## TOWN OF VALDESE TOWN COUNCIL REGULAR MEETING May 1, 2023

The Town of Valdese Town Council met on Monday, May 1, 2023, 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, Mayor Pro Tem Frances Hildebran, Councilwoman Rexanna Lowman, Councilman Tim Skidmore, Councilman Tim Barus, and Councilman Paul Mears. Also present were: Town Attorney Tim Swanson, Town Manager Seth Eckard, Assistant Town Manager/CFO Bo Weichel, Town Clerk Jessica Lail, and various Department Heads.

Absent:

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 Watts presented the following Resolution of Appreciation for Retired Fire Chief Greg Stafford:

**WHEREAS**, Chief Greg Stafford for the past 34 years has served the Town of Valdese with distinction as a committed and dedicated public servant with the Valdese Fire Department; and

**WHEREAS**, Chief Stafford's 34 years of service have been marked by exemplary dedication, compassion and integrity to serve the best interests of the community, our citizens, and the Valdese Fire Department; and

**WHEREAS**, Chief Stafford has earned the admiration and high regard of those with whom he has worked with and the members of the public with whom he has served these past 34 years; and

**WHEREAS**, Chief Stafford has served the Valdese Fire Department in numerous positions; working his way up through the ranks of the department, and obtained the rank of Fire Chief at which he has served for the last 4 years and has proven himself a true leader; and

**WHEREAS**, Chief Stafford was instrumental in the establishment of the Burke County Emergency Communications Center and played a key role in the development of the Communication Centers county-wide Computer Aided Dispatch System; and

**WHEREAS,** Chief Stafford was instrumental in the engineering and development of the current fleet of emergency response apparatus at the Valdese Fire Department; and

**WHEREAS**, Chief Stafford served as the first NC State Certified Fire Inspector for the Town of Valdese and was responsible for establishing the Fire Department's Fire Inspection Program; and

WHEREAS, Chief Stafford has received four lifesaving awards; and

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Valdese as we take this occasion to express honor, respect, and admiration to **Chief Greg Stafford** for his outstanding contributions to the Valdese Fire Department and the Town of Valdese.

**BE IT FURTHER RESOLVED**, that the Town Council of the Town of Valdese, North Carolina, hereby expresses its sincere appreciation and gratitude to **Chief Greg Stafford** for his service and leadership to the Valdese Fire Department and the Town of Valdese during the past 34 years and extends congratulations and best wishes upon his retirement.

Adopted this the 1<sup>st</sup> day of May, 2023.

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, Jessica Lail, 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.

VALDESE PROPERTY TAX RATE – DAVID WIESE, 3318 MONTANYA VIEW DR., VALDESE: Mr. Wiese shared his concern with the proposed tax increase and feels that the increase of tax revenue over the last year of \$394,000, which is a 20% increase in one year is too much. Mr. Wiese hopes that the 51.5 cent is not in concrete yet. Mr. Wiese asked why the Town needed an increase of that magnitude in one year and would like to see it spread out. Mr. Wiese hoped the Council would think about that with their hearts. Mr. Wiese is concerned for the citizens who cannot afford this increase. Mr. Wiese was also concerned about the Street Paving budget.

# VALDESE PROPERTY TAX RATE - JIM JACUMIN, 3690 MILLER BRIDGE RD, CONNELLY SPRINGS:

Mr. Jacumin shared that he has been involved in County and State government for many years and he has never voted to increase taxes in his tenure. Mr. Jacumin challenged the Council to spend time looking at operations in the Town, and ideas should come to them as to how to save money. Mr. Jacumin is concerned for the citizens that are low-income and elderly that cannot be at the meeting. Mr. Jacumin said you build what you can afford and suggested that Council tell staff they have a certain amount of money and they need to figure out a budget that is within what can be afforded.

**DOTS & QUESTIONS – GLENN HARVEY, 801 MICOL AVE NE., VALDESE:** Mr. Harvey shared that he liked connecting dots and had questions. Mr. Harvey recapped Town published articles and meetings from January through April of 2023 where certain items were discussed and not discussed and asked if it was a coincidence that all the calculations and assumptions on preliminary information that arrived at 51.5 cents happened to generate \$400,000, which is what is needed to pay the USDA loan, and where is the \$400,000 in the proposed budget? Mr. Harvey can find a \$21,000 increase in part-time pay, but he cannot find the other \$29,000 or any mention in the Capital Improvement Plan, Streets budget, or Powell Bill budget of that \$350,000 paving plan. Mr. Harvey hopes Council members will have more questions during the budget item this evening.

TAX RATE – JEAN MARIE COLE, 705 BERTIS ST., VALDESE: Ms. Cole shared her concerns with citizens with older homes, such as 1950 and earlier, and the upcoming tax rate. Ms. Cole gave her home as an example and shared her recent increases. Ms. Cole feels that the use of the increase of funds should be spread out a little longer. Ms. Cole thanked the Council and Parks & Recreation Director David Andersen for the work they put into the renovations of the Community Center.

CONSENT AGENDA: (enacted by one motion)

APPROVED REGULAR MEETING MINUTES OF APRIL 4, 2023

APPROVED BUDGET WORKSHOP MINUTES OF APRIL 6, 2023

APPROVED BUDGET WORKSHOP #2 MINUTES OF APRIL 18, 2023

APPROVED VALDESE ABC BOARD TRAVEL POLICY

May	1,	2023,	MB#32
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	VALDESE
	ABC BOARD
	1018 MAIN STREET WEST • VALDESE, NC 28690 • PHONE 828-879-2227 • FAX 828-874-0332
	TRAVEL POLICY
Propos	ed Date: April 17, 2023
	ve Date: July 1, 2023
Re:	Adoption of Town of Valdese Travel Policy
	JULY 01, 2000, "Revised"
The fol busines	lowing guidelines will be used as a travel policy for all employees traveling on Valdese ABC Board ss:
1.	Reimbursement of travel expenses-
	Meals will be covered on a per day rate. (Based on the current Federal Per Diem Rate.) The Federal Per Diem Rates listing (found online at www.gsa.gov) is updated on an annual basis in October. If the traveler's destination is not listed on the website, the standard rate is used.
	When traveling to attend a conference, where some meals are provided by the conference, remaining meals not provided by the conference will be eligible for reimbursement on a reasonable and actual basis (receipts required).
	When on a trip <u>not</u> involving an over-night stay, expenses (i.e. mileage, meals) will be eligible for reimbursement on a reasonable and actual basis (receipts required).
	Lodging will be covered for reasonable and actual cost (receipt required). Unless attending a conference, the Federal Per Diem Listing should be used as a guideline in determining reasonable cost.
2.	Board credit cards may be used to <u>reserve</u> lodging. Travel related cost however, should <u>not</u> be charged to the credit cards. All travel expenses will be covered through travel advances and / or reimbursements.
3.	It is the responsibility of the General Manager to determine which meal
	allowances are eligible for reimbursement to employees for partial day travel. Reimbursement will be for reasonable and actual cost (receipt required).
4.	All requests for travel expense reimbursement (i.e. meals, lodging, mileage, etc.) must be accompanied by a travel expense report.
5.	Other issues-
	<ul> <li>Transportation: As a general rule, it is the Board's policy that an employee is authorized to use a private vehicle and be reimbursed at the current standard mileage rate. The current standard rate shall be the same as paid by the Town of Valdese following the IRS rate.</li> </ul>
	<ul> <li>Registration: Registration fees are generally paid in advance directly to the vendor, not from travel advance.</li> </ul>
	<ul> <li>Advances: The Board does permit employees to request advances whenever an estimated trip cost exceed \$25. If the cost is less than \$25, employee must seek reimbursement when the trip is completed.</li> </ul>
Adopted t	his the 17th day of April, 2023
X9	fin the second
Chairman	standard standard

Attest: wellin K Secretary/Treasure

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

# End Consent Agenda

# ITEMS REMOVED FROM CONSENT AGENDA: None

<u>VALDESE ABC STORE PRESENTATION</u> Valdese ABC Store Manager Karen Clark-Caruso thanked the Council for all their support since opening. Ms. Clark-Caruso reported that the Valdese ABC Board had

distributed \$279,620 to the Town within two years. Ms. Clark-Caruso shared that in addition to that amount, the Police Department received \$13,025, and Burke Recovery received \$17,323 for alcohol education and rehab. Today, Ms. Clark-Caruso shared another distribution check just to the Town for \$50,557, the Police Department received a separate distribution check for \$1,821, and Burke Recovery received \$2,422 for the 3rd quarter of this FY. Ms. Clark-Caruso introduced the Assistant ABC Store Manager, Chris Leonhardt, and he shared he is excited about his future at the ABC Store. Ms. Clark-Caruso will be retiring at the end of September. Town Manager Seth Eckard and Council members thanked the ABC Store team for all their hard work.

**VEDIC PRESENTATION** VEDIC's Executive Director Kerri Poteat, Business Development Eddie McGimsey, and Chairman Sherry Long gave Council an overview of VEDICs history and updates. The following presentation was shared:







Councilman Barus thanked Ms. Poteat, Mr. McGimsey, and Ms. Long for their compassion and dedication to their clients and work.

**PROPOSED WORK AT LAKESIDE PARK PRESENTATION** President of Friends of the Valdese Rec, Beth Heile, presented the following presentation:





**EMPLOYEE PROMOTIONS** Town Manager Seth Eckard introduced Truman Walton, who was promoted to Fire Chief. Fire Chief Truman Walton introduced Levi Henry, who was promoted to Assistant Fire Chief.

**<u>2022 NC DEPARTMENT OF LABOR SAFETY AWARDS</u>** Fire Chief/Safety Director Truman Walton presented Town Departments with 2022 safety awards.

- TO: Seth Eckard, Town Manager Valdese Town Council
- FROM: Truman Walton, Safety Director
- DATE: April 4, 2023
- REF: 2022 North Carolina Department of Labor Safety Awards

The goal of the North Carolina Department of Labor Safety Awards Program is to recognize those entities that go the extra mile to promote safety in the workplace. For calendar year 2022, all of our town departments received recognition for their efforts to prevent work place injuries and illnesses. These achievements are largely due to our department heads and employees working and training together to ensure that safe workplace practices are followed and that safety is the top priority of every Town of Valdese employee.

In order to qualify for a NCDOL Safety Achievement Silver Award the rate of days away from work must be at least 50% below the industry average. The following town departments received NCDOL Safety Achievement Silver Awards for calendar year 2022:

- Public Works Department (1<sup>st</sup> year)
- Waste Water Department (1<sup>st</sup> year)

In order to qualify for a NCDOL Safety Achievement Gold Award the rate of days away from work, job transfer or restriction must be at least 50% below the industry average. The following town departments received NCDOL Safety Achievement Gold Awards for calendar year 2022:

- Recreation Department (1<sup>st</sup> year)
- Police Department (2<sup>nd</sup> consecutive year)
- Water Department (6<sup>th</sup> consecutive year)
- Fire Department (8<sup>th</sup> consecutive year)
- Community Affairs Department (12<sup>th</sup> consecutive year)
- Administrative Department (35<sup>th</sup> consecutive year)

The Administrative Department's 35<sup>th</sup> consecutive year of achievement is the 3<sup>rd</sup> longest active awards streak in the State of North Carolina according to NCDOL Commissioner Josh Dobson.

Particular attention should be paid to those departments receiving consecutive Safety Awards, especially those departments where accident rates are usually elevated due to the nature of their work.

**PUBLIC HEARING FOR RE-ZONING OF LAKESIDE PARK** Mayor Watts declared the public hearing open at 7:17 p.m.

Planning Director Larry Johnson briefly reviewed highlights of the following report:

Rezoning Application 2-3-23 Town of Valdese

Property Location: McGalliard Pointe Drive NE, Lake Rhodhiss Drive NE, Crescent Street NE, and Lovelady Road NE

Real Estate Identification Numbers (REID): 64274, 59764, 64263, and 64264

## ACREAGE: 320.34 acres

Requested Action: Rezone properties from R-12 Residential District and M-1 Manufacturing District to R-12A Residential District

BACKGROUND: The four parcels under consideration for rezoning were annexed into the corporate limits of the Town of Valdese in 2006 and subsequently zoned for residential and manufacturing uses. Remaining undeveloped, a master plan for the properties was developed in 2017 for outdoor recreation. In 2018, the Town purchased the parcels to create recreational opportunities outlined in the 2018 master plan. Park amenities currently are proposed to include walking trails, a dog park, a greenway, a kayak launch, mountain bike trails, and possible primitive camping. A bridge has been constructed to connect the existing McGalliard Falls Park to Lakeside.

During a recent meeting of the Valdese Planning Board, the staff informed the Board of the need to change the zoning designations of the parcels to a designation appropriate to the current and future uses. The current zoning designations of R-12 Residential and M-1 Manufacturing do not list parks as a use permitted by right. A rezoning to R-12A Residential will allow the recreational uses to continue without nonconformity.

The Planning Board has recommended an R-12A Residential District designation for the four parcels.

# **REVIEW CRITERIA:**

- 1. Existing land uses in the general vicinity of the subject's property are residential, vacant land, and industrial.
  - North: The properties are zoned R-2 and R-3 Residential by Burke County, R-12A Residential and R-8 Residential occupied by single-family homes.
  - South: The property is zoned R-1 and R-2 by Burke County, R-2 and M-1 Manufacturing and contains manufacturing and residential uses.
  - East: The properties to the East are zoned M-1 Manufacturing. These properties are occupied mainly by a secondary school or vacant.
  - West: The properties to the West are zoned R-1 and R-2 by Burke County. The properties are mostly single-family residences and vacant.

To the extent to which zoning will detrimentally affect properties in the general vicinity of the applicant's properties, the requested R-12A Residential District permit uses are similar to those in the area, except for manufacturing.

#### 2. Traffic

Lake Rhodhiss Drive NE is the primary entrance to Lakeside Park parcels. It is considered a local or minor street. The street provides ingress and egress for park attendees and school buses.

In April, the Town's Public Works Department conducted a two-week traffic study for Lake Rhodhiss Drive NE. The results revealed an (ADT) Average Daily Traffic count of 257 vehicles per day.

3. Public Services;

The proposed amendment will not cause public services to fall below acceptable levels. Public services are in place to service the area. These public services include water and sewer, police, and fire protection.

4. Consistency of the proposed zoning with the Valdese Vision: A Land Use Action Plan for the Future. The proposed zoning designation of R-12A Residential is *inconsistent* with the future land use of "natural" in the Valdese Vision: A Land Use Action Plan for the Future adopted by the Valdese Town Council in 2014.

#### **REVIEW**:

- 1. The Town of Valdese requested a zoning map amendment in March 2023 to rezone four parcels with zoning designations of M-1 Manufacturing and R-12 Residential to R-12A Residential District.
- 2. The four parcels comprise Lakeside Park.

- 3. The four parcels are contiguous with residential uses, vacant land, and industrial uses. The proposed rezoning to R-12A Residential permits "parks" and "neighbor and outdoor recreation."
- 4. The Valdese Vision: A Land Use Action Plan for the Future. The Land Use Action Plan identifies the four parcels for natural and industrial development, which need to be revised with existing and planned development of the area for recreation.
- 5. Staff confirmed the following steps were taken in advance of the public hearing on Rezoning Petition 2-3-23:
  - 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.

#### RECOMMENDED ACTIONS:

#### PLANNING BOARD

The Planning Board took up the issue of amending the Town's Zoning Map around the parcels described by REIDs: 64274, 59764, 64263, and 64264 from their currently designated zoning to R-12A Residential District. The Land Use Plan calls for natural and industrial uses on four parcels of interest.

The Planning Board found the Rezoning Petition 2-3-22 map amendment *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 and R-12 Residential to R-12A Residential District. The Planning Board Zoning Map Amendment Consistency Statement is included with this memorandum.

# TOWN COUNCIL ACTION:

Before taking such lawful action as it may deem advisable, the Town Council shall consider the Planning Board's recommendations. 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 actions do not have to be consistent with The Valdese Vision: A Land Use Action Plan.

Additionally, when adopting or rejecting any petition for a zoning map amendment, the Town Council shall approve a statement analyzing the reasonableness of the proposed Rezoning (Reasonableness Statement). 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.

if Town Council approves the petition, the approval shall also amend the existing and any future land use map, and no additional request or application for a plan amendment shall be required.

The Valdese Planning Board finds Rezoning Petition 2-3-23 inconsistent with the Valdese Vision: A Land Use Action Plan for the Future; however, the Planning Board recommends the Town Council's approval of the Rezoning Petition.

The Consistency and Reasonableness statement is required for Council's review and consideration for adoption. Town Council may approve both as a single combined statement.

#### CITIZEN INPUT

A Notice of Public Hearing will appear in the News-Herald in April 2023. All adjoining property owners will receive notices of the hearing. Notice of Public Hearing was posted before the appearance of the public hearing in an area of high traffic.

## 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 R-12A Residential District.

- 1. A 20.3-acre parcel commonly known as McGalliard Pointe Drive NE, Valdese, NC, Parcel ID Number 2734843186, Zoned R-12 Residential;
- 2. A 294.91-acre parcel commonly known as 1149 Lake Rhodhiss Drive NE, Valdese, NC, Parcel ID Number 2744445905, Zoned R-12 Residential and M-1 Manufacturing;
- 3. A 2.65-acre parcel commonly known as Crescent Street NE, Valdese, NC, Parcel ID Number 2744329127, Zoned M-1 Manufacturing; and
- 4. A 2.48-acre parcel commonly known as Lovelady Road NE, Valdese, NC, Parcel ID Number 2743037173, Zoned M-1 Manufacturing.

The Valdese Vision: A Land Use Plan For the Future identifies parcels #1 and #2 for "natural" uses. Parcels #3 and #4 are designated for "industrial" uses.

The Planning Board finds the Petitioner's (Town of Valdese) request to amend the Town's Zoning Map around the parcels described above from their currently designated zoning to Zone R-12A Residential District to be *inconsistent* with the adopted Town of Valdese 2014, The Valdese Vision: A Land Use Action Plan.

Even though the Planning Board found the Rezoning Petition 2-3-2023 map amendment request to R-12A Residential District to be inconsistent with the Town of Valdese 2014 Valdese Vision: A Land Use Action Plan, per NCGS 160A-383 in a <u>five</u> to <u>zero</u> vote, the Planning Board recommends that Town Council amend the Town's zoning map regarding the four parcels of interest from M-1 Manufacturing and R-12 Residential to R-12A Residential District.

Roy Sweezy, Chairman

Date

# VALDESE TOWN COUNCIL ZONING MAP AMENDMENT

# CONSISTENCY AND REASONABLENESS STATEMENT

On May 1, 2023, the Valdese Town Council met to consider Rezoning Petition 2-3-23 and received a recommendation from the Valdese Planning Board. After considering the Plan (defined below), ordinances, maps, recommendations, and other materials presented, the Valdese Town Council makes the following findings and conclusions:

- 1. In 2014 the Town of Valdese adopted a comprehensive land use plan entitled "The Valdese Vision: A Land Use Action Plan for the Future" (hereinafter the "<u>Plan</u>").
- The Town of Valdese submitted a Rezoning Petition to the Town of Valdese Planning Board requesting to rezone McGalliard Pointe Drive NE (Tax PIN: 2734843186; Zoned R-12 Residential) ("<u>Parcel 1</u>"), 1149 Lake Rhodhiss Drive NE (Tax PIN: 2744445905; Zoned R-12 Residential) ("<u>Parcel 2</u>"), Crescent Street NE, Valdese (Tax PIN: 2744329127; Zoned M-1 Manufacturing) ("<u>Parcel 3</u>"), and Lovelady Road NE (Tax PIN: 2743037173; Zoned M-1 Manufacturing) ("<u>Parcel 4</u>") to Zone R-12A Residential District.
- 3. Town of Valdese desires to use Parcels 1-4 for park and outdoor recreation purposes.
- 4. R-12A Residential District uses permitted by right include residential development, single-family, multi-family, parks and neighborhood recreation, government buildings, and essential service.
- 5. Parcels 1 and 2 are currently zoned R-12 and M-1.

- 6. Parcels 3 and 4 are currently zoned M-1.
- 7. The Plan designates Parcels 1-4 as "natural" and "industrial," which designations do not provide for use as parks and outdoor recreation.
- 8. North Carolina General Statute 160D-605(a) provides, in pertinent part, as follows:

When adopting or rejecting any zoning text or map amendment, the governing board shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive or land-use plan. The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the governing board that at the time of action on the amendment the governing board was aware of and considered the planning board's recommendations and any relevant portions of an adopted comprehensive or land-use plan. If a zoning map amendment is adopted and the action was deemed inconsistent with the adopted plan, the zoning amendment has the effect of also amending any future land-use map in the approved plan, and no additional request or application for a plan amendment is required. A plan amendment and a zoning amendment may be considered concurrently.

- 9. The Town of Valdese's request for amendment was duly considered at a meeting of the Town of Valdese Planning Board. The Planning Board found the Town of Valdese's request to amend the Town's Zoning Map around Parcels 1-4 from their currently designated zoning to Zone R-12A Residential District to be *inconsistent* with the Plan.
- 10. The Planning Board voted <u>five</u> to <u>zero</u> to recommend that Town Council amend the Town's Zoning Map regarding Parcels 1-4 from M-1 Manufacturing and R-12 Residential Districts to R-12A Residential District.
- The Valdese Town Council hereby finds Rezoning Petition 2-3-23 in regards to rezoning Parcels
   1-4 from their currently designated zoning to Zone R-12A Residential District to be *inconsistent* with the Plan.
- 12. North Carolina General Statute 160D-605(b) provides, in pertinent part, as follows:

When adopting or rejecting any petition for a zoning map amendment, a statement analyzing the reasonableness of the proposed rezoning shall be approved by the governing board. 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.

- 13. The Town Council finds that the zoning amendment is reasonable and in the public interest based on the following:
  - a. The total acreage of Parcels 1-4 is of sufficient size so as not to be construed as "spot" zoning.
  - b. The surrounding zoning designations are R-2 Residential (County), R-8 Residential, R-12 Residential, and M-1 Manufacturing. The surrounding land uses include residential development, outdoor recreation, and manufacturing.

- c. With the zoning designation of M-1 Manufacturing, Parcels 3 and 4 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.
- d. With the zoning designation of R-12 Residential, Parcels 1 and 2 could provide for agricultural uses and single-family development. Uses interfering with the quiet, less urban residential nature of single-family neighborhoods, such as multifamily and commercial uses, would not be considered appropriate for the R-12 Residential District.
- e. The R-12A Residential District is intended to be a moderately quiet, medium-high-density residential living area with many types of residential development, home occupations, and limited private and public community uses.
- f. R-12A Residential District development will not harm the surrounding land uses in that the permitted uses of the district consist of moderately quiet, medium-high density, residential living, and private and public community use.
- g. The zoning amendment will allow the continued development of the Town's municipal park, according to the park's master plan.
- h. The Plan was adopted in 2014. The Town of Valdese rezoned Parcels 1-4 manufacturing and residential upon the subsequent annexation in October 2006. The Town of Valdese then purchased Parcels 1-4 in 2018 with recreational opportunities in mind following the creation of a master plan for the properties in 2017. Town Council finds that conditions have changed since adopting the Plan, warranting this zoning amendment.

Based upon the recommendation of the Valdese Planning Board and the findings from the public hearing, the Valdese Town Council, having found Rezoning Petition 2-3-23 in regards to rezoning Parcels 1-4 from their currently designated zoning to Zone R-12A Residential District to be *inconsistent* with the Plan, approves Rezoning Petition 2-3-23 and the recommendation from the Valdese Planning Board to amend the Town's Zoning Map regarding Parcels 1-4 from M-1 Manufacturing and R-12 Residential Districts to R-12A Residential District.

Based on those above and the findings from the public hearing, the Valdese Town Council further finds Rezoning Petition 2-3-23 and the proposed rezoning reasonable.

The Town Council therefore approves Rezoning Petition 2-3-23.

THE TOWN OF VALDESE, a North Carolina Municipal Corporation

/s/ Charles Watts, Mayor

ATTEST: /s/ Town Clerk

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

Valdese Town Council will meet in the Council Chambers of the Valdese Town Hall, at 102 Massel Avenue SW, on May 1, 2023, at 6:00 p.m., upon rezoning four parcels from a combination of R-12 Residential and M-1 Manufacturing districts to R-12A Residential District.

#### Map Amendment #02-03-23

The Valdese Town Council will consider an application by the Town of Valdese to rezone four parcels located on Lake Rhodhiss Drive NE, Lovelady Road NE, Crescent Street NE, and McGalliard Pointe Drive NW, further identified the Record Numbers 64274, 59764, 64263, and 64264. The request is a change in the zoning designation from a combination of R-12 Residential and M-1 Manufacturing Districts to R-12A Residential District.

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

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

PUBLISH: APRIL 17, 2023, AND APRIL 26, 2023

Mayor Watts asked if anyone wished to speak either for or against the re-zoning.

<u>GLENN HARVEY, 801 MICOL AVE NE., VALDESE Mr.</u> Harvey asked if this would allow entrepreneurial activity at Lakeside Park allowing people to rent kayaks, camping spaces, concession stands, etc. Mr. Johnson said yes, he feels that that would be allowed.

Mayor Watts asked if there was anyone else that wished to speak. There being no one wishing to speak, Mayor Watts closed the public hearing at 7:37 p.m.

Councilman Mears made a motion to approve the rezoning petition #2-3-23 and adopt the proposed consistency and reasonableness statement contained in the agenda materials, this approval is also deemed an amendment to the Valdese Vision: A Land Use Action Plan for the Future Land Use Map, seconded by Councilman Barus. The vote was unanimous.

Councilman Mears thanked Mr. Johnson for his service and dedication to the Planning Board and Department.

**TAX RATE DISCUSSION** Assistant Town Manager/CFO Bo Weichel presented the following presentation showing how the tax rate and revenue is calculated.



Data From Burke County Tax Office	Data From Burke County Tax Office			
REAL Property Values	PERSONAL Property Values			
• 2022 = \$310,622,017	No revaluation on PERSONAL.			
<ul> <li>2023 (revaluation) = \$449,252,757</li> </ul>	Actual value available later in May.			
<ul> <li>Increase of \$138,630,740 (44.63%)</li> </ul>	<ul> <li>Based on prior years, \$70,000,000 of PERSONAL values for the budget.</li> </ul>			
Data From Burke County Tax Office	Data From Burke County Tax Office			
REAL + PERSONAL (R&P) Property Values	R&P Values from Prior Four Years			
\$449,252,757 + 70,000,000 = <b>519,525,757</b>	<ul> <li>Purpose: Calculate the average growth</li> <li>2019 (revaluation) = \$366,833,535</li> <li>2020 = 375,094,774 2.25 % increase</li> <li>2021 = 377,564,374 0.66 % increase</li> <li>2022 = 387,050,384 2.51 % increase</li> </ul>			
Taxable Property Value for 2023				
	• Average of the above increases = 1.81% "Growth Factor"			
Revenue Neutral Rate (RNR) Purpose:	"NEW" Revenue			
What tax rate would produce same tax revenue as last year?	Proposed Budget recommends to decrease tax rate 3 cents.			
<ul> <li>Last year revenue based on 2022 R&amp;P value? (\$387,050,384 /100) x 0.545 = \$2,109,425</li> </ul>	Lowers the rate from \$0.545 to \$0.515			
<ul> <li>Rate needed to match same revenue using 2023 R&amp;P? (\$2,109,425 x 100) / 519,252,757 = \$0.4062 tax rate</li> </ul>	How much "NEW" revenue is generated with a tax rate 10 cents more than our RNR of \$0.415?			
<ul> <li>Apply "Growth Factor" 1.81%</li> <li>\$0.4062 x (1+1.81%) = \$0.4136</li> </ul>				
<ul> <li>Round to nearest ½ cent = \$0.415 "RNR"</li> </ul>				
"NEW" Revenue (cont.)	"NEW" Revenue (cont.)			
<ul> <li>Remember our \$449,252,757 REAL property value provided by the County?</li> </ul>	\$474,327,481 R&P used for budgeting			
Does not include a reduction for tax relief (~5% each year) AND the appeals process.	<ul> <li>Calculate 2023 tax levy based on \$0.515 tax rate: (\$474,327,481 / 100) x \$0.515 = \$2,442,787</li> </ul>			
<ul> <li>Calculate reduction of 5% for exemptions plus 5% for appeals: \$449,252,757 x 90% = \$404,327,481 REAL value for budget</li> </ul>	<ul> <li>NCGS 159-13 tells us the estimated tax collection percentage used for budgeting shall not be higher than the prior year collection percentage. Since the County will be handling our collections, we can use their collection rate to finalize our tax revenue budget for REAL and PERSONAL collections.</li> <li>\$2,442,787 × 98.5% = \$2,406,145</li> </ul>			
<ul> <li>Add the above to the \$70,000,000 PERSONAL value \$404,327,481 + 70,000,000 = \$474,327,481 R&amp;P used for budgeting</li> </ul>				
"NEW" Revenue (cont.)	"NEW" Revenue (cont.)			
Proposed Budget recommends to decrease tax rate 3 cents.				
Lowers the rate from \$0.545 to \$0.515	\$394,804 "NEW" revenue is generated with a tax rate 10 cents more than our RNR of \$0.415			
How much "NEW" revenue is generated with a	Budget Allocation: Street Improvements 350,000			
tax rate 10 cents more than our RNR of \$0.415?	Part-Time Pay 14,804			
\$2,406,145 (2023) - 2,011,341 (2022) = <b>\$394,804</b>	Downtown Beautification 30,000 394,804			
	374,004			

Councilman Mears asked if the Local Government Commission could assist the Town in coming up with the calculations. Mr. Weichel explained that the Local Government Commission provides us with a worksheet to calculate revenue neutral, which we have used. Councilman Mears just wanted to ensure we had accurate calculations because citizens say that revenue neutral is much lower.

Councilman Barus shared that he has had questions from the public and was able to clarify some misinformation with citizens and encourages all to call Council for questions and clarifications. Councilman Barus reminded citizens that we had four budget meetings open to the public.

Councilwoman Hildebran shared that we are a Manager/Council form of government where we hire staff to present the Council with the information that has the final say. Councilwoman Hildebran stated that we are not "Yes people" and that we question proposals, and sometimes staff has to come back with more information. Councilwoman Hildebran also shared that she had heard nothing but street-paving requests for the last four to five years, and Council is trying to respond to what citizens have been requesting. Councilwoman Hildebran shared that the Town has not had a tax increase in the last 20 years, but with the economy changing, we have to pay for all kinds of increases. Councilwoman Hildebran explained that we could cut services if needed.

# FY 23-24 PROPOSED BUDGET AND SCHEDULING OF PUBLIC HEARING FOR MONDAY, JUNE 5,

**2023** The proposed budget was submitted to the Valdese Town Council on Wednesday, April 26, 2023. Town Manager Seth Eckard presented the proposed budget:

## TOWN OF VALDESE BUDGET MESSAGE 2023 – 2024

- TO: Mayor Charlie Watts Councilman Tim Barus – Ward 1 Councilman Paul Mears – Ward 2 Councilwoman Rexanna Lowman – Ward 3 Councilwoman Frances Hildebran – Ward 4 Councilman Tim Skidmore – Ward 5
- FROM: Seth Eckard, Town Manager
- DATE: May 1, 2023
- SUBJECT: Proposed 2023 2024 Town of Valdese Budget

#### Honorable Mayor Watts and Members of the Valdese Town Council:

In accordance with the North Carolina Local Government Fiscal Control Act, the recommended budget for fiscal year 2023-2024 is presented for your consideration. The budget document represents balanced revenues and expenditures. The fiscal year 2023-2024 budget continues investment in our community's services and infrastructure needs. The capital budget includes equipment replacement, facility improvements, and substantial utility system investments.

The proposed combined fiscal year 2023-2024 operating and capital budgets are \$13,375,607. This includes a total General Fund budget of \$7,693,609 and a total Utility Fund budget of \$5,681,998.

#### Economic Improvements and Constraints

#### Inflation

Our community is facing several economic challenges. Inflation is at a 40-year high, and the cost of goods and services is rising rapidly. This is putting a strain on our residents and businesses, and it is making it more expensive for us to provide the same level of service that our citizens expect.

In addition to inflation, we face other economic challenges, such as supply chain disruptions, the rising cost of labor, and rising interest rates. These challenges are making it difficult for our town to control costs.

As a result of these challenges, we are facing a number of difficult choices regarding our budget. We must ensure that we provide the essential services our residents need while also being mindful of our financial constraints.

## North Carolina Local Government Pension System

The Board of Trustees of the Local Government Employees' Retirement System (LGERS) voted to increase the employer contribution rate to 12.91% for general employees and 14.04% for law enforcement.

It is important to remember that these rates are not a pay increase to employees; it is a mandatory expenditure imposed by the State.

#### General Fund

In 2022 Burke County conducted a reappraisal of real property. Property revaluation is the process of updating the assessed value of all properties. This is necessary to ensure that property taxes are fair and equitable. Property values can change over time due to various factors, such as inflation, market changes, and property improvements.

The initial assessment in Valdese (before appeals) is an average increase of 44.3% of all property. Using the Local Government Commission's prescribed formula, calculates a revenue-neutral rate of 41.5 cents.

The proposed budget includes a total General Fund budget of \$7,693,609 and proposes lowering the current tax rate of 54.5 cents per \$100 to 51.5 cents per \$100 valuation. This will generate approximately \$394,804 in additional property tax revenue for the Town of Valdese. The proposed budget allocates \$350,000 of these funds for street resurfacing and the remaining funds to increase part-time pay for lifeguards, part-time firefighters and downtown beautification.

We are currently in one of the tightest labor markets in US history. The unemployment rate for Burke County is 3.3%, and there are presently two jobs open for every person looking for a job. The proposed budget includes several strategies to help with the recruitment and retention of employees, including a five percent cost of living adjustment for full-time employees, increasing the longevity cap from \$1,500 to \$2,000, and adjusting the Town's pay plan to reflect the current labor market more accurately. In addition, we have redesigned our employee health insurance plan to maintain the same benefits for our employees while keeping insurance premium costs level.

#### Sanitation and Recycling

Republic Services contractually increases its solid-waste and recycling contract with the Town based on its annual consumer price index. This year's increase is five percent. The Town will absorb this increase.

#### Long Term Debt

The percentage of the General Fund's annual operating budget used to service existing debt is 3.37 percent. No additional debt is proposed in this budget cycle.

#### ABC Distributions

North Carolina General Statutes allow ABC Stores with a substantial operating reserve to make quarterly distributions to the local government in which they operate. Staff projects that the Valdese ABC Store will distribute \$100,0000 to the Town of Valdese in 2023-2024. In addition, ABC funds will be placed in the Town's public safety building capital project account.

#### Parks and Recreation

Aquatics and Fitness membership fees will decrease for Valdese residents and increase for non-residents.

#### Burke County Library

The proposed budget includes a \$40,000 donation to the Burke County Library.

## Public Safety Building

On March 7<sup>th,</sup> 2022, The Valdese Town Council voted to authorize the architect (CBSA) to develop construction documents for a new facility, advertise for construction bids, and staff to develop alternative bids that will reduce the size and cost of the proposed facility. We anticipate receiving bids for the Town Council's consideration in late 2023. Funds for a future debt service payment are already contained in the proposed budget

# **General Fund Capital Projects:**

In the Fiscal Year 2023-2024 budget, the Town plans to make strategic capital investments amongst all departments to ensure efficient delivery, and repair our aging infrastructure. The General Fund Budget reflects expenditures of \$473,800 in capital projects across multiple departments. Highlights include:

# Community Affairs

- Clock Tower Repairs
- Village Park Mural improvements (Canvas Print Installation)
- New Town Entrance Signs

# Police Department

• Patrol vehicle and equipment (replace unit 118)

#### Public Works

- Replace HVAC
- Update Fuel Management System
- Replace Broken Rollup Doors

#### Street Department

Street Resurfacing

#### Sanitation Department

• Replace the 2001 Trash Truck

#### Administration

- Repair Town Owned Street Lights
- Repair Fence Around HVAC Units
- Update Printed Zoning Maps

#### Parks and Recreation

- New Truck
- Pool Vaccum
- Fitness Room Equipment
- Bowling Lane Machine

#### **Utility Fund**

The Utility Fund budget for Fiscal Year 2023-2024 is \$5,681,998. This includes \$503,700 of capital improvement needs. No additional debt is proposed in this budget cycle.

In the Fiscal Year 2015-2016 budget, the Town conducted a comprehensive capital improvement plan for the utility system. The study revealed that the Town has pressing needs to be addressed to ensure highquality water and wastewater treatment for our citizens. The Town is heading into implementation year seven of our 10-year plan.

The Capital Improvement Plan contains a recommended funding model that restructures our utility rates to ensure we can pay for all our capital needs. This budget proposes a five percent increase in residential and commercial rates and an eight percent increase in industrial and bulk customer rates. These rate adjustments are needed to combat significant material inflation and ensure we continue replacing our aging infrastructure.

The Town of Valdese Utility Capital Improvement Plan calls for several investments next fiscal year.

# Utility Fund Capital Projects:

# Water Plant

- Roof Replacement Finish Water Pump Station
- Install Security System
- Replace 2004 Ford F-150
- Waste Water Plant
  - Replace 1998 Biosolids Truck
  - Sludge Trailer
  - Centrifuge #1 Overhaul
  - Spare Pump (Cline Street)
  - Install Security System

#### Water Distribution

- Replace 2014 Mini Trackhoe
- Replace 2006 Chevy Dump Truck (1.5 Ton)
- Spare Meter Stock

#### Conclusion

I appreciate the dedicated employees of the Town of Valdese for their hard work and good stewardship of the Town's resources. Our team works hard and takes pride in carrying out their duties. I also thank Mayor Watts and the Town Council for their dedication in carrying out their responsibilities in providing leadership and guidance during the budgeting process.

Respectfully,

Seth Eckard, ICMA-CM Town Manager

Councilman Mears shared that this year we were looking at a 30% rate increase to employee insurance, and with staff and our insurance broker, we were able to come up with an alternative plan that did not include that kind of rate increase and felt like that was a success.

Mayor Watts encouraged citizens to contact Council members for questions and clarifications.

Councilwoman Hildebran made a motion to set the public hearing for the FY 2023-2024 budget on Monday, June 5, 2023, at 6:00 p.m., at Valdese Town Hall, seconded by Councilman Barus. The vote was unanimous.

**<u>CAPITAL PROJECT ORDINANCE – STREET IMPROVEMENTS</u>** Assistant Town Manager/CFO Bo Weichel presented the following Capital Project Ordinance for the proposed street improvements. Mr. Weichel said the money would not go in until the budget was approved.

# TOWN OF VALDESE STREET IMPROVEMENTS CAPITAL PROJECT ORDINANCE

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

Section 1. The project authorized is Street Improvements. Project proposes repairs and resurfacing of Town of streets which will be recommended by the appointed Street Paving Committee. The project is to be financed by Town funds.

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

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

Source		Amount	Assigned Account Number
Transfer from General Fund	\$	350,000	76.3000.000
		-	
	-		
	\$	350,000	

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

Source		Amount	Assigned Account Number	
2024 Street Improvements	\$	350,000	76.5600.450	
	\$	350,000		
	=			

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

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

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

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

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

Adopted this 1st day of May 2023.

Charles Watts, Mayor

Jessica Lail, Town Clerk

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

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

Granville Morrow Fun Fish Day is scheduled for Saturday, May 13, 2023, 9:00 a.m. – 1:00 p.m. at McGalliard Falls. Rain Date: May 20, 2023. Register online at <u>www.valdese.recdesk.com</u>.

Family Friday Nights Kickoff Celebration is scheduled for Friday, May 26, 2023, 7:00 p.m. – 10:00 p.m., with Ace Party Band, at the Temple Field. Concerts will continue every Friday until September 1, 2023.

Town Offices Closed on Monday, May 29, 2023, in Observance of Memorial Day

<u>MAYOR AND COUNCIL COMMENTS</u>: Councilman Mears is discouraged by how expensive street resurfacing is. Councilman Mears asked if we think the prices will go down. Town Manager Seth Eckard does not know but is hopeful.

**CLOSED SESSION:** Mayor Watts called for a motion to recess into Closed Session pursuant to NC General Statute 143-318.11 (a) (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee. At 8:28 p.m., Councilman Barus made a motion to recess into Closed Session pursuant to NC General Statute 143-318.11 (a) (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee. Councilman Mears seconded the motion. The vote was unanimous.

At 9:27 p.m., Councilwoman Lowman made a motion to return to Open Session, seconded by Councilwoman Hildebran. The vote was unanimous.

**TOWN MANAGER'S SALARY:** Councilman Barus made a motion to increase the Town Manager's salary by 7%, seconded by Councilman Mears. The vote was unanimous.

**ADJOURNMENT:** At 9:28 p.m., there being no further business to come before Council, Councilwoman Hildebran made a motion to adjourn, seconded by Councilwoman Lowman. The vote was unanimous.

The next meeting is a regularly scheduled meeting on Monday, June 5, 2023, 6:00 p.m.

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