeting

Monday, June 6, 2022

Budget Amendment #

17

Subject:

Turn around at Lake Rhodhiss Dr

Description:

Site prep and paving of a turn around area on Lake Rhodhiss Dr per NCDOT specifications.

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, 2022:

Section I:

The following revenues available to the Town will be increased:

Account	Description	Decrease/ Debit	Increase/ Credit
10.3990.000	General Fund Balance Appropriated		6,730
Total		\$0	\$6,730

Amounts appropriated for expenditure are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
10.5600.450	Contracted Service	6,730	
Total		\$6,730	\$0

Section II:

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

Councilman Ogle made a motion to approve the Budget Amendment, seconded by Councilman Mears. The vote was unanimous.

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

Mr. Eckard welcomed and introduced Trey Blackwood from ASU, who is completing a summer internship with the Town of Valdese.

Coffee with the Chief, Thursday, June 9, 2022, 9:00 a.m. at Old World Baking Company

Special Council Workshop, Thursday, June 16, 2022, from 9:00 a.m. – 12:00 noon, we will meet at the Valdese Community Center.

Old Colony Players Presents Dinner Theatre *"Love Letters,"* June 24-26 & 30, 2022, and July 2-3, 2022, at the Old Rock School. Visit www.oldcolonyplayers.com for more information and to purchase tickets.

Valdese Independence Day Celebration, Friday, July 1, 2022, 7:00 p.m., Main Street

Town Offices Closed on Monday, July 4, 2022, in Observance of Independence Day

MAYOR AND COUNCIL COMMENTS: Councilwoman Lowman congratulated the Town departments on the safety awards they received tonight and appreciates their work.

Councilwoman Hildebran asked Police Chief Jack Moss to give Council an update on our local school safety due to the recent school shooting in Texas. Chief Moss reassured everyone that between Valdese PD, Burke County Sherriff's Department, Morganton PD, and Drexel PD, our county PDs train hard for this type of event. Town Manager Seth Eckard commended Dr. Swan with the BC School System on the steps he is taking to make our school system better. Mayor Watts shared his experience in the past with active shooter training in Burke County, which has been in place since 1999. Chief Moss stated that the next training would be in August 2022.

Mayor Watts recognized Police Sergeant Dean Berry for completing his Bachelor's degree in Criminal Justice. Mayor Watts also recognized PT Firefighter Abigail Hendricks, who obtained her Bachelor's degree in Emergency Management with a minor in Emergency and Disaster Management.

Mayor Watts thanked everyone who participated in the Granville Morrow Fun Fish and Family Friday Night events. Mayor Watts noted the newspaper article about the Dog Park at Lakeside Park. Lastly, Mayor Watts recognized the Charters of Freedom phase one opening and is excited about having it in our community to teach our children.

ADJOURNMENT: At 7:20 p.m., there being no further business to come before Council, Councilman Ogle made a motion to adjourn, seconded by Councilman Mears. The vote was unanimous.

The next meeting is a regularly scheduled meeting on Monday, July 11, 2022, at 6:00 p.m., Valdese Town Hall.

Town Clerk

Mayor

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