

**Town of Valdese
Town Council Meeting
Valdese Town Hall
102 Massel Avenue SW, Valdese
Monday, August 7, 2023
6:00 P.M.**

- 1. Call Meeting to Order**
- 2. Invocation**
- 3. Pledge of Allegiance**

4. Informational Items:

- A. Communication Notes
- B. Reading Material

5. Open Forum/Public Comment

6. Consent Agenda

All items below are considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests. In which event, the item will be removed from the Consent Agenda and considered under Item 7.

- A. Approval of Regular Meeting Minutes of July 10, 2023
- B. Resolution Amending 2023 Town Council Meetings Calendar

7. New Business

- A. Resolution Adopting Council Code of Conduct
- B. Adoption of Burke Trail Feasibility Study
- C. Public Hearing for Re-zoning of Burke County/Burke County Board of Education
- D. Award of Bid for Street Improvements
- E. Agreement with WPCOG for Grant Administrative Assistance – ORS Renovations
- F. Capital Project Ordinance Amendment – ORS Grant Administration
- G. Capital Project Ordinance Amendment – Street Improvements

8. Manager's Report

- A. Old Colony Players Presents: From This Day Forward, August 4-August 12, Fridays and Saturdays, 8:00 p.m. at the Fred B. Cranford Amphitheatre
- B. 48th Annual Waldensian Festival and Footrace – August 11 & 12, 2023
- C. Family Friday Nights Summer Concert Series Finale is scheduled for Friday, September 1, 2023 at 7:00 p.m.
- D. Town Offices Closed on Monday, September 4, 2023 in Observance of Labor Day
- E. Next Regular Council meeting scheduled for Tuesday, September 5, 2023, 6 p.m., due to Labor Day Holiday

9. Mayor and Council Comments

10. Adjournment

The Town of Valdese holds all public meetings in accessible rooms. Special requests for accommodation should be submitted by individuals with disabilities at least 48 hours before the scheduled meeting time. Contact Town Hall at 828-879-2120 or TDD Phone Line (hearing impaired) 1-800-735-2962.

COMMUNICATION NOTES

To: Mayor Watts
Town Council

From: Seth Eckard, Town Manager

Date: August 4, 2023

Subject: Monday, August 7, 2023, Council Meeting

6. Consent Agenda

A. Approval of Regular Meeting Minutes of July 10, 2023

B. Resolution Amending 2023 Town Council Meetings Calendar

Council approved the 2023 Town Council Meetings Calendar at the December 5, 2022 meeting; however, a change in date for the October Council Meeting has been requested due to scheduling conflicts. Enclosed in the agenda packet is an amendment to the 2023 Town Council Meetings Calendar, changing the date of the October Council meeting to Monday, October 9, 2023.

7. New Business

A. Resolution Adopting Council Code of Conduct

Enclosed in the agenda packet is a Resolution adopting a Code of Conduct for Council members. Council adopted a Code of Ethics as required by NCGS 160A-86 on October 10, 2010. In addition, Mayor Watts would like to have a Code of Conduct in place for elected officials to have guidelines on the treatment of each other, Town staff, constituents, and others they meet representing the Town of Valdese. Mayor Watts will present the Code of Conduct at the meeting.

Requested Action: Mayor Watts recommends that Council adopt the Resolution adopting the Council Code of Conduct, as presented.

B. Adoption of Burke Trail Feasibility Study

Enclosed in the agenda packet is a Burke Trail Feasibility Study from the Western Piedmont Council of Governments (WPCOG). The WPCOG is requesting that each municipality adopt this document. The document will serve as means to obtain grant money in the future from NCDOT and NCPARTF, as well as possibly others. Adopting this plan does not commit the Town of Valdese to any financial obligations; it simply means we endorse the recommendations. Parks and Recreation Director David Andersen will be at the meeting to present.

Requested Action: Staff recommends that Council adopt the Burke Trail Feasibility Study, as presented.

C. Public Hearing for Re-zoning of Burke County/Burke County Board of Education

Planning Director Larry Johnson will present the proposed Re-zoning Application #1-3-23 for properties located on 0 Lake Rhodhiss Drive NE, 709 Lake Rhodhiss Drive NE, and Lovelady Road NE, from current designation M-1 Manufacturing to R-12A Residential District. Enclosed in your agenda packet is a memo from Planning Director Larry Johnson, and a Town Council Zoning Map Amendment Consistency/Reasonableness Statement for your approval. Mr. Johnson will also present a presentation at the meeting.

Requested Action: Staff recommends that Council approve the Re-zoning Application #1-3-23 and the Town Council Zoning Map Amendment Consistency/Reasonableness Statement, as presented.

D. Award of Bid for Street Improvements

Enclosed in the agenda packet is a memo from Assistant Town Manager/CFO Bo Weichel, a letter from McGill Associates, and certified bid tabulations for the FY 23-24 Street Improvement plan. The improvement plan was discussed at the July 10, 2023, Council meeting. It is recommended that the bid be awarded to the lowest bidder J.T. Russell & Sons, Inc., in the amount of \$444,225.00. (Other bids: Evans Construction - \$533,196.73, M&K Enterprises - \$601,690.30, Midstate Contractors - \$451,714.15) Mr. Weichel will be at the meeting to discuss.

Requested Action: Staff recommends that Council award the bid to the lowest bidder, J.T. Russell & Sons, Inc., in the amount of \$444,225.00.

E. Agreement with WPCOG for Grant Administrative Assistant – ORS Renovations

Enclosed in the agenda packet are a memo from Community Affairs Director Morrissa Angi and an agreement contract with WPCOG for Grant Administrative Assistance for the Old Rock School renovations. This contract will be for grant administration from WPCOG for the Rural Transformation Fund Grant (\$850,000) & Appalachian Regional Commission Grant (\$60,000) for the Old Rock School Renovation Project. Ms. Angi will be at the meeting to discuss.

Requested Action: Staff recommends that Council approve the Grant Administrative Contract with WPCOG for the Old Rock School renovations, as presented.

F. Capital Project Ordinance Amendment

Enclosed in the agenda packet is a Capital Project Ordinance Amendment prepared by Assistant Town Manager/CFO Bo Weichel. This ordinance will move funds to appropriate accounts. Mr. Weichel will be at the meeting to present the ordinance.

Requested Action: Staff recommends that Council approve the Capital Project Ordinance Amendment as presented.

G. Capital Project Ordinance Amendment

Enclosed in the agenda packet is a Capital Project Ordinance Amendment prepared by Assistant Town Manager/CFO Bo Weichel. This ordinance will move funds to appropriate accounts. Mr. Weichel will be at the meeting to present the ordinance.

Requested Action: Staff recommends that Council approve the Capital Project Ordinance Amendment as presented.

READING MATERIAL

VALDESE FIRE DEPARTMENT - MONTHLY ACTIVITY REPORT
JUNE 1st-30th, 2023

THE BELOW REPORT OUTLINES THE ACTIVITIES PERFORMED BY THE FIRE DEPARTMENT DURING THE MONTH OF JUNE, 2023. THE REPORT SHOWS THE AMOUNT OF TIME SPENT ON EACH ACTIVITY AND THE TYPE AND NUMBER OF EMERGENCY FIRE DEPARTMENT RESPONSES.

<u>ACTIVITY / FUNCTION</u>	<u>MONTHLY TOTAL</u>		
STATION DUTY		92 HOURS	
VEHICLE DUTY		93 HOURS	
EQUIPMENT DUTY		44 HOURS	
EMERGENCY RESPONSES (ON DUTY)		91 HOURS	
TRAINING (ON DUTY)		23 HOURS	
FIRE ADMINISTRATION		117 HOURS	
TRAINING ADMINISTRATION		5 HOURS	
MEETINGS		17 HOURS	
FIRE PREVENTION ADMINISTRATION		79 HOURS	
FIRE PREVENTION INSPECTIONS		55 HOURS	
	<u>TYPE</u>	<u>NUMBER OF INSPECTIONS</u>	<u>VIOLATIONS</u>
	ASSEMBLY	10	31
	BUSINESS	0	0
	DAYCARE	2	0
	EDUCATIONAL	0	0
	FACTORY	0	0
	HAZARDOUS	1	6
	INSTITUTIONAL	0	0
	MERCANTILE	3	17
	RESIDENTIAL	0	0
	STORAGE	1	5
	FOSTER HOME	0	0
	REINSPECTIONS	18	18
	TOTAL:	35	77
PUBLIC RELATIONS			16 HOURS
HYDRANT MAINTENANCE			22 HOURS
SAFETY ADMINISTRATION			41 HOURS
SAFE KIDS ADMIN/CRS INSPECTIONS			4 HOURS
EXTRA DUTY FIRES			19 HOURS
NON-DEPARTMENTAL DUTIES			0 HOURS
EXTRA DUTY TRAINING			48 HOURS
EXTRA DUTY FIRE/MED STANDBY			31 HOURS
PHYSICAL TRAINING			28 HOURS
EXTRA DUTY MEDICAL RESPONSES			37 HOURS
VOLUNTEER FIREFIGHTER TRAINING			56 HOURS
TOTAL TRAINING MANHOURS:			127 HOURS

FIRE DEPARTMENT EMERGENCY RESPONSES:

<u>FIRE:</u>	<u>MONTHLY TOTAL</u>
FIRE ALARM	4
CARBON MONOXIDE ALARM	0
MUTUAL AID TO STATION 63	1
MUTUAL AID TO STATION 67	0
ILLEGAL BURN	0
SMOKE SCARE	1
FIRE INVESTIGATION	0
FIRE/MEDICAL STANDBY	2
GAS ODOR	1
SERVICE CALL	3
STRUCTURE FIRE	1
ELECTRICAL HAZARD	<u>4</u>
	17
<u>MEDICAL:</u>	
ABDOMINAL PAIN	0
ALLERGIC REACTION	0
ANIMAL BITE	0
ASSAULT	0
ASSIST EMS	0
BACK PAIN	0
CANCELLED ENROUT	0
CARDIAC	0
CHEST PAIN	3
CHOKING	0
CODE BLUE	3
DIABETIC	1
DOA	0
FAINTING	1
FALL	7
GUNSHOT	0
HEADACHE	0
HEMORRHAGE	1
MOTOR VEHICLE ACCIDENT	3
MEDICAL STANDBY	0
OTHER	4
OVERDOSE/INTOXICATED	1
PREGNACY	0
PSYCHIATRIC	2
RESPIRATORY	4
SEIZURE	4
SICK	6
STROKE	1
TRAUMATIC	0
UNCONSCIOUS	6
UNKNOWN	<u>0</u>
	47
<u>TOTAL RESPONSES:</u>	<u>64</u>

TRUMAN WALTON, CHIEF
VALDESE FIRE DEPARTMENT

Community Affairs & Tourism Monthly Stats

July 2023

Tourism Statistics

visitvaldese.com Visits (last 28 days) n/a: analytics unavailable

townofvaldese.com Visits (last 28 days) n/a: analytics unavailable

Top 5 Pages Viewed (townofvaldese): N/A: Google Analytics unavailable until August

Facebook

of followers 16,672

Post Engagement (last 28 days) 31,855

Post Reach (last 28 days) 88,768

Zoho Social Media Monthly Report: Positive vs. Negative Feedback

Positive: 99.86 %

Negative: .14%

TOP FIVE MARKETS: Morganton, Valdese, Hickory, Lenoir, Drexel

Approximate # of Visitors to the Tourism/CA Office 198

Community Affairs Stats

Old Rock School Rental Breakdown

AUDITORIUM	0
TEACHER'S COTTAGE	8
WALDENSIAN ROOM	9
CLASSROOMS	0
MAJOR EVENT (ENTIRE SCHOOL)	0

Major Events Held at the Old Rock School **Average Number of Attendees**

N/A N/A

Monthly Old Rock School Rentals N/A

Old Rock School Total Attendance 314

CA Summary for July 2023

July was full of preparation for all things Waldensian Festival for the Community Affairs department. Continuation with vendor booking, entertainment confirmation, and promotion has taken center stage as the event inches closer. Revitalizing the "kidz zone" has been a top item on the agenda, with the decision to move this part of the festival to the Waldensian Presbyterian Church. The department has partnered with the church to add other elements to the zone such as art activities, lawn games, tasting tents and more. Other details such as event decor and volunteer coordinating is underway as well. July also kicked off Bluegrass at the Rock individual ticket sales, with several sold within the first week. Season tickets for the 2023-2024 season remain steady, with 78 season tickets sold so far. One Blood hosted a blood drive in the Old Rock School parking lot on July 13th. Facility rentals were slower than average this month, bookings typically go down during the summer months. Vendor applications for the Christmas in November Craft Market have been published and several already received as this event grows in popularity every year.

VALDESE POLICE DEPARTMENT

Jack W. Moss
Chief of Police
Post Office Box 339
121 Faet Street
Valdese, North Carolina 28690

Telephone 828-879-2109
Fax 828-879-2106

Aug 1st, 2023

To: Seth Eckard
From: Chief Moss
Re: Boots on the ground

Progress reports: Boots on the Ground

<u>Location:</u>	<u>Officer Visits:</u>
McGalliard Falls	62 Visual Checks / Walk around
Old Rock School	71 Visuals Checks / Walk around
Children's Park	53 Visual Checks / Walk around
Community Center	104 Visual Checks / Walk around
Lakeside Park	35 Community Contact
Main St Extra Patrol	Nightly Door Checks
Business/Residential Contact	16 Community Policing
Family Fun Night	4 Community Checks
Myra's Car show	4 Community Checks

Our officer have logged 453 residential/business security checks, 766 extra patrols and 59 community policing contacts in 25 days for a total of 1,278 events related to the safety, security and public interest. These checks and extra patrols include all of the standard residential checks, business, and boots on the ground CAD logs.

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**TOWN OF VALDESE
TOWN COUNCIL REGULAR MEETING
July 10, 2023**

The Town of Valdese Town Council met on Monday, July 10, 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, Assistant Town Manager/CFO Bo Weichel, Town Clerk Jessica Lail, and various Department Heads.

Absent: Town Manager Seth Eckard

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. If the speakers' comments need to be addressed upon the direction of this Council, someone from the management team will be in touch with you later.

RECOGNITION OF THE DRAUGHN HIGH SCHOOL BASEBALL TEAM Moved to August

PUBLIC APATHY & A PRAISE– JEAN MARIE COLE, 705 BERTIS ST., VALDESE: Ms. Cole shared that the News Herald stated that no one showed up for this year's Budget meetings. Ms. Cole wanted to make sure that Council did not share that same view because Ms. Cole did express her opinion at a Council meeting, and felt there was no point in re-sharing again. Ms. Cole believes that is why some people did not show up. Ms. Cole also said that she loves the pool and hopes it stays. Ms. Cole thanked the Water Department for implementing the program that detects leaks. Ms. Cole had a leak that was found by Public Works and felt the program was a great investment.

CONSENT AGENDA: (enacted by one motion)

APPROVED REGULAR MEETING MINUTES OF JUNE 5, 2023

APPROVED DATE FOR PUBLIC HEARING FOR RE-ZONING OF BURKE COUNTY/BURKE COUNTY BOARD OF EDUCATION, MONDAY, AUGUST 7, 2023

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

INTRODUCTION OF NEW EMPLOYEE: Water Resources Director Greg Padgett introduced Wastewater Superintendent Stacy Rowe. Ms. Rowe took Chris Bortnick's position, who retired from the Town with 26 years of service.

APPROVED ADOPTION OF CREATING OUTDOOR RECREATION ECONOMY (CORE) STRATEGIC PLAN: Parks and Recreation Director David Andersen reintroduced Kyle Case with the Department of Commerce, who presented the following presentation of the conclusion of the Creating Outdoor Recreation Economy (CORE) plan.



CREATING OUTDOOR RECREATION ECONOMIES



Technical Assistance – Outdoor Recreation Economy Strategic Planning and Asset Development

Our goal is to help rural communities leverage natural assets to increase economic opportunity through the outdoor recreation economic sector.



Planning Process

Town of Valdese



Work Group Meetings

- **10 individuals** representing town staff, business owners, economic development professionals, and outdoor enthusiasts
- **4 meetings** between February and May 2023
- Shared input, reviewed community input data, and developed the vision and workplan

Community Input

- **Community Survey** – Conducted a community-wide survey and received 114 responses
- **Stakeholder Interviews** – Conducted 6 interviews with local business owners, outdoor enthusiasts, faith leaders, and others

VISION STATEMENT

Town of Valdese



Vision Statement

Situated along the Catawba River valley, the Town of Valdese offers true small-town charm while highlighting the rich culture of its Waldensian heritage. The community blends traditional and nature-based recreation in a unique way and makes available a wide range of activities and experiences. By leveraging its recreation assets, the Town strives to provide a strong sense of community and quality of life amenities for residents and visitors that help to attract, retain, and bolster local businesses and generate positive economic impacts.

WORKPLAN

Town of Valdese



Parks, Trails, and Facilities

Goal 1: To provide and maintain a variety of recreation amenities that improve quality of life and encourage a sense of community for residents and visitors.

- Objective 1.1: Update the Town's Parks & Recreation Comprehensive Plan.
- Objective 1.2: Complete the relevant actions for the Valdese Lakeside Park Masterplan.
- Objective 1.3: Advocate for and facilitate progress of state and regional trail projects.

Communication and Activation

Goal 2: Promote and educate residents and visitors about the community's recreation amenities.

- Objective 2.1: Develop a marketing plan for the Parks & Recreation Department.
- Objective 2.2: Encourage new and repeat participants at Parks and Recreation facilities.
- Objective 2.3: Develop a community culture that supports the outdoor recreation economy.

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Economic Impacts

Goal 3: Utilize the community's outdoor assets to improve the downtown, local, and regional economies.

Objective 3.1: Connect the town parks and outdoor assets to the downtown commercial district via sidewalks, greenways, and other methods.

Objective 3.2: Capture and analyze the economic impacts of current and future recreation assets.

Objective 3.3: Utilize the Town's quality of life amenities and economic impact data for business recruitment efforts.



Kyle J. Case

ARC Community Economic Development Planner, NW
984.275.5209
kyle.case@commerce.nc.gov

720 E. Union Street
Morganton, NC 28655

Councilman Mears encouraged all the citizens to read the report because of all the detailed information.

Councilwoman Hildebran appreciates the Friends of the Valdese Rec and all they do for the parks.

Mayor Watts shared that people want to live in a place like Valdese because of our amenities.

Councilman Barus thanked everyone involved in this plan. Councilman Barus shared that generations of children were raised at the Recreation Center, and now generations will be raised by Lakeside Park.

A copy of the CORE Strategic Plan can be found at www.townofvaldese.com/recreation-1/ or by contacting the Town Clerks office.

Councilwoman Lowman made a motion to adopt the Creating Outdoor Recreation Economy Strategic Plan, seconded by Councilman Barus. The vote was unanimous.

APPROVED AGREEMENT FOR AUTOMATIC AID FOR FIRE PROTECTION: Fire Chief Truman Walton explained that this contract is needed to service The Settings because it is located more than five miles from the Valdese Fire Department and less than five miles from Triple Fire Department. Chief Walton shared that this would allow The Settings to have the same fire insurance rate as the Valdese citizens. Chief Walton also noted that instead of paying Triple Community Fire Department, we would exchange services for automatic aid.

Mayor Watts said this is a benefit that does not cost us anything. Chief Walton shared that if we did not make this contract, The Settings fire rate would go to a 10, the same as not having any fire protection. Councilman Mears elaborated on that and agreed it would be difficult for the citizens at The Settings. Councilman Mears asked if we respond to mutual aid, would our citizens be left uncovered? Chief Walton shared that our additional personnel would respond to the call and that our on-duty personnel would stay in the Town. Councilman Barus said thank God for our Fire Department.

STATE OF NORTH CAROLINA
COUNTY OF BURKE

AGREEMENT FOR AUTOMATIC
AID FOR FIRE PROTECTION

This Agreement for Automatic Aid for Fire Protection (hereinafter "Agreement") is made as of the _____ day of _____, 2023, by and between the Town of Valdese, a body politic and corporate of the State of North Carolina (hereinafter the "Town"), and Triple Community Fire Department, a rural fire department of Burke County, North Carolina (hereinafter "Triple Community") (the Town and Triple Community are hereinafter sometimes referred to individually as "Party" and collectively as "Parties").

WHEREAS, the General Assembly of North Carolina has enacted legislation authorizing automatic aid assistance between fire departments whereby full authority may be exercised by fire departments to send personnel and apparatus beyond the territorial limits which they normally serve, said act having been codified as Chapter 58, Section 83-1, of the General Statutes of North Carolina; and

WHEREAS, it is deemed to be in the public interest for the Town and Triple Community to enter into the Agreement in order to increase fire defenses, to assure proper fire control, and to provide reserves needed to assure the community of adequate protection; and

WHEREAS, this Agreement is to provide each of the parties hereto, through their mutual cooperation, a pre-determined plan for a standard of cover in the Town of Valdese for that area bounded in yellow as

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shown on the attached EXHIBIT "A" prepared by M. Truman Walton, June 8, 2023, said area including the Settings Subdivision (Hereinafter the "Town Territory") and cover in Triple Community for that area bounded in red as show on attached EXHIBIT "B" prepared by M. Truman Walton, June 7, 2023, said area including all of Triple Community's fire district that is west of Drexel Rd and south of the Catawba River (hereinafter the "Triple Community Territory"), as agreed upon in dispatch protocol with said aid being provided 24 hours a day, 365 days a year.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereto agree to the following terms and conditions:

1. TERM.

The Term of this Agreement shall be for a period of one (1) year commencing on the date first written above; provided, however, that this Agreement will then automatically renew from year-to-year unless terminated as hereinafter provided.

2. RESPONSIBILITY FOR ENGAGING AUTOMATIC AID PROCESS.

A. Upon notification that an emergency is occurring and aid is needed in connection with a residential structure fire in the Town Territory or the Triple Community Territory, the Burke County 911 Communications Center (hereinafter the "Communications Center") will simultaneously dispatch the Town and Triple Community Fire Departments.

B. Upon being dispatched by the Communications Center, the Town and Triple Community shall each respond with the following resources:

i. If dispatched to the Town Territory, the Town will respond with all available resources and Triple Community will respond with one (1) engine capable of carrying a minimum of 500 gallons of water with a pump capacity of 1000 gallons per minute, a minimum of one (1) driver/operator with three (3) additional personnel in support of automatic aid for a reported structure fire, one (1) tanker capable of carrying a minimum of 1000 gallons of water with a pump capacity of 500 gallons per minute, and (1) driver/operator and one additional personnel in support of automatic aid to designated areas for water supply.

ii. If dispatched to the Triple Community Territory, Triple Community shall respond with all available resources and the Town shall respond with one (1) engine capable of carrying a minimum of 500 gallons of water, with a pump capacity of 1000 gallons per minute, a minimum of one (1) driver/operator with three (3) additional personnel in support of automatic aid for a reported structure fire.

3. MUTUAL OBLIGATIONS AND RESPONSIBILITIES

A. Triple Community shall assume all liability and responsibility for any injuries incurred by Triple Community personnel, damage to its own apparatus and/or equipment and for any and all damage caused by its own apparatus while responding to or returning from an automatic aid response.

B. The Town shall assume all liability and responsibility for any injuries incurred by Town personnel, damage to its own apparatus and/or equipment, and for any and all damage caused by its own apparatus while responding to or returning from an automatic aid response.

C. The Town and Triple Community shall assume all costs of salaries, wages, bonuses or other compensation for their own personnel that respond for duty under the terms of the Agreement and all costs associated with their apparatus, equipment, and tools used specifically in response to the request for aid.

D. The Town and Triple Community shall operate under the National Incident Management System (NIMS) incorporating the Incident Management System (ICS) during emergency operations.

i. The department to arrive first shall initiate command along with size up and situation awareness to direct the level of continued response to the incident or the need for an additional alarm.

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ii. A unified command shall be established with oversight by the Town's Officer-In-Charge (OIC) for all incidents in the Town's Territory and with oversight by Triple Community's OIC for all incidents in the Triple Community Territory.

iii. Sustained firefighting operations including fire suppression, engagement in search and rescue, forcible entry, ventilation, and preservation of property; accountability of personnel; deployment of a dedicated rapid intervention crew (RIC); and provision of support activities for those situations that are beyond the capability of the initial attack/first alarm assignment; and calling for additional personnel and equipment as necessary.

E. The Town and Triple Community shall maintain a standardized records management system by utilizing the National Fire Incident Reporting System (NFIRS) to track and collect specific information on each incident.

F. The Town and Triple Community shall have common mobile and portable communication capability on the NC Viper Network to conduct fire ground incident communications.

4. RELATION OF THE PARTIES.

Nothing in this Agreement or otherwise creates or shall be construed such that an employment agency, subcontractor, joint venture, or partnership relationship exists between the Town and Triple Community

5. TERMINATION

Notwithstanding anything in this Agreement to the contrary, either party may terminate this Agreement, including all rights and obligations set forth herein, if the other party fails to cure a material breach within thirty (30) days receipt of a written notice of such breach from the non-breaching party or without cause upon sixty (60) days written notice to the other party.

6. MISCELLANEOUS PROVISIONS

A. Governing Law. This Agreement shall be controlled by the laws of the State of North Carolina and proper venue for any claim hereunder shall be Superior Court, Burke County.

B. Amendment. This Agreement may only be modified or amended if the modification is made in writing and signed by both parties.

C. Entire Agreement. This Agreement supersedes and replaces the Agreement for Automatic Aid for Fire Protection between the Town and Triple Community dated November 1, 2018.

D. Severability. If any provision of this Agreement shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforcement with full effect.

E. Authority. Each Party hereby represents and warrants to the other Party that its has obtained any and all consents or approvals necessary for it to enter into this Agreement, and that the individual(s) executing this Agreement on such Party's behalf are authorized to do so and to bind such Party to the terms and conditions hereof.

F. Successors. This Agreement shall be binding upon the successors and/or assigns of the Parties until this Agreement is terminated pursuant to its terms.

G. Notices. Any notice submittal or communication required or permitted to be served on a party to this Agreement shall be in writing and shall be deemed given if delivered in person or mailed by certified mail addressed as follows:

To the Town:

Town of Valdese
Attn: Town Manager
P.O. Box 339
Valdese, NC 28690

To Triple Community:

Triple Community Fire Department
Attn: Fire Chief
505 Mountain View Dr.
Morganton, NC 28655

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H. Counterparts. This Agreement may be executed in two (2) or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be duly executed on the date first written above.

Signatures appear on the following pages.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be duly executed on the date first written above.

THE TOWN OF VALDESE

A North Carolina Municipal Corporation

ATTEST:

Mayor

(SEAL)

Jessica Lail, Town Clerk

STATE OF NORTH CAROLINA
COUNTY OF BURKE

I, _____, a Notary Public of said county and state, certify that Jessica Lail personally came before me this day and acknowledged that she is the Town Clerk of the Town of Valdese, a North Carolina municipal corporation, and that by authority duly given and as the act of the Town Council of the Town of Valdese, the foregoing instrument was signed in its name and by its Mayor, Charles Watts, sealed with its corporate seal and attested by her as its Town Clerk.

_____ day of _____, 2023.

WITNESS my hand and Notarial Seal, this

Notary Public

Print Name: _____

My Commission expires: _____

NOTARY SEAL

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be duly executed on the date first written above.

TRIPLE COMMUNITY FIRE DEPARTMENT

_____ Fire Chief

_____ Chairman of the Board of Directors

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STATE OF NORTH CAROLINA
COUNTY OF BURKE

I, _____, a Notary Public of said county and state, certify that _____ personally came before me this day and acknowledged that he is the Fire Chief for Triple Community Fire Department and that by authority duly given and as the act of Triple Community Fire Department, the foregoing instrument was signed in its name and by him as Fire Chief.

_____ day of _____, 2023. WITNESS my hand and Notarial Seal, this

Notary Public

Print Name: _____

My Commission expires: _____

NOTARY SEAL

STATE OF NORTH CAROLINA
COUNTY OF BURKE

I, _____, a Notary Public of said county and state, certify that _____ personally came before me this day and acknowledged that he is the Chairman of the Board of Directors for Triple Community Fire Department and that by authority duly given and as the act of Triple Community Fire Department, the foregoing instrument was signed in its name and by him as Chairman of the Board of Directors.

_____ day of _____, 2023. WITNESS my hand and Notarial Seal, this

Notary Public

Print Name: _____

My Commission expires: _____

NOTARY SEAL

Councilman Barus made a motion to approve the Agreement for Automatic Aid for Fire Protection with Triple Community Fire Department, seconded by Councilman Mears. The vote was unanimous.

APPROVED ENGINEERING SERVICES FOR STREET IMPROVEMENTS Assistant Town Manager/CFO Bo Weichel explained to Council that this proposed contract with McGill Associates for engineering services is for planning, designing, bidding, and construction phases of the street paving plan. Mr. Weichel shared that the Town recently had a paving assessment, and McGill Associates and the Street Paving committee devised a plan based on the assessment. Mr. Weichel showed a flyover map of the proposed streets to be paved that includes Laurel St SE, Micol Ave. NE, Walsh Dr. NE, Colombo St., Skie Circle, Hauss Ridge Road SE (two sections), Rostan St. SE, and Flora Ln. Mr. Weichel said that this is what McGill Associates believes we can fit into the budget. Councilwoman Hildebran asked if these streets were prioritized according to need. Mr. Weichel said yes, this comes from the needs according to the Street Paving Study. Councilwoman Hildebran stated that the Council had no choice over these streets; they were picked from the outside study. Councilwoman Lowman asked if Mr. Weichel could remind the citizens which roads were State maintained. Mr. Weichel said that Mr. Hudson would go over that. Mayor Watts shared that we

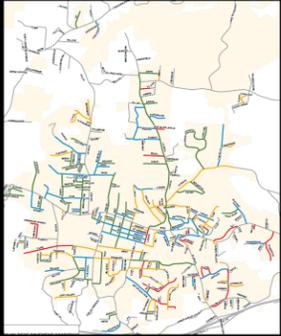
July 10, 2023, MB#32

budgeted \$350,000 out of the proposed tax rate, but we also allocated another \$150,000 to go with that, which equals \$500,000 total. Mayor Watts explained that the \$350,000 would be a revolving amount available each year for paving. Councilman Barus thanked Mayor Watts for clarifying that and shared that that is what Council voted on and approved. Councilwoman Hildebran shared that this has been a request from citizens for years to repave roads.

Public Works Director Allen Hudson shared pictures of the roads to be paved and noted which roads are State maintained. Councilman Skidmore asked why Rostan Street had a gap. Mr. Hudson shared that part of Rostan Street had been repaved in the past, and it did not need it. Mr. Hudson identified streets that are maintained by NCDOT such as, Praley, Church, Carolina, Hwy 70, parts of Hauss Ridge, Perkins, Meytre, Lovelady, and a few others in grey on the color-coded map. Councilman Barus asked if this also includes replacing waterlines, and Mr. Hudson said no. Councilwoman Hildebran shared that she was a member of the Street Paving Committee, they took a tour of the roads and took this seriously, and they felt like the engineers did their job. Councilwoman Hildebran noted that one street not on this list is the road in front of the new apartments, Pineburr, that needs some repairs. Mr. Hudson said that we could look at paving that street next year once they complete the apartments.

Town of Valdese
Street Paving

Street study color coded by condition



Color	PCI Range
Red	0 - 20
Orange	21 - 40
Yellow	41 - 60
Green	61 - 80
Blue	81 - 100

Walsh St



Skie Circle



Hauss Ridge



Laurel St SE



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Colombo St SW



Rostan St



Rostan St SE



Flora Lane NE



Micol Ave NE





June 30, 2023

Mr. Seth Eckard, Manager
Town of Valdese
Post Office Box 339
Valdese, North Carolina 28690

RE: Engineering Services
2023 Paving Projects

Dear Mr. Eckard,

In response to your request, McGill Associates (McGill) is pleased to provide Engineering services required to assist in the Town of Valdese's (Town) 2023 Paving Projects. McGill will serve as an extension of the Town's Staff help plan, prepare opinions of probable cost, prepare bidding and construction documents, and provide construction administration services through project completion and closeout documentation.

Therefore, we are pleased to provide you with this Proposal for Consulting Services for the subject project.

The anticipated **Scope of Services** for the project is as follows:

Planning and Design Phase

1. Consult with the Town to fully determine the Town's requirements for the project and to discuss approvals and other preliminary matters.
2. Coordinate and conduct initial coordination meeting with the Town as needed to establish communication lines, meet with project team members, define project schedules and gather initial data and information from the Town.
3. Field verify previous determinations for proposed street improvements with Town staff, marking areas for work to be accomplished.
4. Utilizing GIS information, prepare a plan of the proposed improvements for the various work elements, delineating the general location of each, showing their relationship.
5. Review the preliminary plan with Town for concurrence and acceptance.
6. Prepare complete bid documents, contract documents, technical specifications, and construction drawings to detail the character and scope of the work.
7. Review design documents with the Town for comments and approval prior to bidding.
8. Perform an internal quality control and constructability review of the project.
9. Furnish up to two (2) hard copies of the final design documents to the Town.

Bidding and Award Phase

1. Assist the Town in soliciting, receiving, opening and evaluating informal bids.

Mr. Seth Eckard
June 30, 2023
Page 2 of 4

2. Consult with and advise the Town as to the acceptability of contractors and subcontractors and make recommendations as to the lowest, responsive, responsible bidder.
3. Assist the Town in the final preparation and execution of construction contracts and in checking Performance and Payment Bonds and Insurance Certificates for compliance.

Construction Phase

1. Schedule a Pre-Construction Conference with the Town, Contractor, McGill and all other applicable parties to assure discussion of all matters related to the Project. Prepare and distribute minutes of the Pre-Construction Conference to all parties.
2. Provide General Administration of Construction Contract. Consult with Town and act as Town's representative as provided in the General Conditions. The extent and limitations of the duties, responsibilities, and authority of McGill as assigned in the General Conditions shall not be modified, except as McGill may otherwise agree in writing. All of Town's instructions to Contractor will be issued through McGill, which shall have authority to act on behalf of Town in dealings with Contractor to the extent provided in this Agreement and the General Conditions except as otherwise provided in writing. McGill shall not be responsible for the acts or omissions of any Contractor, or of any subcontractors, suppliers, or other individuals or entities performing or furnishing any of the Work. McGill shall not be responsible for the failure of any Contractor to perform or furnish the Work in accordance with the Contract Documents.
3. Provide a Construction Field Representative (CFR) to periodically observe the progress and quality of the executed work and to determine in general if the work is proceeding in accordance with the Contract Documents. During such visits and on the basis of on-site observations as an experienced and qualified design professional, keep the Town informed of the progress of the work, and endeavor to guard the Town against defects and deficiencies in the work of the Contractor.
4. The total construction contract time is assumed to be two (2) months. As part of this contract, field observation will be provided by a CFR on a part-time basis during active work. Additional CFR time or construction services will involve an increase in the payments to McGill as Additional Services to this Agreement.
5. The purpose of McGill's visits and the representation by the Construction Field Representative, (CFR) at the Site, will be to enable McGill to better carry out the duties and responsibilities assigned to and undertaken by McGill during the Construction Phase, and, in addition, by the exercise of McGill's efforts as an experienced and qualified design professional, to provide for Town a greater degree of confidence that the completed Work will conform in general to the Contract Documents and that Contractor has implemented and maintained the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents.
6. Based on McGill's observations as an experienced and qualified design professional and on review of Applications for Payment and accompanying supporting documentation:
7. Assist the Town in the selection and coordination of an independent geotechnical and materials testing laboratory, if required, to be provided at the Town's expense.

Mr. Seth Eckard
June 30, 2023
Page 3 of 4

8. Review and take action in respect to Shop Drawings and Samples and other data which Contractor is required to submit, but only for conformance with the information given in the Contract Documents and compatibility with the design Review of Shop Drawings and Samples identified as frivolous in the General Conditions of the construction contract documents, or review of substitute materials as defined in the same, shall be deemed as Additional Services.
9. Issue instructions to the Contractor from the Town as to interpretations and clarifications to the project design plans, specifications and contract documents.
10. Prepare information required to resolve problems due to actual field conditions and to respond to Requests for Information (RFI) from the Contractor.
11. Recommend to Town that Contractor's Work be rejected while it is in progress if, on the basis of McGill's observations, McGill believes that such Work will not produce a completed Project that conforms generally to the Contract Documents or that it will threaten the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents.
12. Recommend Change Orders and Work Change Directives to Town, as appropriate, and prepare Change Orders and Work Change Directives as required.
13. Review the Contractor's final application for payment and make recommendation as to approval once all issues with the project final observation site visit have been completed and resolved.
14. In company with Town's representatives, conduct a final observation site visit to determine if the Project has been completed in accordance with the Contract Documents and if the Contractor has fulfilled all of his obligations thereunder so that McGill may approve to the Town final payment to the Contractor.
15. Provide or make available all Project files and information to effect project closeout.

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Mr. Seth Eckard
June 30, 2023
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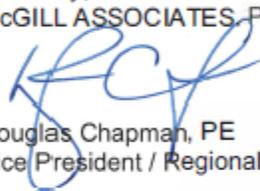
BASIS OF COMPENSATION

McGill Associates proposes to provide the proposed scope of services for the following Lump Sum Amount of **\$45,100.00**.

We appreciate the opportunity to provide this proposal and look forward to assisting the Town of Valdese with this important effort. We are prepared to begin work immediately upon your authorization and complete the planning and design phases of work by July 31, and to transition to the bidding phase immediately following.

If this proposal is acceptable to the Town, please execute below and return one (1) digital copy for our records.

Sincerely,
McGILL ASSOCIATES, P.A.



Douglas Chapman, PE
Vice President / Regional Manager

cc: Mr. RJ Mozeley, PE, McGill Associates, P.A.

ACCEPTED:

Seth Eckard

Town Manager _____
TITLE

DATE

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act, this the ____ day of _____, 2023 by Finance Officer, _____, Town of Valdese, North Carolina.

July 10, 2023, MB#32

CONSULTING SERVICES AGREEMENT

This contract entered into this _____ day of _____, 2023 by and between the Town of Valdese hereinafter called the Client, and McGill Associates, P.A.;

Witnesseth that:

Whereas, the Client desires to engage McGill Associates to provide consulting services; and,

Whereas, the Client finds that the attached Scope of Services and Terms of this agreement are acceptable; and,

Whereas, McGill Associates desires to provide said services and agrees to do so for the compensation and upon the terms and conditions as hereinafter set forth,

Now, therefore, the parties hereto do mutually agree as follows:

1. Scope of Services: McGill Associates shall provide the services attached hereto in the Exhibit "Scope of Services" to this Agreement, hereinafter called services. Additional services will be invoiced in accordance with the attached rate and fee schedule.

2. Standard of Care: McGill Associates will perform its services using that degree of skill and diligence normally employed by professional engineers or consultants performing the same services at the time these services are rendered.

3. Authorization to Proceed: Execution of this Consulting Services Agreement will be considered authorization for McGill Associates to proceed unless otherwise provided for in this Agreement.

4. Changes in Scope: The Client may request changes in the Scope of Services provided in this Agreement. If such changes affect McGill Associates cost or time required for performance of the services, an equitable adjustment will be made through an amendment to this Agreement.

5. Compensation: The Client shall pay the compensation to McGill Associates set forth in the Exhibit "Basis for Compensation" attached hereto. Unless otherwise provided in the Basis for Compensation, McGill Associates shall submit invoices to the Client monthly for work accomplished under this agreement and the Client agrees to make payment to McGill Associates within thirty (30) days of receipt of the invoices. Client further agrees to pay interest on all accounts invoiced and not paid or objected to for a valid cause in writing within said thirty (30) days at a rate of 1-1/2 percent per month (18 percent per annum), until paid. Client agrees to pay McGill Associates' cost of collection of the amounts due and unpaid after sixty (60) days, including but not limited to, court costs and attorney's fees. McGill Associates shall not be bound by any provision such as contained in a purchase order or wherein McGill Associates waives any rights to a mechanic's lien or any provision conditioning McGill Associates' right to receive payment for its work upon payment to the Client by any third party. These general conditions are notice, where required, that McGill Associates shall file a lien whenever necessary to collect past due amounts. The Client agrees that failure to make payment in full within thirty (30) days of receipt of the invoice shall constitute a release of McGill Associates from any and all claims of negligence which Client may have. It is also mutually agreed that should the Client fail to make prompt payments as described herein, McGill Associates reserves the right to immediately stop all work under this agreement until disputed amounts are resolved.

6. Personnel: McGill Associates represents that it has, or will secure at their own expense, all personnel required to perform the services under this agreement and that such personnel will be fully qualified and adequately supervised to perform such services. It is mutually understood that should the scope of services require outside subcontracted services, McGill Associates may do so at their discretion.

7. Opinions or Estimates of Cost: Any costs estimates provided by McGill Associates shall be considered opinions of probable costs. These along with project economic evaluations provided by McGill Associates will be on a basis of experience and judgment, but, since McGill Associates has no control over market conditions or bidding procedures, McGill Associates cannot warrant that bids, ultimate construction cost, or project economics will not vary from these opinions.

8. Termination: This Agreement may be terminated for convenience by either the Client or McGill Associates with 15 days written notice or if either party fails substantially to perform through no fault of the other and does not commence correction of such non-performance within 5 days of written notice and diligently complete the correction thereafter. On termination,

Client: Town of Valdese
Authorized Signature:

Print Name: Seth Eckard
Town Manager
102 Massel Avenue SW
Valdese, North Carolina 28690

McGill Associates will be paid for all authorized work performed up to the termination date plus reasonable project closeout costs.

9. Limitation of Liability: McGill Associates liability for Client's damages will, in aggregate, not to exceed \$50,000. This provision takes precedence over any conflicting provision of this Agreement or any documents incorporated into it or referenced by it. This limitation of liability will apply whether McGill Associates liability arises under breach of contract or warranty; tort, including negligence; strict liability; statutory liability; or any other cause of action, and shall include McGill Associates' directors, officers, employees and subcontractors. At additional cost, Client may obtain a higher limit prior to commencement of services.

10. Assignability: This agreement shall not be assigned or otherwise transferred by either McGill Associates or the Client without the prior written consent of the other.

11. Severability: The provisions of this Consulting Services Agreement shall be deemed severable, and the invalidity or enforceability of any provision shall not affect the validity or enforceability of the other provisions hereof. If any provision of this consulting services agreement is deemed unenforceable for any reason whatsoever, such provision shall be appropriately limited, and given effect to the extent that it may be enforceable.

12. Ownership of Documents: All documents, calculations, drawings, maps and other items generated during the performance of services shall be considered intellectual property and remain the property of McGill Associates. Client agrees that the deliverables are intended for the exclusive use and benefit of, and may be relied upon for this project only by the Client and will not be used otherwise. Client agrees that any prospective lender, buyer, seller or third party who wishes to rely on any deliverable must first sign McGill Associates' Secondary Client Agreement.

13. Excusable Delay: If performance of service is affected by causes beyond McGill Associates control, project schedule and compensation shall be equitably adjusted.

14. Indemnification: Client agrees to indemnify, defend and hold McGill Associates, its agents, employees, officers, directors and subcontractors harmless from any and all claims to the extent permitted by law and not inconsistent with G.S. 22B-1, and costs brought against McGill Associates which arise in whole or in part out of the failure by the Client to promptly and completely perform its obligations under this agreement, and as assigned in the Exhibit "Scope of Services" or from the inaccuracy or incompleteness of information supplied by the Client and reasonably relied upon by McGill Associates in performing its duties or for unauthorized use of the deliverables generated by McGill Associates.

15. Choice of Law: This Agreement shall be governed by the internal laws of the State of North Carolina.

16. Entire Agreement: This Agreement contains all of the agreements, representations and understandings of the parties hereto and supersedes any previous understandings, commitments, proposals, or agreements, whether oral or written, and may only be modified or amended as herein provided; and as mutually agreed.

17. Attachments to this document:

1. Proposal including Scope of Services and Basis of Compensation
2. Fee Schedule

McGill Associates, P.A.

Print Name: Douglas Chapman, PE
Vice President / Regional Manager
1240 19th Street Lane, NW
Hickory, North Carolina 28601



STANDARD HOURLY RATE AND FEE SCHEDULE

January 2023

<u>PROFESSIONAL FEES</u>	<u>I</u>	<u>II</u>	<u>III</u>	<u>IV</u>
Senior Principal	\$270			
Principal – Regional Manager – Director	\$230	\$235	\$250	\$260
Practice Area Lead	\$200	\$215	\$230	\$240
Senior Project Manager	\$210	\$225	\$230	\$235
Project Manager	\$180	\$195	\$200	\$205
Project Engineer	\$140	\$150	\$165	\$175
Engineering Associate	\$120	\$125	\$130	\$135
Planner- Consultant – Designer	\$125	\$140	\$160	\$175
Engineering Technician	\$115	\$125	\$135	\$145
CAD Operator – GIS Analyst	\$90	\$100	\$110	\$115
Construction Services Manager	\$150	\$160	\$175	\$195
Construction Administrator	\$110	\$125	\$135	\$145
Financial Services Manager	\$135	\$145	\$155	\$165
Grant Administrator	\$120	\$135	\$145	\$155
Construction Field Representative	\$95	\$110	\$115	\$125
Environmental Specialist	\$95	\$105	\$110	\$115
Administrative Assistant	\$80	\$85	\$95	\$110

EXPENSES

- a. Mileage - \$0.70/mile
- b. Flow Monitoring Equipment: Pressure Flow Meter- \$400/wk.; Gravity Flow Meter - \$1,000/deployment
- c. Telephone, reproduction, postage, lodging, and other incidentals shall be a direct charge per receipt.

2. ASSOCIATED SERVICES -

- a. Associated services required by the project such as soil analysis, materials testing, etc., shall be at cost plus fifteen (15) percent.

Councilwoman Hildebran made a motion to approve the contract with McGill Associates for Street Improvements for FY 23-24, in the amount of \$45,000, seconded by Councilman Skidmore. The vote was unanimous.

MANAGER'S REPORT: Assistant Town Manager/CFO Bo Weichel made the following announcements:

Family Friday Nights, 7:00 p.m. – 10:00 p.m., at the Temple Field. Concerts will continue every Friday until September 1, 2023. Band schedule available at visitvaldese.com.

Old Colony Players Presents: 55th Anniversary Production of From This Day Forward, July 14-August 12, Fridays and Saturdays, 8:00 p.m. at the Fred B. Cranford Amphitheatre

July 10, 2023, MB#32

MAYOR AND COUNCIL COMMENTS: Councilwoman Hildebran congratulated our Town Manager, Seth Eckard, on the birth of his baby boy Ezra.

Councilman Barus congratulated Morrissa, Annie, and Allen for all their hard work on the Family Fun Nights. Councilman Barus has received tremendous feedback, and families love the location.

Councilman Mears enjoyed the July 4th celebration and appreciated the Town for putting on a great event.

Councilman Skidmore said to watch for PBS; they visited Morrissa at the Old Rock School for the 100th anniversary.

Mayor Watts thanked the Fire and Police Department for keeping us safe at the July 4th celebration.

ADJOURNMENT: At 6:49 p.m., there being no further business to come before Council, Councilwoman Hildebran made a motion to adjourn, seconded by Councilman Barus.

The next meeting is a regularly scheduled meeting on Monday, August 7, 2023, 6:00 p.m.

Town Clerk
jl

Mayor

**TOWN OF VALDESE
RESOLUTION ADOPTING 2023 TOWN COUNCIL MEETING SCHEDULE**

WHEREAS, pursuant to Section 2-1011 of the Town of Valdese Code of Ordinances, there shall be a regular meeting of the council at the town hall, on the first Monday in each month, at 6:00 p.m., unless another place, date or time shall be designated.

NOW, THEREFORE, BE IT RESOLVED that the Town of Valdese Town Council adopts the following Meeting Schedule for 2023:

January 9, 2023	
February 6, 2023	
March 6, 2023	
March 23, 2023	Annual Budget Retreat - Old Rock School - Waldensian Room Day 1: 9:00 a.m.
March 24, 2023	Annual Budget Retreat - Old Rock School - Waldensian Room Day 2: 9:00 a.m.
April 3, 2023	
April 6, 2023	Council Budget Workshop 1 Dinner Town Hall – Community Room, 6:00 p.m.
April 18, 2023	Council Budget Workshop 2 (If needed) Town Hall – Community Room, 6:00 p.m.
May 1, 2023	
June 5, 2023	Budget Public Hearing
July 10, 2023	
August 7, 2023	
September 5, 2023	Tuesday, due to Labor Day Holiday
October 9, 2023	
November 6, 2023	
November 14, 2023	Tuesday, Annual Dinner Meeting with Valdese Merchants Association
December 4, 2023	

This 7th day of October, 2023.

Charles Watts, Mayor

**RESOLUTION OF TOWN OF VALDESE ADOPTING
CODE OF CONDUCT FOR THE
TOWN OF VALDESE TOWN COUNCIL**

WHEREAS, Section 160A-86 of the North Carolina General Statutes requires local governing boards of towns to adopt a resolution or policy containing a code of ethics to guide actions by the governing board members in the performance of the member’s official duties as a member of that governing board.

NOW, THEREFORE, as public officials representing the citizens of the Town of Valdese, and acting pursuant to the requirements of Section 160A-86 of the North Carolina General Statutes, we, the Town of Valdese Council, do hereby adopt the following Code of Conduct to guide the Town Council in its lawful decision-making.

CODE OF CONDUCT
**A POLICY TO ESTABLISH GUIDELINES FOR ELECTED OFFICIALS OR THE
TOWN OF VALDESE, NORTH CAROLINA**

(A) Purpose

This Code of Conduct is designed to describe the manner in which Town elected officials (the Mayor and Town Council members) should treat each other, Town staff, constituents, and others they come into contact with in representing the Town of Valdese. The constant and consistent theme through this ordinance is “respect.” Demonstrating respect for each individual through words and actions is the touchstone that can help guide elected officials to do the right thing.

(B) Basic Responsibilities

1. Council members shall obey all applicable laws regarding official actions taken as a member of Council.
2. Council members shall uphold the integrity and independence of their office.
3. Council members shall avoid impropriety in the exercise of their official duties.
4. Council members shall faithfully perform the duties of their office.
5. Council members shall conduct the affairs of the governing board in an open and public manner, including complying with all applicable laws governing open meetings and public records.
6. Each Council member shall complete any and all ethics education program(s) as set forth in N.C.G.S. § 160A-86 (current or as may be amended) and shall provide a record verifying receipt of ethics education to the clerk.
7. Council members should strive to: Visit/Participate/Communicate. Maintain a “Servant’s Attitude.” As elected officials, we should not place ourselves above those we were elected to serve.
8. Town employees are to be treated with respect and dignity. They are not beneath us and they are not our servants. It is their dedication and hard work that keep our citizens happy and Council from being bombarded with complaints.

9. Fully participate in Town Council meetings and other public forums while demonstrating respect, kindness, consideration and courtesy to others.
10. Prepare in advance of Council meetings and be familiar with issues on the agenda.
11. Be respectful of other people's time. Stay focused and act efficiently during public meetings.
12. Serve as a model of leadership and civility to the community.
13. Inspire public confidence in Town of Valdese government.
14. Demonstrate honesty and integrity in every action and statement.
15. Participate in scheduled activities to increase the effectiveness.
16. Review Council procedures and protocols, such as this Code of Conduct.

(C) Policies and Protocols Related to Conduct and Endorsement of Candidates

Elected officials have the right to support candidates for any and all offices. It is inappropriate to endorse a candidate at an official Town function or while representing the Town of Valdese in an official capacity.

(D) Council Conduct with One Another In Public Meetings

1. Practice civility and decorum in discussions and debate

Difficult decisions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, elected officials to make belligerent personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated.

2. Honor the role of the Mayor in maintaining order

It is the responsibility of the Mayor to keep the comments of elected officials on track during public meetings. Elected officials should honor the effort of the Mayor to focus discussion on current agenda items. If there is a disagreement about the agenda or the Mayor's actions, those objections should be voiced politely and with reason, following procedures outlined in this Code of Conduct, the North Carolina General Statutes, any rules of procedure adopted by the Town Council, and lastly Roberts Rules of Order for parliamentary procedure.

3. Avoid personal comments that could offend other elected officials

If an elected official is personally offended by the remarks of another elected official, the offended elected official should make notes of the actual words used and call for a "point of personal privilege" that challenges the other elected official to justify or apologize for the language used. The Mayor will maintain control of this discussion.

4. Strive to demonstrate effective problem solving approaches

Elected officials have a public stage to show how individuals with disparate points of

view can find common ground and seek a compromise that benefits the community as a whole.

In Private Meetings

5. Policing Making

No binding policy decisions are permitted to be made outside of a public meeting. The use of official Town email is reviewable in a public information request or through a subpoena in a lawsuit. The use of private email or other electronic media does not necessarily come under the same scrutiny, but can if used for Town business. Elected officials should exercise discretion in any discussion of Town business. A quorum of the Council should avoid discussing Town business unless in an advertised public meeting.

6. Be aware of the insecurity of written notes, voicemail messages and email

Written notes, voicemail messages and email should be treated as potentially “public” communication. Even though private communication cannot be prohibited from distribution, the use of a disclaimer, verbal or written, can act to protect the sender and should be respected. The litmus test should be: Would you feel comfortable if this voicemail/fax/email message appeared in the newspaper verbatim? How would that reflect on the Town?

7. Guiding principles for elected officials when collaborating on legislation

Collaboration among two elected officials to develop proposed legislation, policy or ideas is acceptable. Bear in mind that three Council members constitutes a quorum for the conducting of Town business. It must be understood that no binding decisions can be made and that the proposal must come before the whole Council for consideration in full, open discussion at a public meeting. Always bear in mind that any record or document of discussion of Town business may be subject to public disclosure under North Carolina law. Documents as defined by the law include voicemails, texts, posts, pictures, etc.

(E) Conduct with Staff

Governance of the Town relies on the cooperative efforts of elected officials, who set Policy and Town staff, who implement and administer the Council’s policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

1. Treat all staff as professionals

Clear, honest communication that respects the abilities, experience and dignity of each individual is expected. Poor behavior towards Town staff is not acceptable.

2. Limit contact to specific Town staff

Questions of Town staff and/or requests for additional background information should be directed to the proper department head, the Town Manager or the Mayor. Each should be copied on appropriate questions, comments or requests. Requests for follow-up or directions to staff should be made only through the appropriate chain of command. When in doubt about what staff contact is appropriate, Council members should ask the Mayor or the Town Manager for direction. Materials supplied to a Council member in response to a request must be made available to all members of the Council so that all have equal access to information.

3. Do not disrupt Town staff from their jobs

Elected officials should not disrupt Town staff while they are in meetings, on the phone or engrossed in performing their job functions in order to have their individual needs met.

4. Never publicly criticize employees

Elected officials should never express concerns about the performance of a Town employee in public or to the employee directly or to the employee's supervisor. Comments regarding staff should only be made to the Town Manager through private correspondence or conversation. **Remember: Praise in public, correct in private.**

5. Do not get involved in administrative functions

Elected officials must not attempt to influence Town staff on hiring for existing positions, processing of development applications or granting of Town licenses or permits.

6. Do not attend meetings with Town staff unless requested by staff

7. Limit requests for staff support

Routine secretarial support will be provided to all elected officials by the Town administrative staff. Requests for additional staff support – even in high priority or emergency situations – should be made to the Town Manager.

8. Do not solicit support from staff

Elected officials should not solicit any type of political support (financial support, display of posters or lawn signs, name on support lists, etc.) from Town staff. Town staff may, as private citizens with constitutional rights, support political candidates, but all such activities must be done away from the workplace.

(F) Council Conduct at Meetings in Public Meetings

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of the individual elected officials toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony and comment.

1. Be fair and equitable in allocating public meeting time to individual speakers

The Mayor or Mayor Pro Tem will determine and announce limits on speakers at the start of the public comment process with the consent of Council. The Mayor or Mayor Pro Tem will advise speakers to state their name and address for the record and to address their comments to Council.

2. Ask for clarification, but avoid debate or argument with the public

Only the Mayor – not individual Council members – can interrupt a speaker during a presentation. However, a Council member may ask the Mayor for a point of order or point of information if the speaker is off topic or exhibiting behavior or language the Council member finds disturbing, or if the Council member would like further information from the speaker.

If a speaker becomes flustered or defensive by Council questions, it is the responsibility of the Mayor to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Council members to members of the public testifying or speaking should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker.

3. No personal attacks of any kind, under any circumstances

Elected officials should be aware that their body language and tone of voice, as well as the words they use, could appear to be intimidating or aggressive.

In Unofficial Settings

4. Make no promises on behalf of Council

Elected officials will frequently be asked to explain a Council action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of Town policy and refer to Town staff for further information. It is inappropriate to overtly or implicitly promise Council action, or to promise Town staff will do something specific (fix a pothole, allow sign usage, take care of a parking ticket, etc.). **Each elected official must remember that even though elected by citizens of the Town, each elected official has no separate authority from the Council by virtue of being elected.** Only a decision in an open meeting by the Council as a body has any legal effect.

5. Remember that elected officials' actions are always being scrutinized

The community is constantly observing elected officials every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the Town. Honesty and respect of each individual should be reflected in every word and action taken by elected officials, twenty-four (24) hours a day, seven (7) days a week. It is a serious and continuous responsibility.

(G) Conduct with other Public Agencies

1. Be clear about whether representing the Town or personal interests

If an elected official appears before another governmental agency or organization to give a statement on an issue, the elected official must clearly state whether his or her statement reflects personal opinion or is the official position of the Town.

2. Correspondence should be equally clear about representation

Town letterhead is not to be used for correspondence of elected officials representing a personal point of view, or a dissenting point of view from an official Council or Town position.

(H) Conduct with Boards, Clubs, Committees and Organizations

The Town has established several boards or committees as a means to gather more community input. Members who serve on these bodies become more involved in government and serve as advisors to the Town Council. They are a valuable resource to the Town's leadership and should be treated with appreciation and respect.

1. If attending a board or committee meeting, be careful to only express personal opinions

Elected officials may attend any board or committee meeting, which are always open to any member of the public. However, they should be sensitive to the way their participation – especially if it is on behalf of an individual, business, or developer – could be viewed as unfairly affecting the process. Any public comments by an elected official at a board or committee meeting should be clearly made as individual opinion and not a representation of the feelings of the entire Town Council.

2. Limit contact with board and committee members to questions of clarification

It is inappropriate for an elected official to contact a board or committee member to lobby on behalf of an individual, business or developer. It is illegal for an elected official to contact a member of the Town's Board of Planning or Board of Adjustment with reference to any pending matter before that Board. It is acceptable for elected officials to contact board or committee members in order to clarify a position taken by

the board.

3. Remember that boards and committees serve the community, not individual elected officials

Town Council appoints individuals to serve on boards and committees and it is the responsibility of the boards and committees to follow policy established by the Council. However, board and committee members do not report to individual elected officials, nor should elected officials feel they have the power or right to threaten board or committee members with removal if they disagree about an issue. Appointment and re-appointment to a board or committee should be based on such criteria as expertise, ability to work with staff and the public and commitment to fulfilling official duties. A board or committee appointment should not be used as a political reward.

4. Be respectful of diverse opinions

A primary role of boards is to request many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Elected officials may have a closer working relationship with some individuals serving on boards or committees, but must be fair and respectful of all citizens on boards and committees.

5. Keep political support away from public forums

Board or committee members may offer political support to an elected official, but not in a public forum while conducting official business. Conversely, elected officials may support board or committee members who are running for office, but not in an official forum in their capacity as an elected official.

6. Inappropriate behavior, Inefficiency, Neglect of duty or Malfeasance in Office can lead to removal

Inappropriate behavior, inefficiency, neglect of duty or malfeasance in office by a board or committee member, appointed by the Town Council, should be addressed by its chair and/or members of the body. If a member's conduct continues to be unbecoming, the chair shall notify the Mayor, and the Mayor should counsel the offending member. If inappropriate behavior continues, the Mayor should bring the situation to the attention of the Council and the individual is subject to removal from the board or committee.

(I) Conduct with the Media

1. The Mayor is the official spokesperson for the Town. The Mayor is the designated representative to present and comment on Town positions and policies. The Mayor Pro Tem is the second in line to speak on behalf of the Town Council when the Mayor is not available. The Mayor and Mayor Pro Tem should, whenever possible, make

themselves available in person or by telephone for comment on behalf of the Town.

- 2. Elected officials are frequently contacted by the media for background and quotes. When contacted, elected officials should only comment on behalf of the Town when there is consistency and unity among elected officials on the topic in question. Media outlets may search for inconsistencies in Town position statements by contacting multiple elected officials regarding the same issue.

NOW, THEREFORE, BE IT RESOLVED, that the Town Council for the Town of Valdese, North Carolina adopts this Code of Conduct to guide the actions of the members of the Town Council for the Town of Valdese in the performance of their official duties as members of Town Council.

This Resolution shall be effective upon adoption.

THIS RESOLUTION IS ADOPTED this ____ day of _____, 2023.

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

[AFFIX SEAL]

ATTEST:

By: _____
Charles Watts, Mayor

Jessica Lail, Town Clerk

Town of Valdese

**THE RIVER TRAIL OF BURKE COUNTY
FEASIBILITY STUDY**

JUNE 2023

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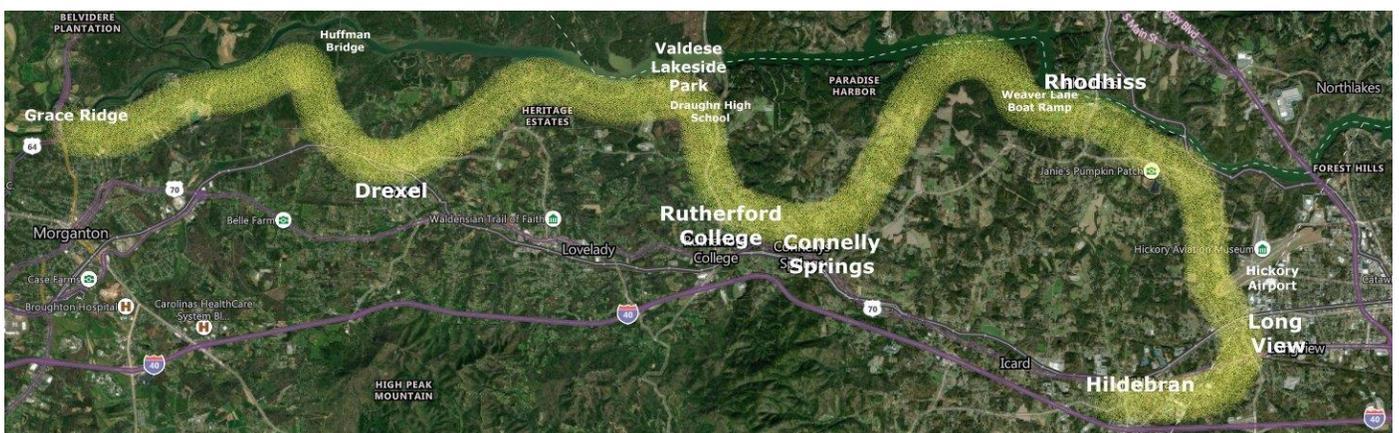
1 - EXECUTIVE SUMMARY

Recreational amenities (such as trails) have a clear relationship with economic development. Trails, greenways, and multi-use paths provide connections between local businesses, cities and towns – and often contribute to downtown revitalization efforts. Businesses that are dependent on tourism experience growth through increased visibility and visitation. Businesses are also able to provide important services to trail users – such as food and lodging, outdoor equipment, running, hiking and bicycle supplies, and repair services. Trails, green spaces, and outdoor recreation opportunities have taken on a new importance in recent years following the Covid-19 pandemic as more people seek outdoor experiences. Outdoor recreation is also a key factor in recruiting new employees to the region, because the presence of recreational amenities indicates a civic commitment to establishing and maintaining a high quality of life for local residents.

This Feasibility Study, funded by the North Carolina Office of State Budget and Management, analyzes potential non-motorized trail alignments extending from Morganton to Hickory. Creating a trail in this section of Burke County along the Catawba River would create connections in the Fonta Flora Trail, the Mountains to Sea Trail and the Overmountain Victory Trail. The trail discussed in this study, which has been a priority for local officials, trail advocates and local and state agencies for several years – would improve mobility options and increase access to recreational opportunities throughout the study area.

This study examines trail alignment opportunities and constraints, environmental factors and cultural histories. Potential trail alignments were discussed with local governments in the study’s coverage area, and public input played a vital part in this study’s completion. A key priority of this study was to ensure that the final recommended alignment would be appealing to users and provide direct connections – while also limiting the disturbance of culturally significant and environmentally sensitive areas. The study concludes by recommending a trail alignment that has been directly informed by public input and an extensive review of on-the-ground challenges and opportunities.

In addition, this study examines potential cooperative trail management opportunities, regulatory requirements, funding opportunities and other next steps in order to realize the vision of a completed Burke River Trail. The study also outlines potential trail support facilities, including parking areas, signage and interpretative trail themes to enhance the user experience along the future trail. This study also examines how the community can work together to build local support in order to realize the completion of this significant achievement in the development of Burke County’s trail network.



2 – PROJECT PURPOSE AND STUDY AREA OVERVIEW

2.1 - PROJECT BACKGROUND AND PURPOSE

The purpose of this study is to recommend a preferred alignment for a non- motorized, contiguous trail connection extending from Morganton to Hickory. Completing this trail would improve transportation and recreation opportunities for local communities and enhance existing public access areas by creating connections that appeal to a wider variety of users.

Burke County is located in western North Carolina and is bordered by McDowell County to the west, Caldwell County to the northeast, Avery County to the north, Catawba County to the east, and Rutherford and Cleveland Counties to the south. Overall, the topography of Burke County is rugged, with more level areas located along the Catawba River Valley in the central section of the county (the Piedmont Plateau).

The topography of the northern part of Burke County is shaped by the Appalachian Mountain Region, and the southern part of the county is shaped by the formation of the South Mountains. About a quarter of the land in Burke County is held in conservation through a combination of Federal, State, and local entities. The Pisgah National Forest extends into the northwest section of the county while the majority of the South Mountains are under State ownership.

The Catawba River is the main water way in the county It has several major tributaries - many of which are located along the proposed Burke River Trail. Burke County is home to Lake Rhodhiss and Lake James, which are human made impoundments located along the Catawba River. These lakes are primarily used for hydropower generation operations but also serve as water supply reservoirs and public recreation destinations.

The major interstate highway in Burke County is I-40, which runs east-west. Other major roads in the county include U.S. 70, U.S. 64, N.C. 181, and N.C. 18. Municipalities within Burke County include Morganton (the largest municipality and county seat), Glen Alpine, Drexel, Valdese, Rutherford College, Connelly Springs, and Hildebran; as well as portions of Rhodhiss, Hickory, and Long View.

The total land area of the County is 505 square miles. The current population is 87,570 based on the 2020 Census.

Given its proximity to the Catawba River and several municipalities in eastern Burke County, the Burke River Trail study area presents numerous opportunities to develop new outdoor recreation opportunities, enhance environmental conservation efforts and connect communities. However, there are challenges that must be considered, including rugged topography, the existence of privately held land, trail maintenance and management responsibilities and the lack of alternative east-west routes.

2.2 – PUBLIC INPUT MEETINGS

From February to April 2023, public input meetings were hosted by the towns of Hildebran, Long View, Rhodhiss, Rutherford College, Connelly Springs, and Drexel. The meetings were all scheduled and promoted in February. The public was encourage to attend any meeting, including meetings held at locations that were outside of their places of residence. The meetings were publicized on social media, in the local papers' community calendars, in post offices and via methods used by each town (emails, flyers, and social media). Direct mailings were sent to addresses along key corridors in Rutherford College, Rhodhiss and Hildebran. The average attendance per meeting was 12 people.

Each meeting started with a slide show presentation with an overview of the RTBC and general information about trail easement agreements, the benefits of trails, and crime on trails. Following the presentation, attendees asked questions and marked large maps with their ideas for the trail route. Concerns were not about the trail in general, but about the trail potentially traversing private property. Those concerns are being addressed in individual meetings with landowners.

In addition to the official meetings, several newspaper articles have been published about the RTBC. Reporters from The Paper and The Hickory Daily Record each attended a public input meeting and wrote articles. Three articles were submitted to local publications and were published. In addition, the RTBC was promoted at a booth during the Burke County Trails event in March. A large trail map and flyers were available to the public at the booth, and two guided hikes were held at the western terminus of the proposed trail.

2.3 – BURKE COUNTY DEMOGRAPHICS

POPULATION GROWTH (1970-2012)

The 2000 Census count for Burke County was 89,145 persons. Burke County's lost population (87,570) in the 2020 Census. This may be due to inability of Census workers to reach some residents who did not fill out Census forms online due to issues with Covid-19. The table below compares population changes between 2000 and 2020 for Burke County, the Hickory Metropolitan Statistical Area or MSA (Alexander, Burke, Burke and Catawba Counties), North Carolina and the United States. Results from the 2020 Census indicate a 3.7% population decline in Burke County over the past decade, while the Hickory MSA experienced a loss of 221 people, a 0.1% decrease. North Carolina's population grew 9.5% between 2010 and 2020 to 10.4 million. The number of persons in the United States has increased 7.4% from 308.7 million in 2010 to 331.4 million in 2020.

Location	2000 Census	2010 Census	Change 2000-2010	% Inc.	2020 Census	Change 2010-2020	% Inc.
Burke County	89,145	90,912	1,767	2.0	87,570	-3,342	-3.7
Hickory MSA	341,851	365,497	23,646	6.5	365,276	-221	-0.1
NC	8,049,313	9,535,483	1,486,170	18.5	10,439,388	903,905	9.5
US	281,421,906	308,745,538	27,323,632	9.7	331,449,281	22,703,743	7.4

Source: 2020-2020 Census, US Census Bureau

As of 2020, Whites are the largest race group in Burke County. Over 86.9% of the County's population is White. African American is the County's largest minority group, comprising 6.5% of Burke County's 2020 population.

Table 2 - Burke County Population by Race/Ethnic Group, 2010-2020		
Race/Ethnic Group	2020 Census	% of Pop.
Total Population	87,611	100.0%
White	71,343	86.9%
African American	4,152	6.5%
American Indian	318	2.4%
Asian American	3,181	4.1%
Two or More Races	5,084	5.8%
Some Other Race	5,183	5.9%
Hispanic (Any Race)	6,024	6.9%
White, (Not Hispanic)	81,587	93.1%

Source: 2021 American Community Survey, US Census Bureau.

Age group population data for Burke County from the 2021 ACS is displayed in Table 3. The older age groups in Burke County have had the some of the most significant population gains since 2010 due to the aging of the "Baby Boomers." The number of people in the 65 to 74 age group make up 12.7% of the population. The number of people in the 25 to 54 age group make up the most significant portion of the population.

Table 3 - Burke County Population by Age Group, 2010 Census to 2015-2019 American Community Survey (ACS)		
Age Group	2010 Census	% of Population
Under 5 Years	4,087	4.7%
5 to 9 Years	3,585	4.1%
10 to 14 Years	4,867	5.6%
15 to 19 Years	5,257	6.0%
20 to 24 Years	5,526	6.3%
25 to 34 Years	10,110	11.5%
35 to 44 Years	10,068	11.5%
45 to 54 Years	11,904	13.6%
55 to 59 Years	5,294	6.0%
60 to 64 Years	7,941	9.1%
65 to 74 Years	11,109	12.7%
75 to 84 Years	5,485	6.3%
85 Years and Over	2,378	2.7%
Total	87,611	100%

Source: 2021 American Community Survey, US Census Bureau.

The impacts of the decreasing older labor force populations on median age can be seen in Table 4. Between 2000 and 2010, the median age in Burke County rose by 4.3 years to 41.2. Burke County's median age has increased since 2010 to 46.2 years. The Town's median age is currently higher than the Hickory MSA, North Carolina and the United States.

Table 4 - Median Age, 2000 Census to 2015-2019 ACS					
Location	2000 Census	2010 Census	% Change	2016-2020 ACS	% Change
Burke County	36.9	41.2	11.7	46.2	12.1
Hickory MSA	36.7	40.5	10.4	43.3	6.9
NC	35.3	37.4	5.9	39.1	3.7
US	35.3	37.2	5.4	38.5	2.4

Source: 2000, 2010 Census and 2015-2019 American Community Survey.

The NC Office of State Management and Budget has generated age group projections for Burke County (Table 5). The population of the 65 to 74, 75 to 84 and 85 years and over age cohorts will continue to grow over the next 20 years as the "baby boomers" grow older. The loss of 25 to 44 year-olds in the County from 2000 to 2010 will lead to population declines in the 55 to 59 and 60 to 64 groups through 2041. The population of the age 20 to 24 and 25 to 34 cohorts is anticipated to decrease by more than 12.5% and 2.2% respectively between 2021 and 2041.

Table 5 - Burke County Population by Age Group, 2021-2041				
Age Group	2021 Estimate	2041 Projection	Change 2021-41	% Change 2021-41
Under 5 Years	4,448	4,667	219	4.9%
5 to 9 Years	4,474	4,919	445	9.9%
10 to 14 Years	5,082	5,298	216	4.3%
15 to 19 Years	6,475	6,446	-29	-0.4%
20 to 24 Years	6,281	5,494	-787	-12.5%
25 to 34 Years	11,120	10,877	-243	-2.2%
35 to 44 Years	9,492	12,427	2,935	30.9%
45 to 54 Years	11,469	12,042	573	5.0%
55 to 59 Years	6,713	5,051	-1,662	-24.8%
60 to 64 Years	6,509	5,241	-1,268	-19.5%
65 to 74 Years	11,125	11,149	24	0.2%
75 to 84 Years	6,118	9,240	3,122	51.0%
85 Years and Over	2,232	3,845	1,613	72.3%
Total	91,538	96,696	5,158	5.6%

Source: NC Office of Management and Budget, 2022.

HOUSEHOLD INCOME

Burke County household income data from the 2021 American Community Survey (ACS) is revealed in the table below. About 21% of Burke County's households in 2021 earn less than \$25,000 a year, while 26.7% of households earn between \$25,000 and \$50,000 per year. Another 30.9% of households had incomes from \$50,000 to \$100,000 per year. About 21.9% of Burke County's households make more than \$100,000 per year.

Households	2015-2019 ACS	% of Households
Total Households	35,709	100.0
Households Earning Less than \$25,000	7,512	21.0
Households Earning between \$25,000 and \$50,000	9,345	26.7
Households Earning between \$50,000 and \$100,000	11,029	30.9
Households Earning more than \$100,000	7,823	21.9
Median Household Income	\$55,529	

Source: 2021 American Community Survey, US Census Bureau.

According to the Census website, the Bureau "uses a set of money income thresholds that vary by family size and composition to determine who is in poverty. If a family's total income is less than family's threshold, then that family and every individual in it is considered in poverty." Results from the 2015-2019 ACS for Burke County show that 18.1% of the population were at or below the poverty level. The County's poverty rate was higher than the Hickory MSA, North Carolina or the United States poverty rate.

Location	All Persons	Under Age 18	Over Age 65
Burke County	18.1%	26.7%	9.2%
Hickory MSA	14.9%	21.0%	9.3%
NC	14.7%	21.2%	9.1%
US	13.4%	18.5%	9.3%

Source: 2015-2019 American Community Survey (ACS), US Census Bureau.

EMPLOYMENT

Employment by industry of Burke County residents from the 2021 American Community Survey is shown in the table below. About 25.1% of total employment in 2015-2019 was in the manufacturing industry. Another 20.7% of employed persons worked in the education and health care industry. About 12.1% of Burke County workers were in the retail trade industry.

Table 8 - Burke County Employment by Industry, 2015-2019 ACS		
Industry	2015-2019 ACS	% of Employed Population
Employed Population	40,016	100.0
Agriculture	994	2.5
Construction	2,246	5.6
Manufacturing	10,043	25.1
Wholesale Trade	596	1.5
Retail Trade	4,828	12.1
Transportation/Warehousing/Utilities	1,239	3.1
Information	239	0.6
Finance/Insurance/ Real Estate	1,796	4.5
Professional Services	2,240	5.6
Education and Health Care	8,284	20.7
Arts/Entertainment/Recreation	1,874	4.7
Other Services	1,847	4.6
Public Administration	3,790	9.5

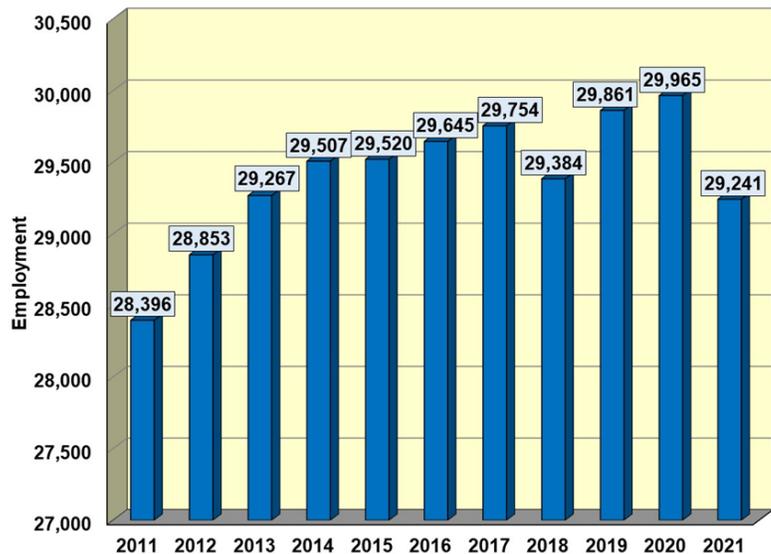
Source: 2021 American Community Survey, US Census Bureau.

Data on the total number of jobs in Burke County is unavailable, but employment data is available for Burke County. Between second quarter 2011 and second quarter 2021, Burke County employment grew from 28,396 to 29,965. The Covid-19 pandemic has caused employment in Burke County to drop by more than 700 workers to 29,241. It is likely that many of job losses from the pandemic have been recovered since second quarter 2021.

Over the past decade (defined as second quarter 2011 to second quarter 2021), the biggest employment losses in Burke County have occurred in justice, public order and safety activities (320) and printing and support activities (51). The largest employment gains occurred in general merchandise stores (271), and administration of human resource programs (187).

Figure 3.

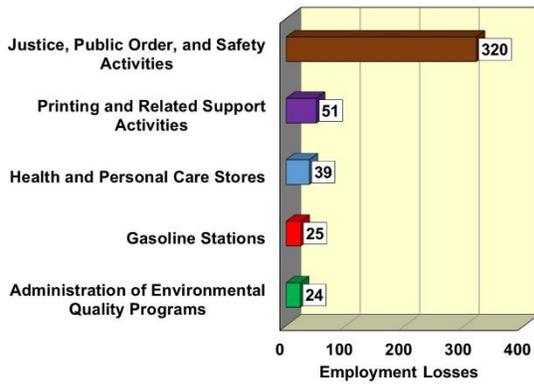
Burke County Employment, 2nd Qtr. 2011-2021



Source: NC Labor and Economic Analysis Division, 2022.

Over the past decade, the biggest employment losses in Burke County have occurred in Justice, Public Order, and Safety Activities (320). The largest employment gains occurred in General Merchandise Stores (271), and Administration of Human Resource Programs (187).

Figure 4.
Burke Co. Employment Losses by Industry Sector,
2nd Qtr. 2010-2021



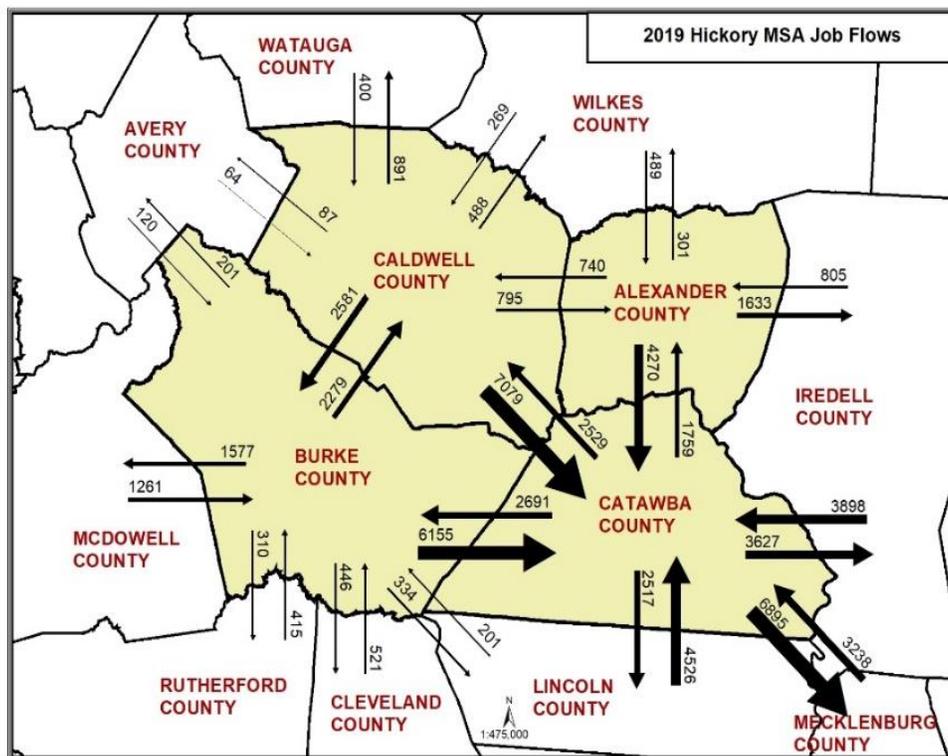
Source: NC Labor and Economic Analysis Division, 2022.

Figure 5.
Burke Co. Employment Gains by Industry Sector,
2nd Qtr. 2010-2021



Source: NC Labor and Economic Analysis Division, 2022.

Data from the 2015-2019 American Community Survey indicate that 88.4% of working Burke County residents drive to work, while 0.9% worked from home. The mean travel time for work is 21.1 minutes, indicating that many Burke County works are likely commuting to Hickory, Morganton, Lenoir for employment. The work flows map below indicates that many Burke County workers commute to Catawba County.



EDUCATIONAL ATTAINMENT

Data from the 2015-2019 American Community Survey indicates that 81.6% of Burke County's population age 25 and older has an educational attainment level of high school (or equivalent) or higher, with 16.4% having a bachelor's degree or higher. Burke County has a lower high school or higher and bachelor's degree or higher (over age 25) educational attainment rate than the Hickory MSA, North Carolina and the United States.

Location	High School or Higher	Bachelor's Degree or Higher
Burke County	81.6%	16.4%
Hickory MSA	83.7%	19.6%
NC	87.8%	31.3%
US	88.0%	32.1%

Source: 2015-2019 American Community Survey, US Census Bureau.

HOUSING

Census results for Burke County show a gain of 3,452 homes between 2000 and 2010, with a net loss of 1,354 housing units from 2010 to 2020. Burke County's 9.2% percentage housing growth between 2000 and 2010 was lower than the Hickory MSA, North Carolina and the United States. Burke County's housing change rate between 2010 and 2020 (-3.3%) was lower than housing change rates in Burke County, Hickory MSA, North Carolina and the United States.

Location	Census 2000*	Census 2010	Change 2000-2010	% Inc.	Census 2020	Change 2010-2020	% Inc.
Burke County	37,427	40,879	3,452	9.2	39,525	-1,354	-3.3
Hickory MSA	144,874	162,613	17,739	12.2	163,160	547	0.3
NC	3,523,944	4,327,528	803,584	22.8	4,708,710	381,182	8.8
US	115,904,641	131,704,730	15,800,089	13.6	140,489,736	8,785,006	6.7

Source: 2000-2020 Census, US Census Bureau.

The percentage of renter-occupied units in Burke County decreased slightly between the 2010 Census (27.7%) and the 2015-2019 ACS (26.1%). As of 2015-2019, Burke County had a lower percentage of renter-occupied housing than the Hickory MSA, North Carolina or the United States.

Location	1990 Census	2000 Census	2010 Census	2015-2019 ACS
Burke County	25.2	25.9	27.7	26.1
Hickory MSA	25.3	25.7	26.6	28.2
NC	28.6	27.2	33.3	34.8
US	35.8	33.8	34.9	36.0

Source: 1990-2010 Census and 2015-2019 ACS, US Census Bureau.

A significant increase in the median value of owner-occupied housing units in Burke County occurred between the 2000 Census and the 2006-2010 American Community Survey (ACS) (26.7%). Median housing value grew 10.9% to \$120,700 between the 2006-2010 ACS and the 2015-2019 ACS. Burke County median home values grew from \$108,800 in 2006-2010 to \$120,700 in 2015-2019. Median home values gained 11.0% and 15.7% in the Hickory MSA and North Carolina respectively from 2006-2010 to 2015-2019. The 2015-2019 ACS Burke County median owner-occupied housing value was lower than the Hickory MSA, North Carolina and the United States median owner-occupied housing value.

Location	2000	2006-2010 ACS	% Change	2015-2019 ACS	% Change
Burke County	\$85,900	\$108,800	26.7	\$120,700	10.9
Hickory MSA	\$93,500	\$118,600	26.8	\$131,600	11.0
NC	\$108,300	\$149,100	37.7	\$172,500	15.7
US	\$119,600	\$188,400	57.5	\$217,500	15.4

Source: 2000 Census, 2006-2010 and 2015-2019 ACS, US Census Bureau.

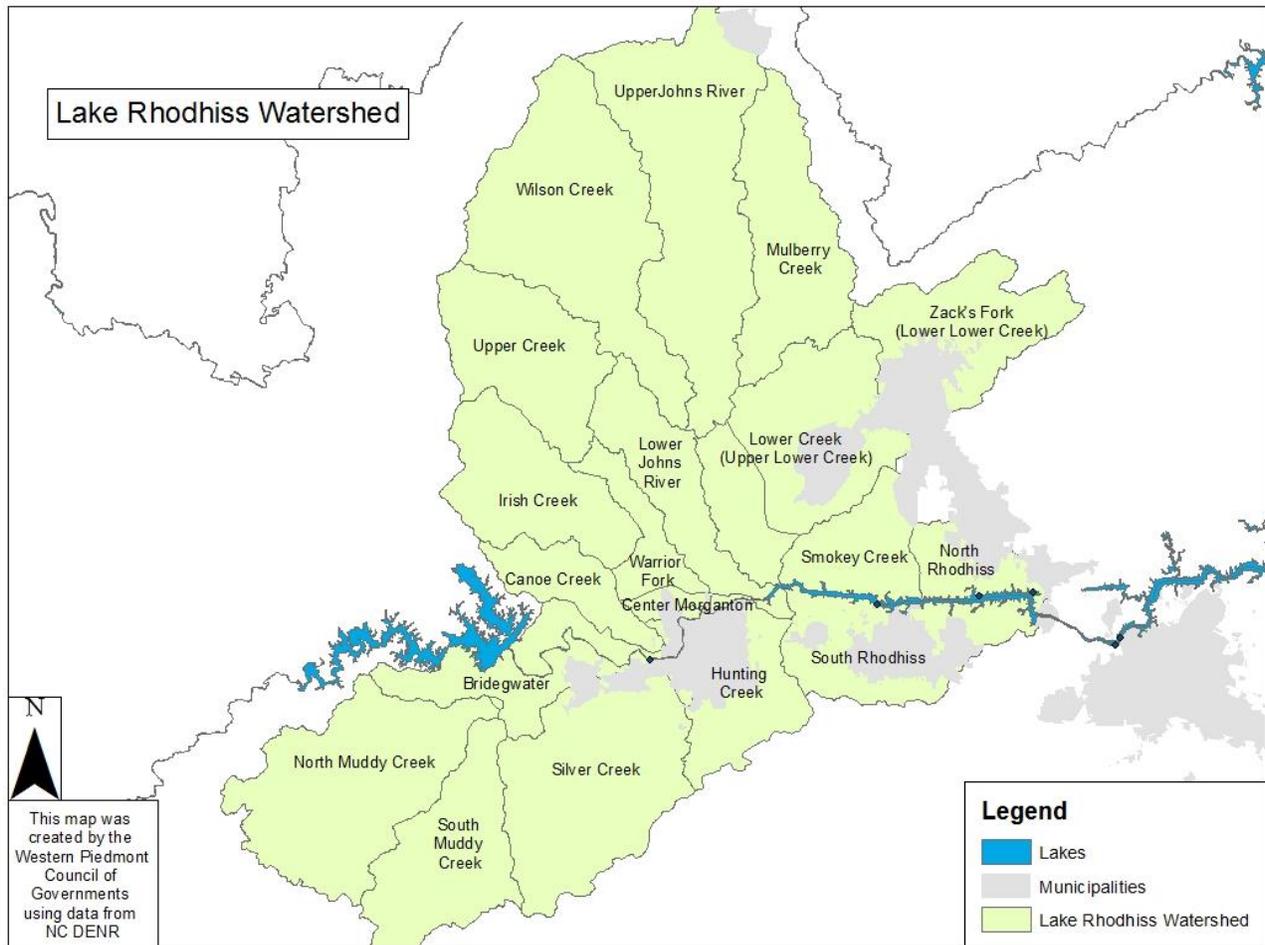
2.4 – LAKE RHODHISS WATERSHED

Lake Rhodhiss is a 3,515-acre reservoir located on the Catawba River in Burke County. This lake, which lies within Burke and Caldwell Counties (and is a run-of-the-river reservoir) is located downstream of Lake James and upstream of Lake Hickory. It was impounded in 1925 by Duke Energy for the purpose of generating hydroelectric power. Four municipalities (Morganton, Granite Falls, Lenoir, and Valdese) have public water intakes located along the lake. In addition to providing habitat for fish and wildlife species, the lake is also used for industrial water supply and recreational purposes.

The watershed area of Lake Rhodhiss is 710 square miles, and the lake has the greatest watershed/surface area ratio of any North Carolina impoundment along the Catawba River. This means that there is a lot of land surface area compared to relatively little lake surface area, leading to a greater chance for water in the lake to accumulate contaminants. Topography and soils vary considerably within the watershed. The northern portion of the watershed is rural, undeveloped and contains substantial federal land holdings. The watershed's urban areas are generally concentrated in Lenoir and Morganton, and along the I-40 and U.S. 70 corridors between Morganton and the unincorporated Icard area of eastern Burke County. Development activities are generally concentrated along these corridors.

Much of the northwestern portion of the watershed is located within the Pisgah National Forest and many of its headwater tributaries are native trout waters designated as High Quality Waters. The 23 miles of Wilson Creek, from its headwaters on Grandfather Mountain to its confluence with the Johns River, is designated as a National Wild and Scenic River. The Johns River watershed contains some high quality areas, but also has widespread agricultural land use along the river valley.

Figure 2-1 – Lake Rhodhiss Watershed



2.5 - ADJACENT TRAIL PROJECTS AND LINKAGES

Over the past eight years, approximately 20 miles of trails have been constructed for the Fonta Flora State Trail (FFST) around Lake James. Burke County has successfully leveraged grant funding to complete much of this work. Part of the FFST's route is also shared the Overmountain Victory National Historic Trail (OVT), and plans are to continue the trail to the City of Morganton which will have sections of both the OVT and the FFST. Within the City of Morganton, most sections of the trail network are completed except for some sidewalk sections.

The River Trail of Burke County (RTBC - shown on the map as the Burke River Trail) is part of an ongoing trail planning effort that is focused on linking the communities along the Catawba River. Planning and implementation of the RTBC is underway in several of these communities. Another new planned trail located south of I-40 is the Wilderness Gateway State Trail. This proposed trail will link the South Mountains (and areas to the west) with areas in Catawba County. The trail will also include a connection to the Town of Valdese and the River Trail of Burke County.

The RTBC will provide a vital non-motorized link between several isolated communities (Drexel, Valdese, Rutherford College and Connelly Springs), enhance public access to numerous scenic and natural areas and complete an important connection in the statewide Fonta Flora State Trail (FFST). The RTBC will also provide a link between the Fonta Flora

Trail and the Overmountain Victory Trail, creating a continuous non-highway route for touring cyclists and hikers extending from Morganton to Hickory.

Blueways are designated waterway routes that are used for recreational activities including canoeing, paddleboarding, and kayaking. River and stream access points are locations where people have permission to launch a canoe, kayak, or other vessels into a waterway. Access points can be located along greenways, at riverside parks or on properties near bridges or dams.

The Upper Catawba River Trail Blueway extends from Black Bear Access on Lake James to Lookout Access on Lake Lookout Shoals. This 82-mile river trail has 24 access points and four portages along the route. The Upper Catawba River Trail Section 2 runs alongside the future RTBC and has 14 river access points.

Figure 2-2 – Adjacent Trail Projects

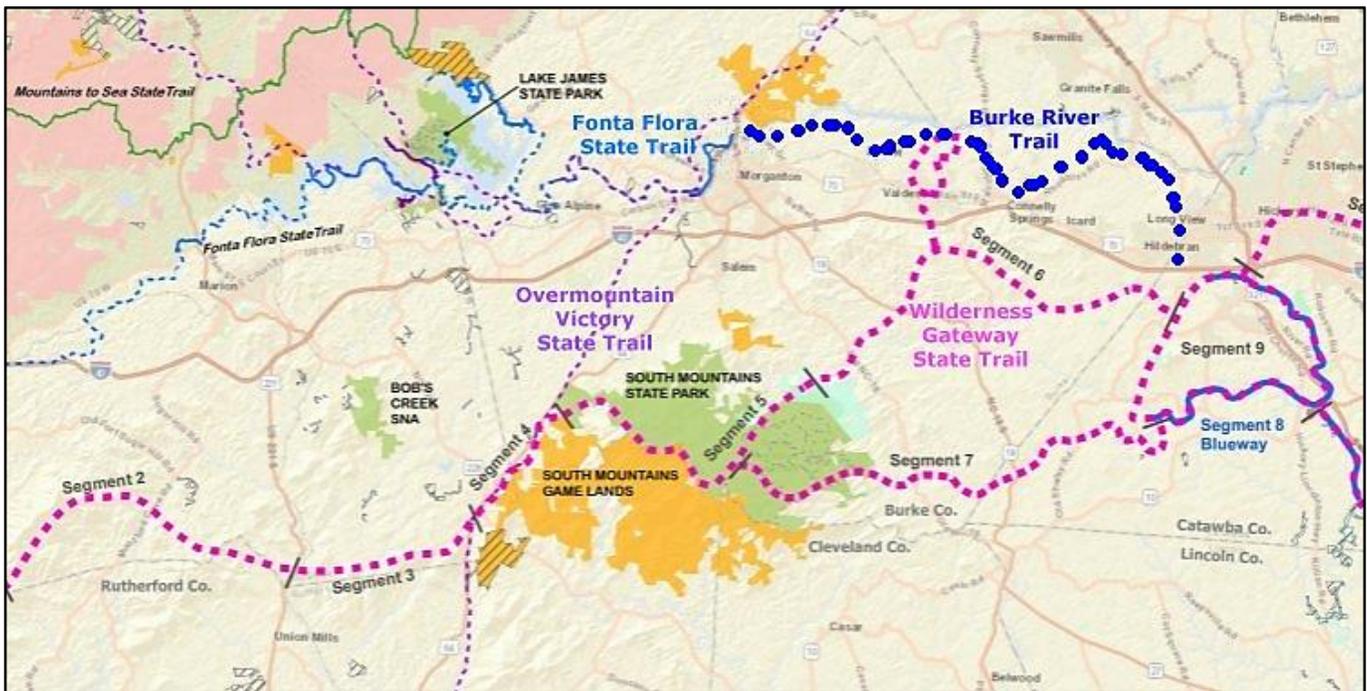


Figure 2-3 – Lake Rhodhiss River Access Points (Upper Catawba River Trail Section 2 Signage)



River Access Points	
Access Number	Location
10	Watermill Road
11	Morganton Weir
12	Morganton Weir Dam Portage
13	Greenlee Ford
14	River Village
15	Rocky Ford
16	John's River (Spur)
17	Huffman Bridge
18	Valdese Lakeside Park
19	Castle Bridge
20	Connelly Creek
21	Lakeside Park in Granite Falls
22	Rhodhiss
23	Rhodhiss Portage

2.6 – TRAIL AND PATH TYPES USED ALONG THE BURKE RIVER TRAIL

The Burke River Trail will incorporate a range of facilities and surface types along its route, depending on the context of the area. Trail material and type could be influenced by factors like accessibility, user experience, cost constraints given the terrain, proximity to automotive traffic, and ease of future maintenance.

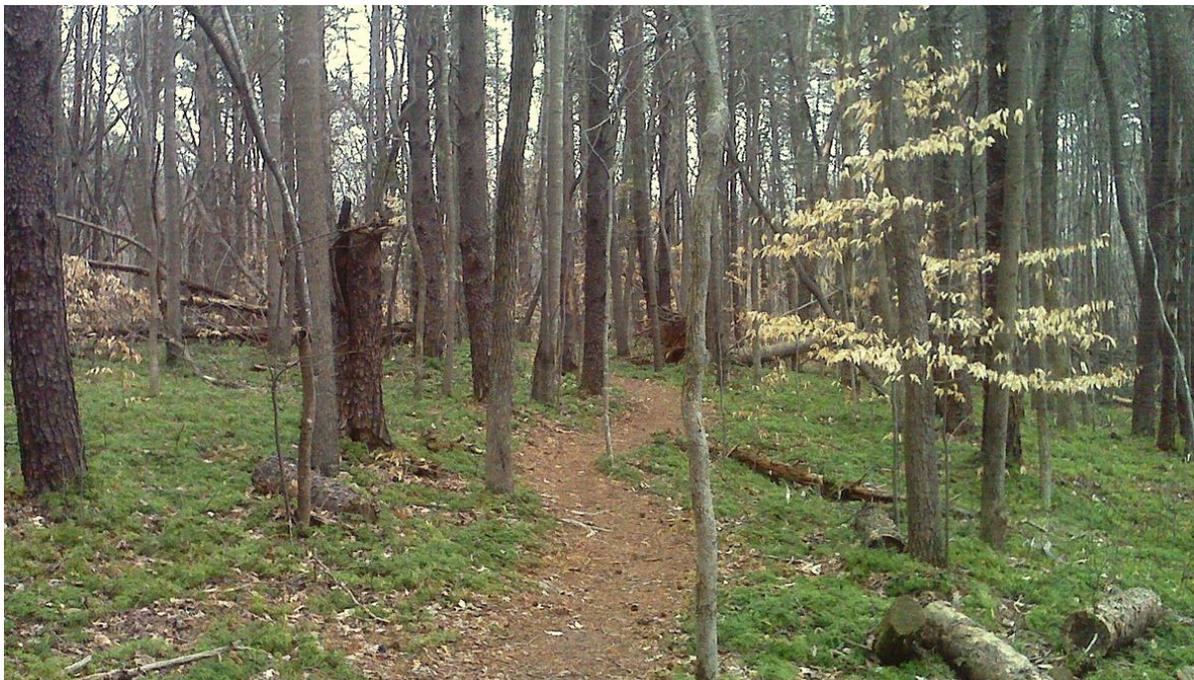
Natural surface, for example, may be more suitable for hilly and highly forested parts of the trail, as well as through areas of environmental sensitivity, while major routes along roadways may be served more appropriately by a side path.

The Burke River Trail currently projects four types of trail – natural surface, side path, paved greenway, and sidewalk. In some areas, these facilities may already exist in some form and can be incorporated into the route. In other areas, they may need to be constructed or improved.

NATURAL SURFACE TRAIL

A natural surface trail is an unpaved pathway used predominantly for pedestrian activity like running, walking, or hiking, though cyclists and equestrians may be able to use them as well. Some natural surface trails are compliant with the Americans with Disabilities Act and accessible to those using wheelchairs, though many are not. Natural surface trail is the easiest type of trail to create and maintain. Natural surface trail can often be built at very low cost and by volunteers, as it consists primarily of brush clearing, grading, and correcting drainage and erosion issues.

Natural surface trail may be most appropriate in hilly areas or in areas of environmental sensitivity. It may also be more appropriate in areas of trail likely to see a lower volume of continuous user traffic. The actual surface of a natural surface trail can vary. Natural earth, gravel, wood chips, and other materials can be used depending on the expected user traffic, cost constraints, and terrain variability.



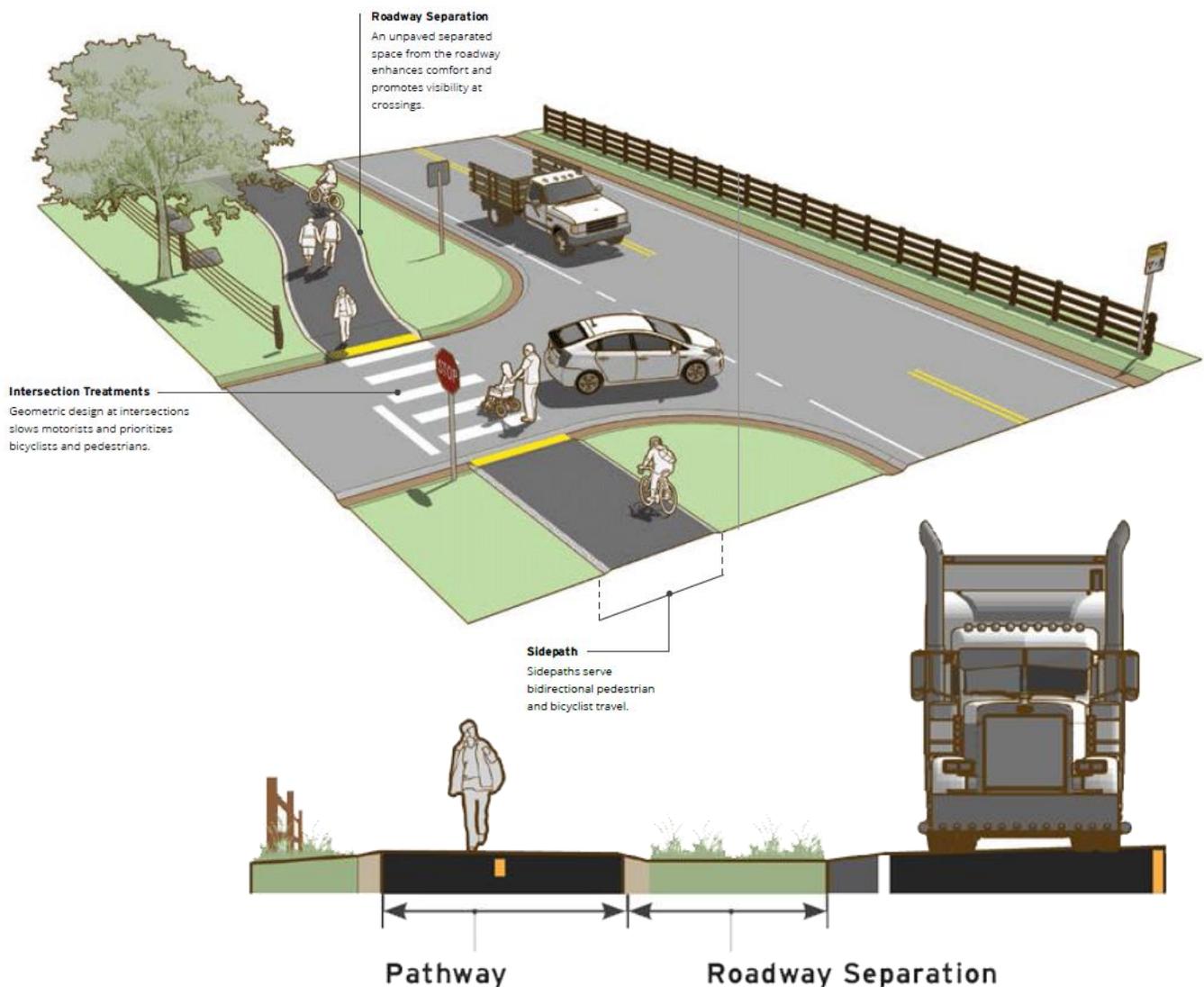
Natural Surface Trail, Example from Greensboro NC

SIDE PATH

A side path is a paved, separated route for non-motorized travelers, often running directly adjacent to a roadway. Side paths are distinct from greenways in that they are integrated directly into the existing road and street system, and are larger than sidewalks, so that they can serve more people on different travel modes coming from both directions.

Side paths are great for providing convenient, quick and safe routes between major points of interest, like schools, grocery stores, places of work, medical offices, civic buildings and parks. Side paths are often one of the best facilities to place in areas that are already served by roads and have moderate traffic, because they can provide a separated, safe route without significantly impacting the existing conditions in the area.

Side paths are usually constructed of either asphalt or concrete. Asphalt is less expensive, but has a shorter maintenance life before it must be repaired or replaced. Concrete is more expensive, but has a longer lifespan of around 25 years. Because side paths follow road routes and are integrated directly into the existing network, special care must be taken at intersections to ensure safety and visibility for trail users.



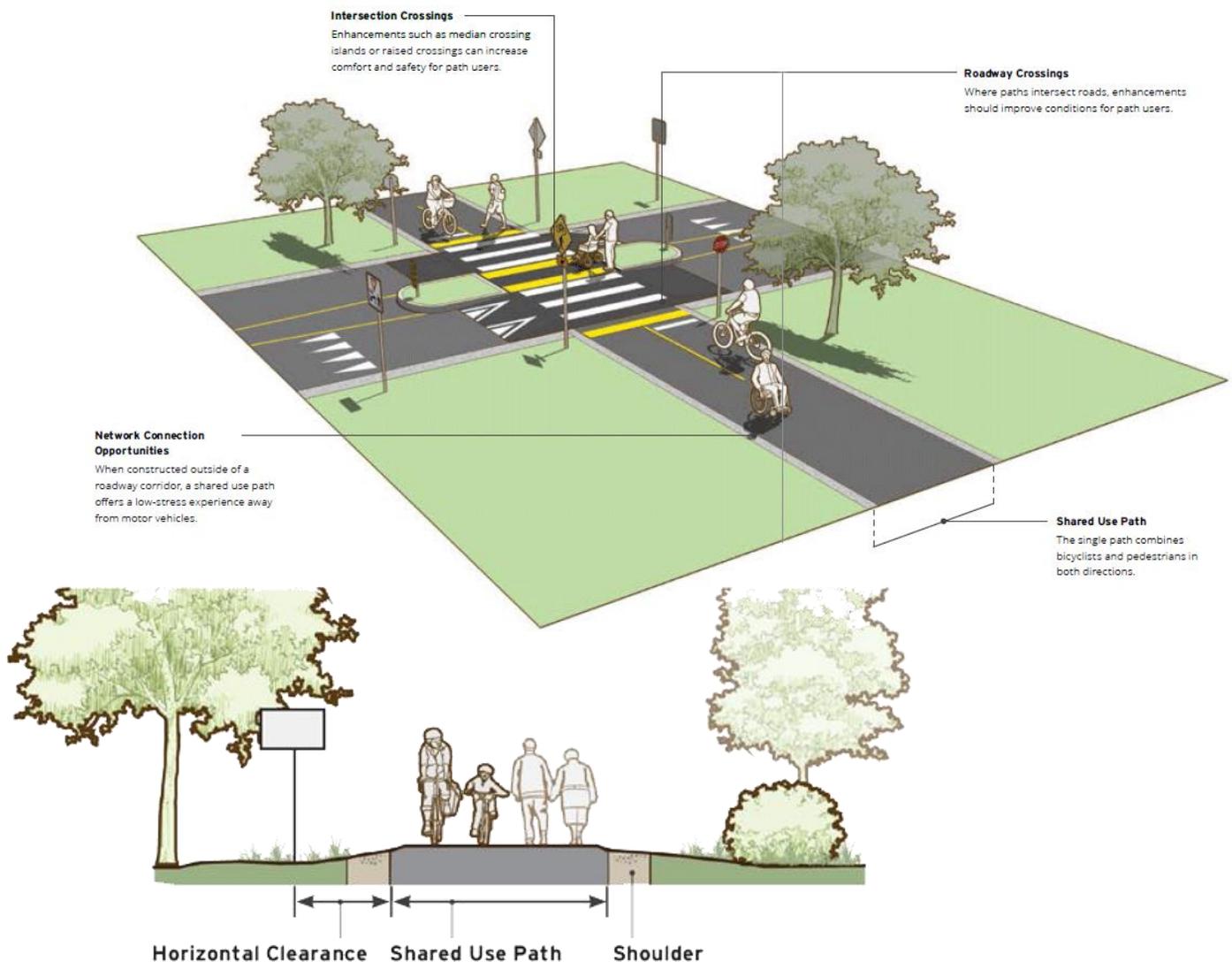
PAVED GREENWAY

Paved greenways provide a completely separated and dedicated space for shared use of the trail by users of all types, including those walking, jogging, using a wheelchair, skating, cycling or using any other means of non-motorized transportation.

Greenways are dedicated corridors taking advantage of connectivity and green space; they form their own path, taking advantage of opportunities for connection across land and through natural space, rather than by following the existing roadway network in the same way a side path or sidewalk would.

Greenways provide a safe, calm and enjoyable connection between destinations as a means of transportation and recreation. Because they are located away from motorized traffic, they are appealing to a wide range of users, from families taking young children for a bike ride, to older citizens on an evening stroll, to young professionals cycling to work. Greenways are often used as tourism attractions as well for this reason.

Greenways are often paved with concrete due to its long lifespan, but other materials can be used, including asphalt. In some areas, greenways can still meet accessibility standards even if unpaved by using crushed cinder or similar material, so long as it is regularly maintained.



SIDEWALK

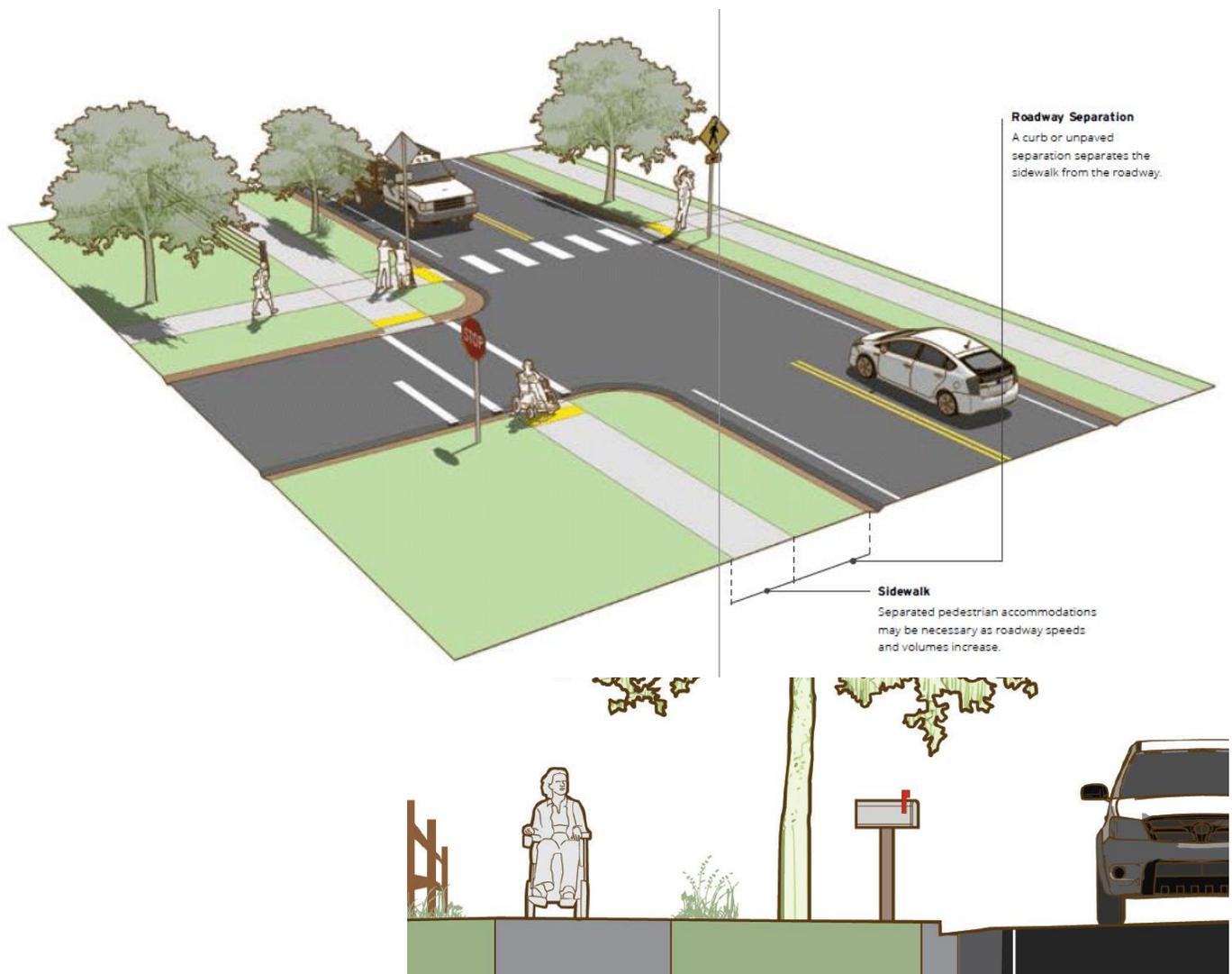
Sidewalks are the most common pedestrian facility across our communities, providing space for pedestrians along an existing roadway or across a property. Existing sidewalk can be incorporated into the Burke River Trail to form a full network of connected, separated pedestrian facilities.

Concrete sidewalk is the standard, ideally with separation between the curb of the street and the sidewalk through a planted median. In some cases, existing conditions may permit the sidewalk to connect directly to the curb, particularly along streets with limited traffic and good sight lines.

When maintained, sidewalks can be accessible and ADA compliant, usable for those walking, jogging, or using wheelchairs. They are smaller than side paths and greenways, usually a minimum of five feet, though they may be up to ten feet or even larger in some areas.

Sidewalks are generally not appropriate for vehicle travel, which is best reserved for greenways and side paths. Riders can walk their bikes, scooters, or other vehicles while using sidewalks.

Because sidewalks are closest to vehicle traffic, they should be designed carefully to minimize potential conflicts, particularly at intersections. Bulb-outs, signage, and clearing intersections of visual obstructions, as well as clearly defined crosswalks with high-visibility paint, can create a safe sidewalk network along the trail.



3 – PRIORITIZATION IN THE RIVER TRAIL OF BURKE COUNTY STUDY AREA

3.1 – STUDY AREA OVERVIEW, METHODOLOGY, AND PARCEL SCORING

A main purpose of this analysis is to create a system that ranks potential conservation and recreation opportunities within the study area. The RTBC Study Area consists of 14,005 parcels across Burke County. The boundary outline follows the Burke and Caldwell County line to the north, the Burke and Catawba line to the east, US 70 to the south, and US 64 to the west.

The BRT study area is around 63 square miles in size and includes a section of the Catawba River, and areas of Drexel, Connelly Springs, Hickory, Hildebran, Icard, Long View, Morganton, Rhodhiss, Rutherford College, and Valdese. The development of the Plan's ranking system relied on data from various sources. This chapter describes the methodology used in developing the prioritization scoring process and shares information about the scoring results.

WPCOG staff used several criteria based on the study's objectives to develop the parcel scoring methodology. Staff assigned maximum and weighted scores to each criteria and applied the scoring to the prioritization process. Table 3-1 describes the criteria behind the parcel ranking approach. Table 3-2 breaks down the prioritization point systems.

Staff used the WPCOG's Geographic Information System (GIS) to score parcels in the study area. GIS products used included ArcMap 10.6.1, a mapping software from Environment Systems Research Institutes (ESRI), and GIS data was provided by government entities and other organizations to award criteria points. Below are the GIS data inputs and their sources:

- Burke County parcels, land use, and additional managed areas provided by Burke County GIS Department
- Local historic districts and boundaries provided by the North Carolina Historic Preservation Office
- National Land Cover Database (NLCD) 2016 provided by Multi-Resolution Land Characteristics Consortium
- Natural Heritage Element Occurrences (NHEO), Natural Heritage Natural Areas (NHNA), and Managed Areas provided by North Carolina Natural Heritage Program
- Streams & River locations provided by the North Carolina Center for Geographic Information and Analysis (CGIA)
- Surface Water Classifications provided by the North Carolina Department of Environmental Quality

Figure 3-1 – Study Area Boundary

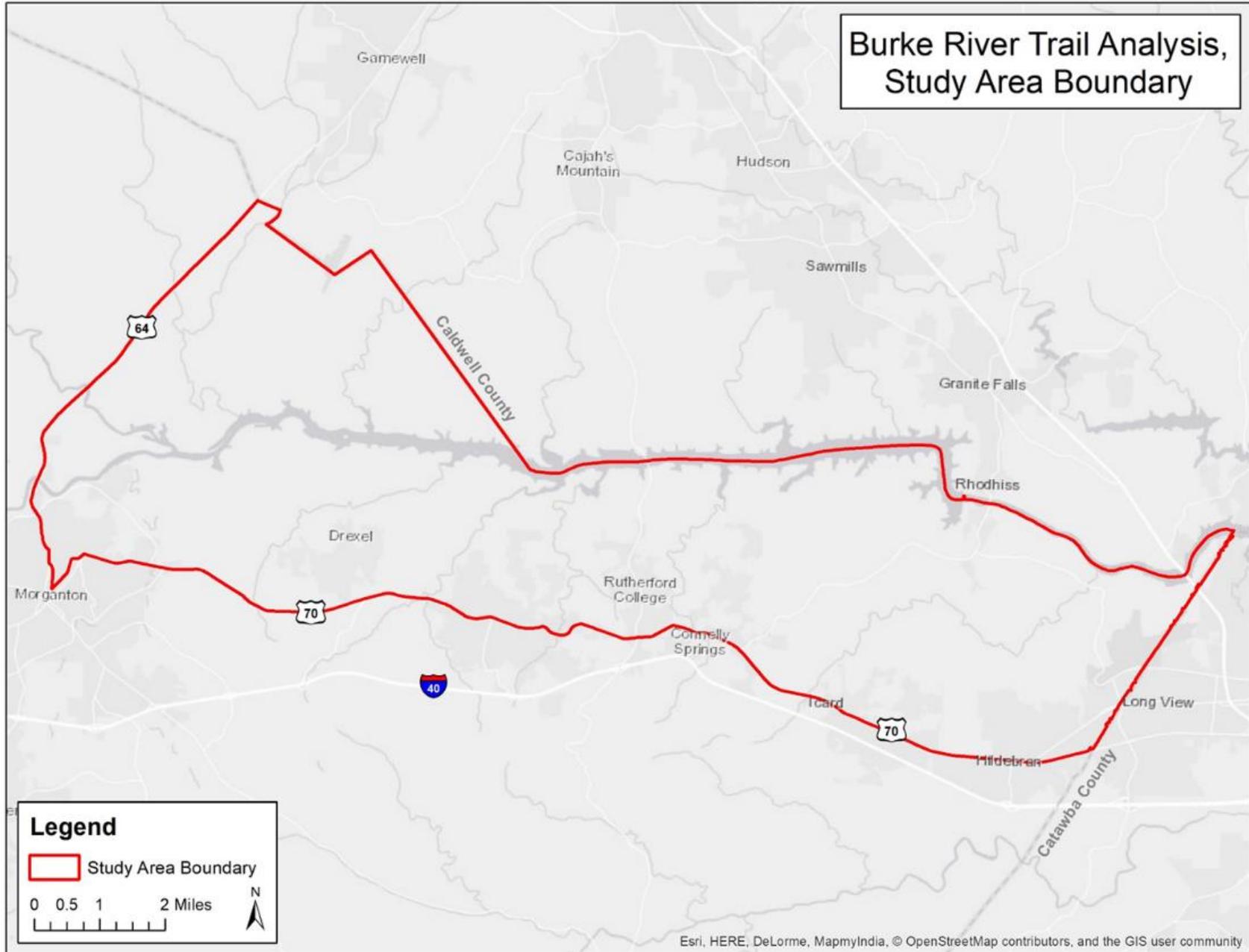


Figure 3-2 – Study Area Parcels

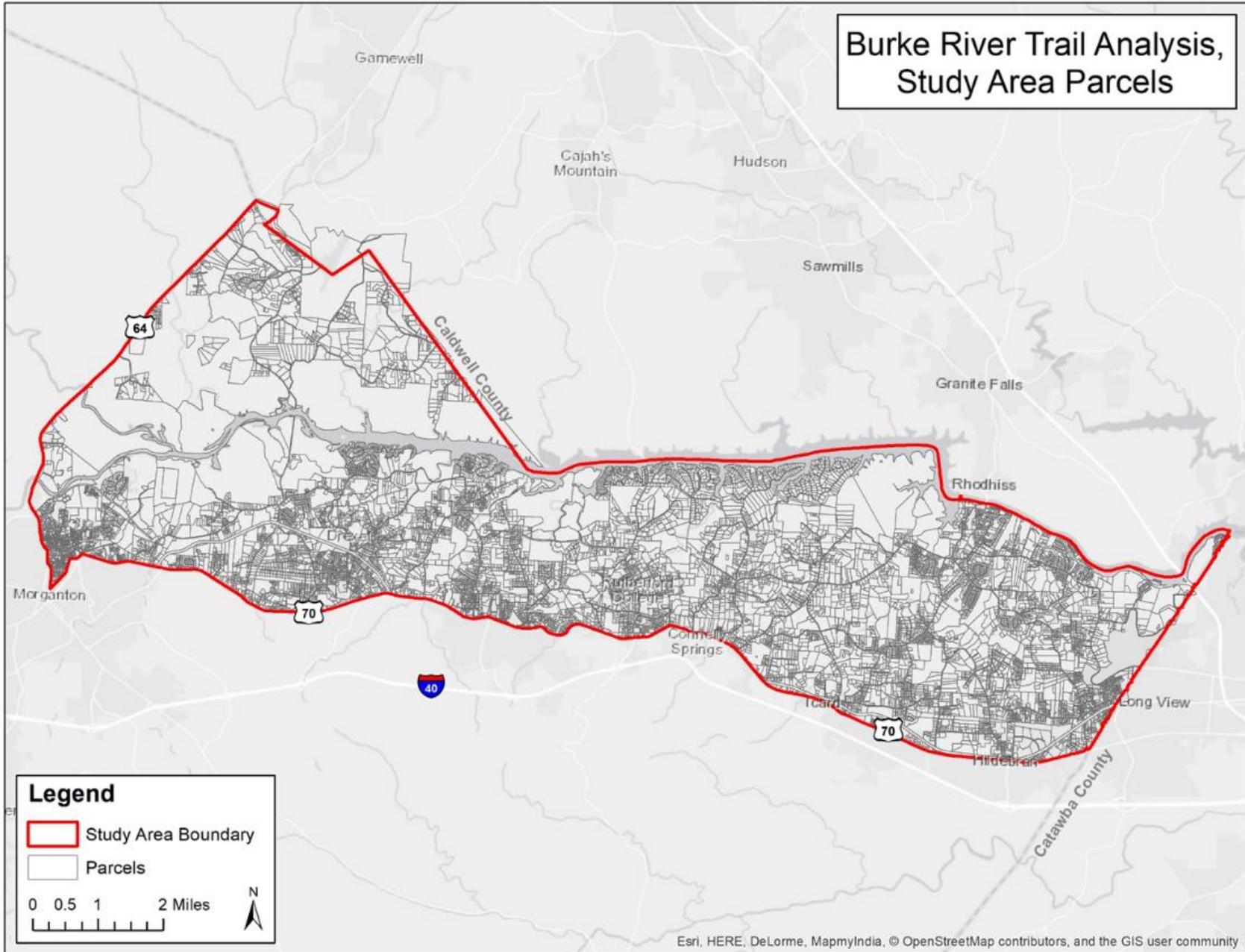


Table 3-1 Criteria and Criteria Explanations

Criteria	Criteria Explanation
Managed Areas	Managed areas are private and public lands that include local parks, registered heritage areas, conservation easements; are located within a historic preservation boundary, or are owned by the State, Burke County, or any of the municipalities within. Parcels received points based on proximity to managed areas.
Land Size	Land size is the total size of a parcel in acres. Parcels received points based on their acreage. The larger the parcel, the more points received.
River and Stream Bank	River/stream banks are located alongside a river or stream. Parcels received points based on the total number of feet of the intersecting river/stream bank.
Existing Land Cover and Land Use	Land cover is the physical presence of vegetation, asphalt, water, bare ground on the Earth's surface. Land use is the function of land and how it could be used. Parcels received points based on the percentage of their woodland (deciduous forest, evergreen forest, mixed forest, etc.) composition. Parcels also received points based on whether or not they are undeveloped (agriculture, open space, park, etc.) and developed (commercial, office, residential, etc.).
Existing Walking Amenities	Existing walking amenities includes existing state trail corridors, local government greenways and walking trails.
Blueways	Blueways are waterway routes used for water recreation and transportation like canoeing, paddleboarding, and kayaking. Parcels received points based on foot length of intersecting blueways.
Existing Planned or Proposed Trails	A trail is a path or route through a forest, atop a mountain, or the countryside. Future planned and proposed trail networks like the Carolina Thread Trail and Wilderness Gateway State Trail create future recreation opportunities within the study area. Parcels received points based on the foot length of intersecting planned trails.
Rivers and Streams Access	River and Stream access points are places where people have permission to launch a canoe, kayak, or other vessels into a waterway. Potential access points can be located inside riverside parks or properties nearby a bridge across the river. Parcels received points based on their proximity to potential access points.

Table 3-2 Criteria and Weighted Scores

Criteria and Maximum Score	Points
Managed Areas (Maximum 15 Points)	
Adjacent to managed area	15
Within a half-mile of managed area	10
Within one-mile of managed area	5
More than one-mile from managed area	0
Land Size (Maximum 20 Points)	
Greater than 100 Acres	20
Between 50 and 100 Acres	10
Between 25 and 50 Acres	5
Less than 25 Acres	0
Rivers and Streams Bank (Maximum 15 Points)	
Greater than 3,000-ft. of intersecting bank	15
Between 1,500-ft. and 3,000-ft. of bank	10
Less than 1,500-ft. of intersecting bank	5
No bank	0
Existing Land Cover and Land Use (Maximum 20 Points)	
Greater than 75% woodland without dwelling unit or other permanent structure	20
Greater than 75% woodland with dwelling unit or other permanent structure	15
Between 50% and 75% woodland without dwelling unit or other permanent structure	15
Between 50% and 75% woodland with dwelling unit or other permanent structure	10
Between 25% and 50% woodland without dwelling unit or other permanent structure	10
Between 25% and 50% woodland with dwelling unit or other permanent structure	5
Less than 25% woodland	0
Existing Walking Amenities (Maximum 15 Points)	
Greater than 500-ft. of intersecting pedestrian facilities	15
Between 100-ft and 500-ft. of intersecting pedestrian facilities	10
Less than 100-ft. of intersecting pedestrian facilities	5
No pedestrian facilities	0
Existing, Planned or Proposed Trail (Maximum 15 Points)	
Intersects trail	15
Within a quarter-mile of intersecting trail	10
Within half-mile of intersecting trail	5
More than half-mile from intersecting trail	0

3.2 – PARCEL SCORING RESULTS

For the parcel scoring process, parcels could receive up to a total of 100 points. The analysis examined the 14,005 parcels within the study area that were marked as managed or unmanaged areas. WPCOG used the scoring results for 13,777 unmanaged areas for the study. The 228 managed area parcels were not included in the presentation of the results because these parcels already have some conservation protection.

Figures 3-3 through 3-12 on the following pages display the criteria visually. The final results are display on the map in figure 3-13 by showing criteria scoring results by parcel location. These scores provided the initial data to determine what the future alignment of the trail could be.

Figure 3-4 – Managed Areas Data Sources

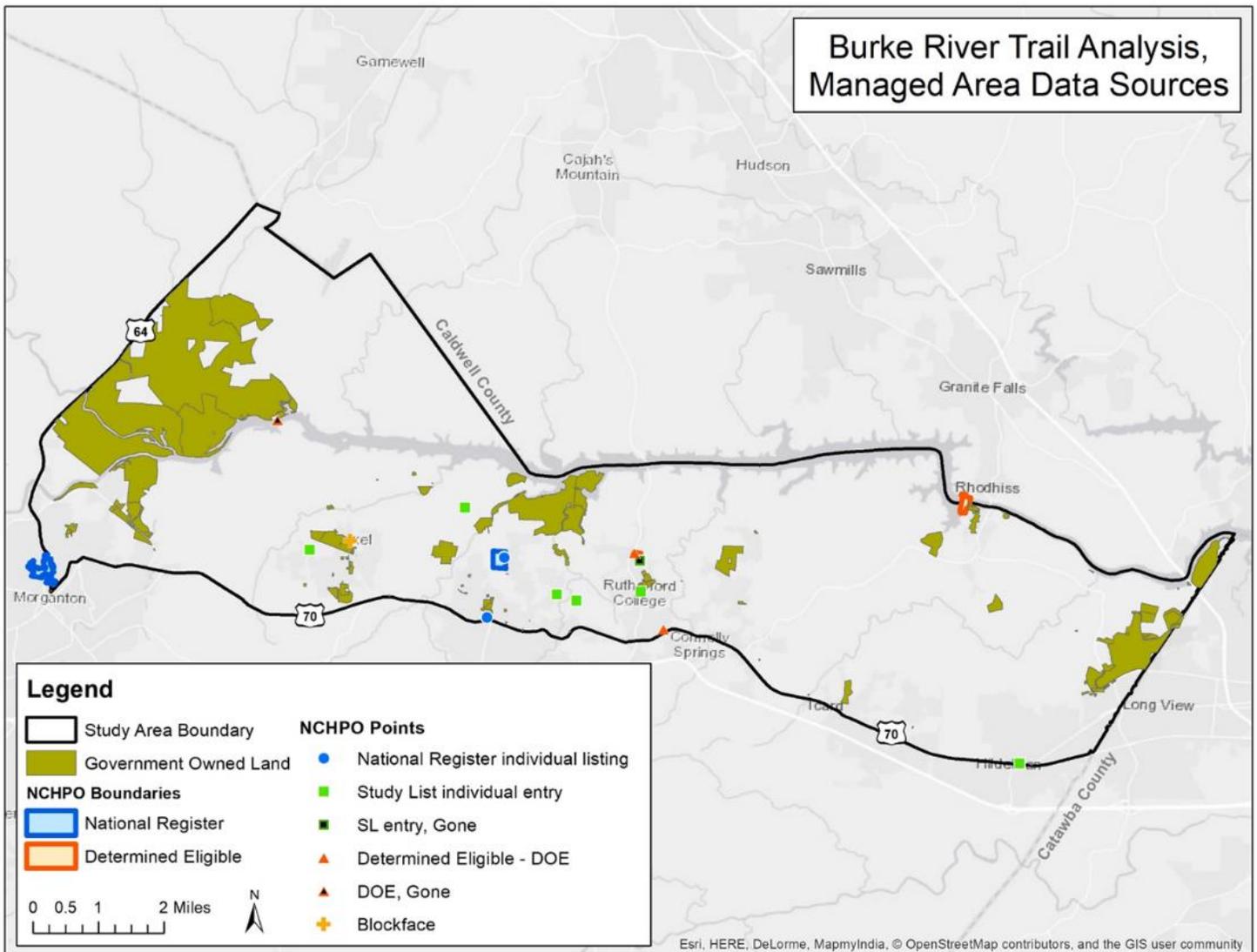


Figure 3-5 – Managed Areas Points

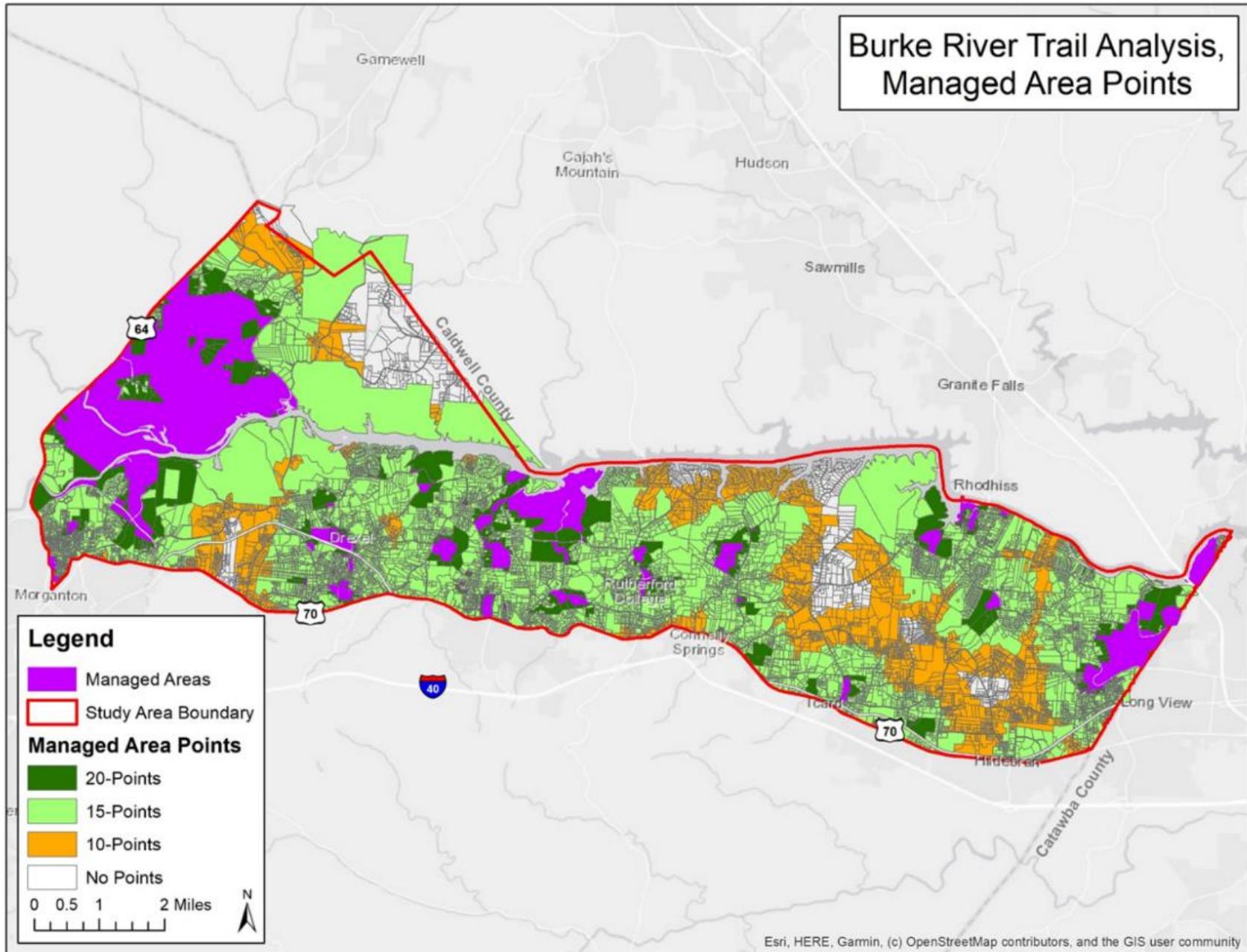


Figure 3-6 - Land Size Points

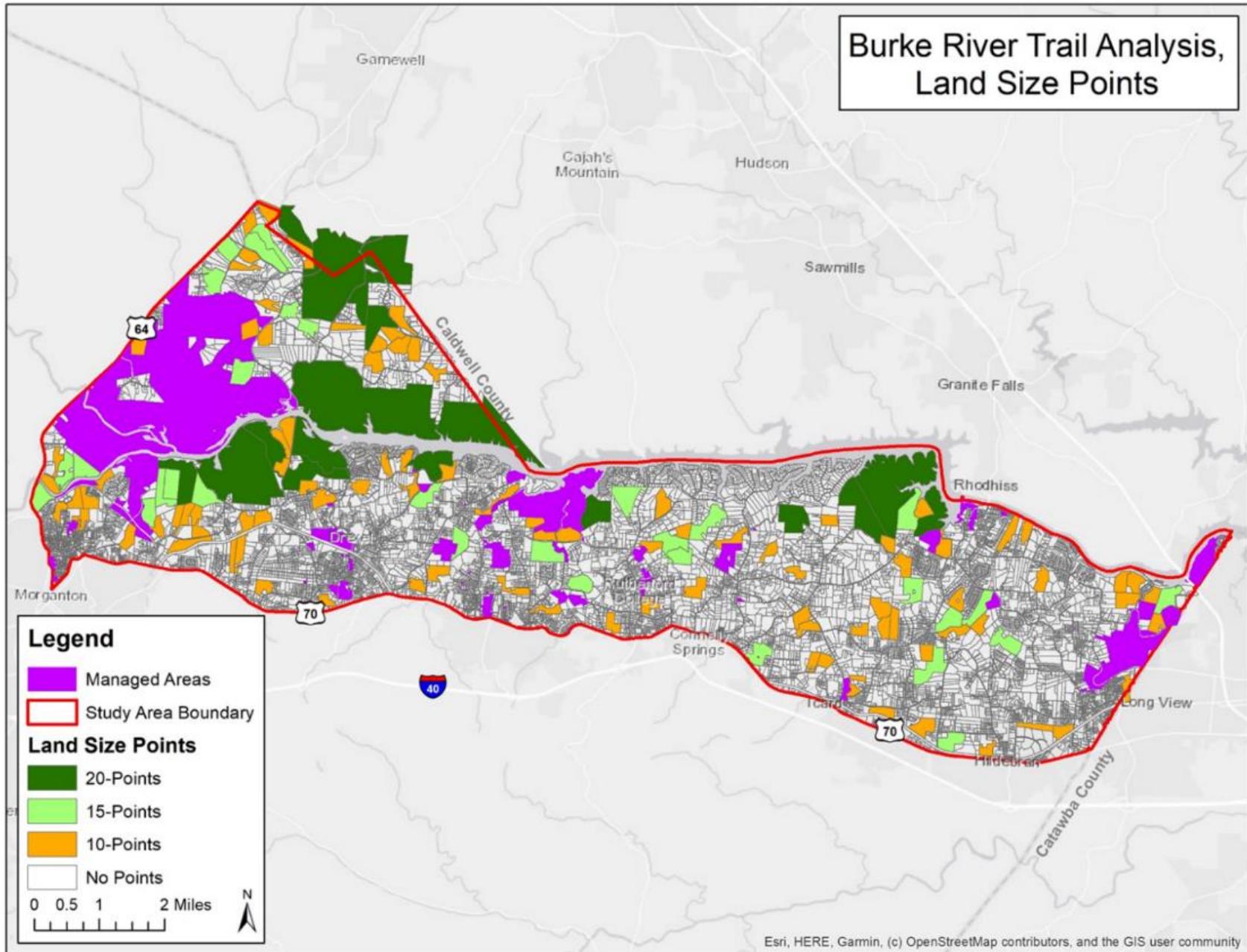


Figure 3-7 – Rivers and Streams

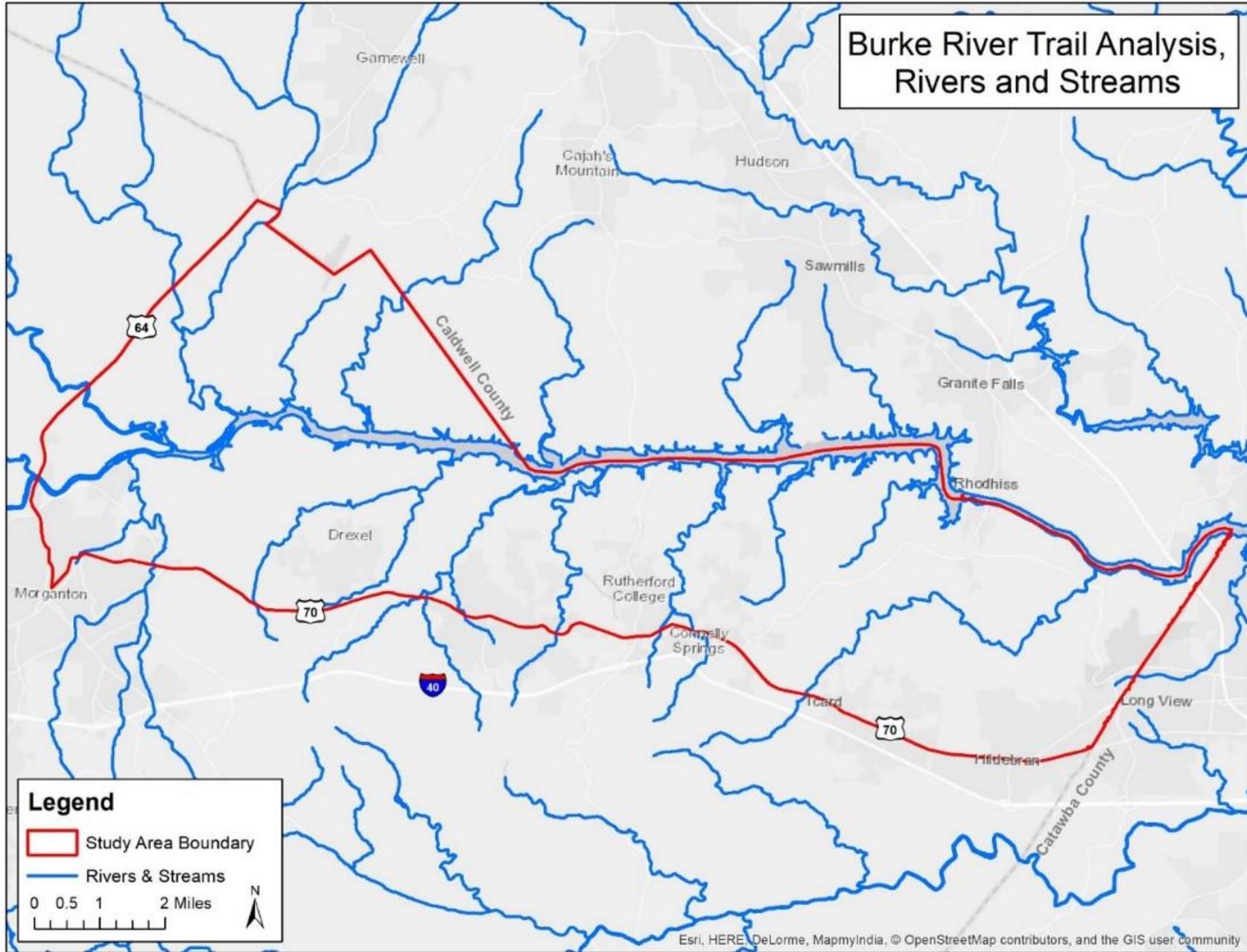


Figure 3-8 – Streams Bank Points

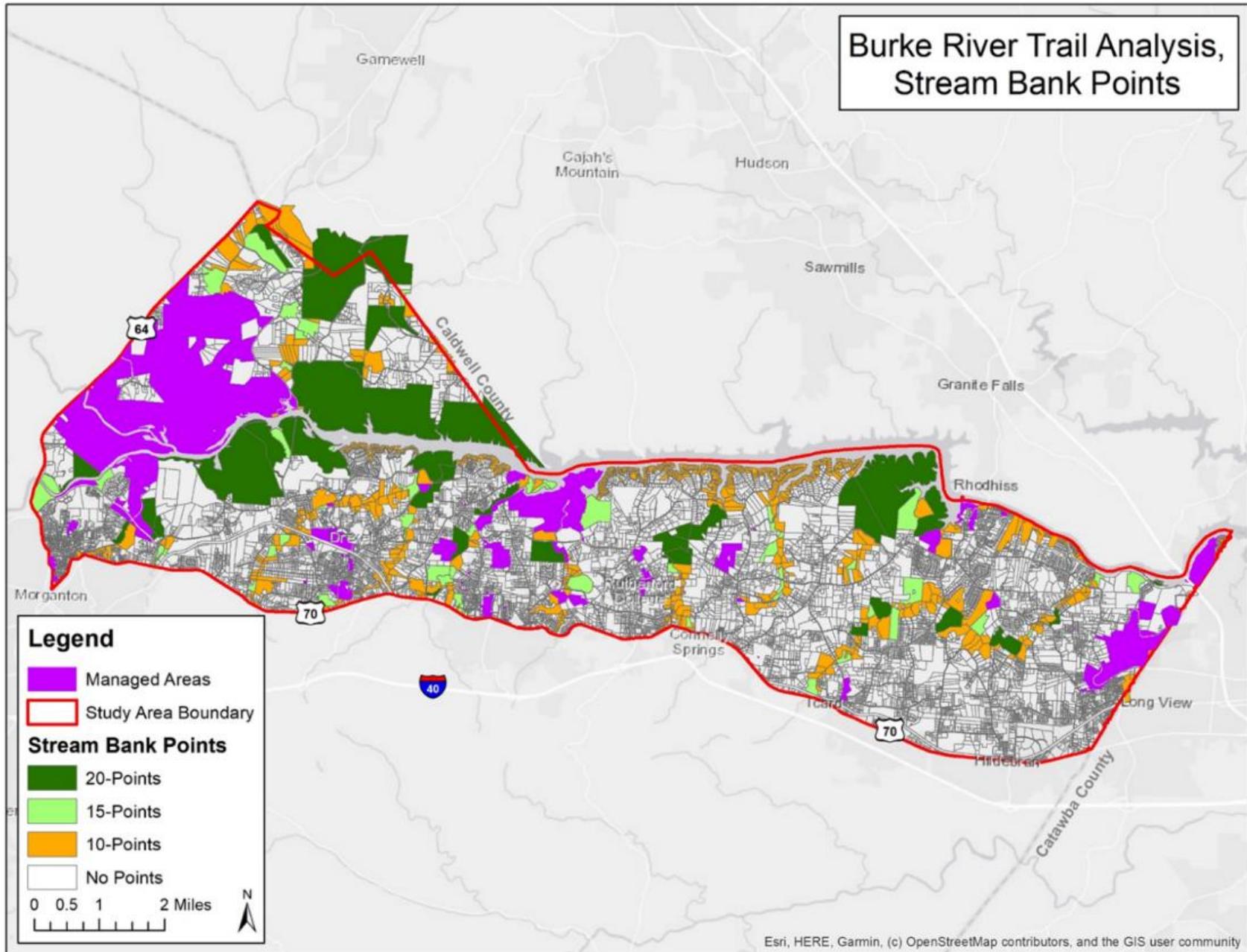


Figure 3-9 – National Land Cover Database (NCLD) 2016.

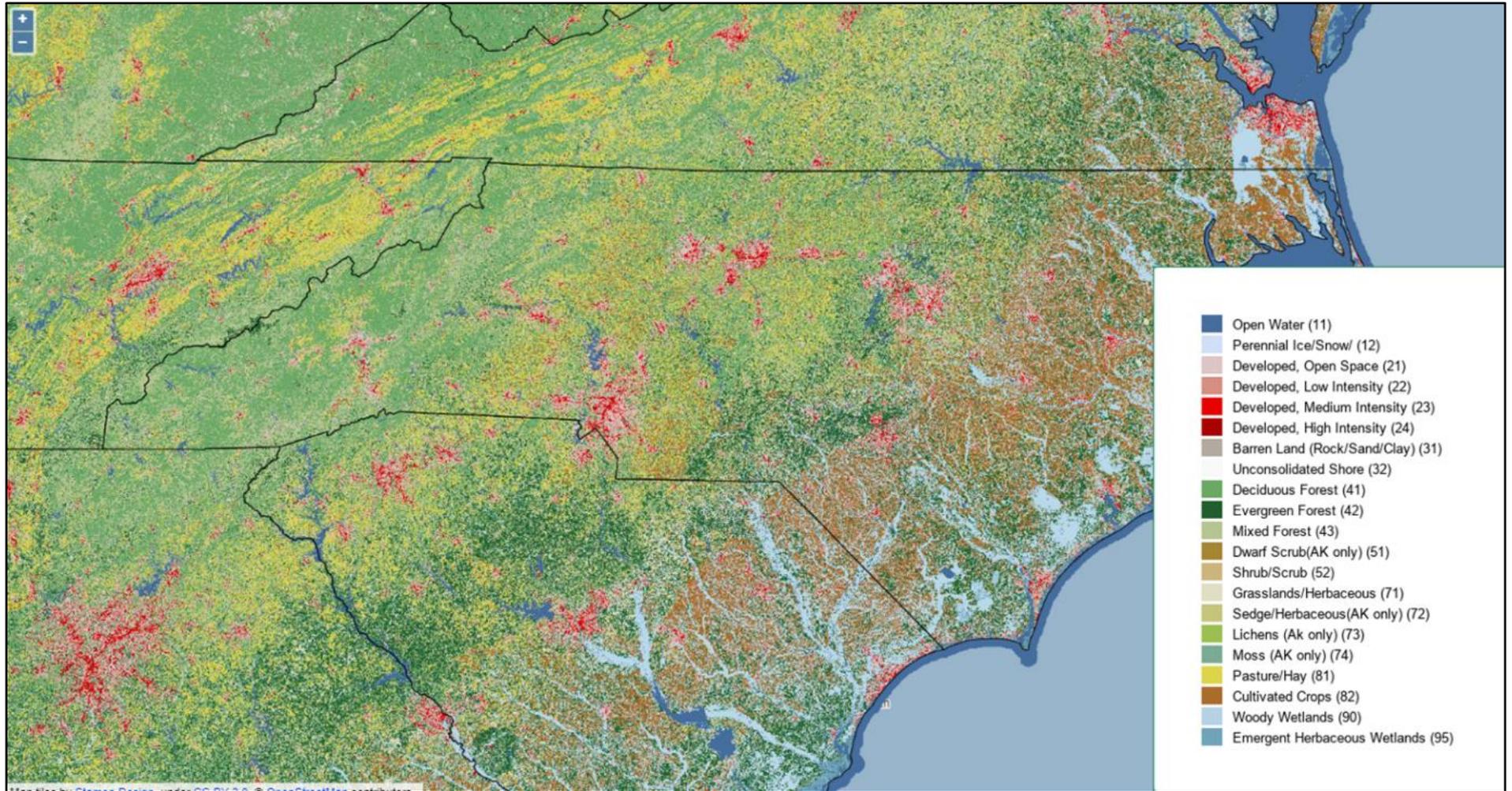


Figure 3-10 – Land Cover Points

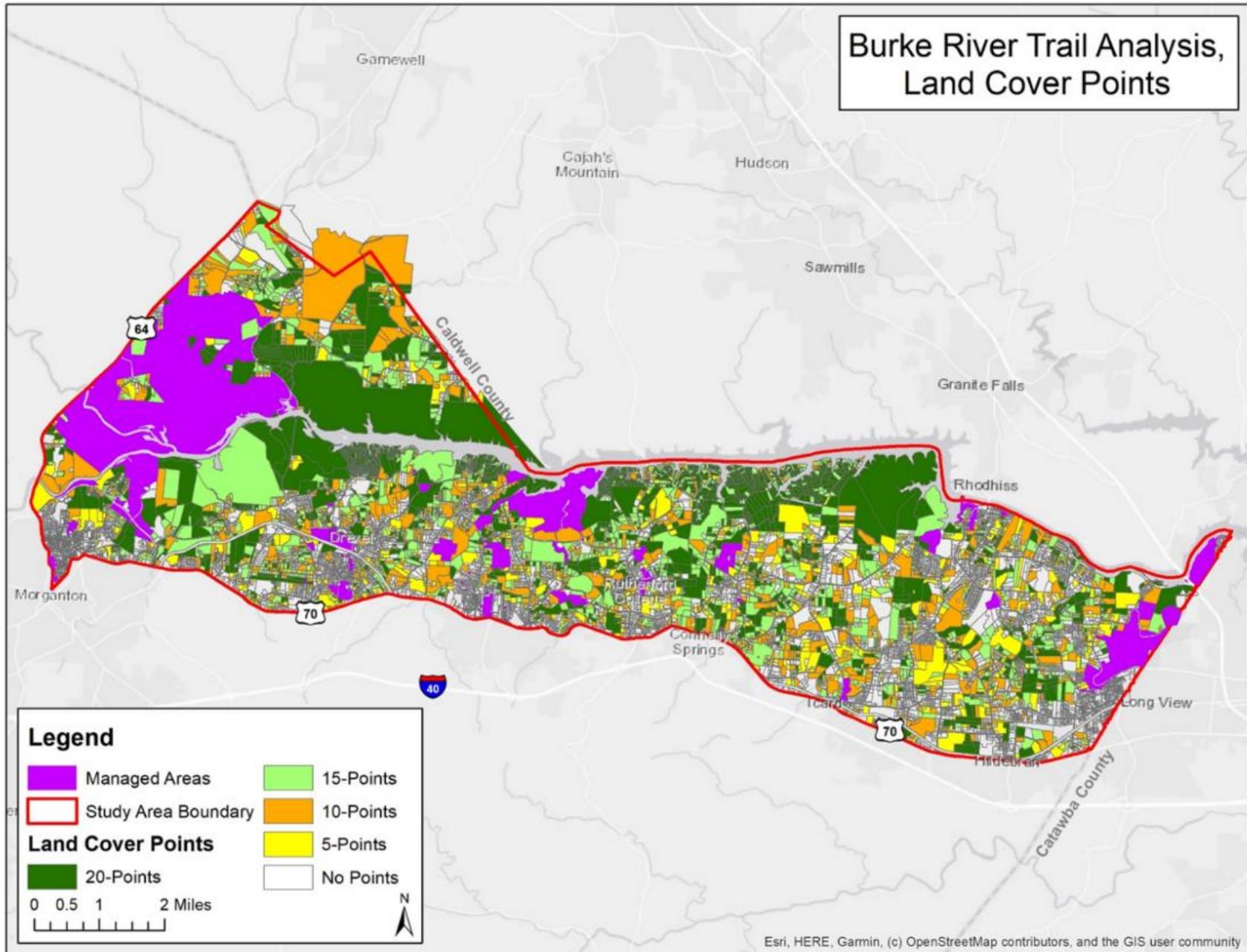


Figure 3-11 – Existing and Planned Trails

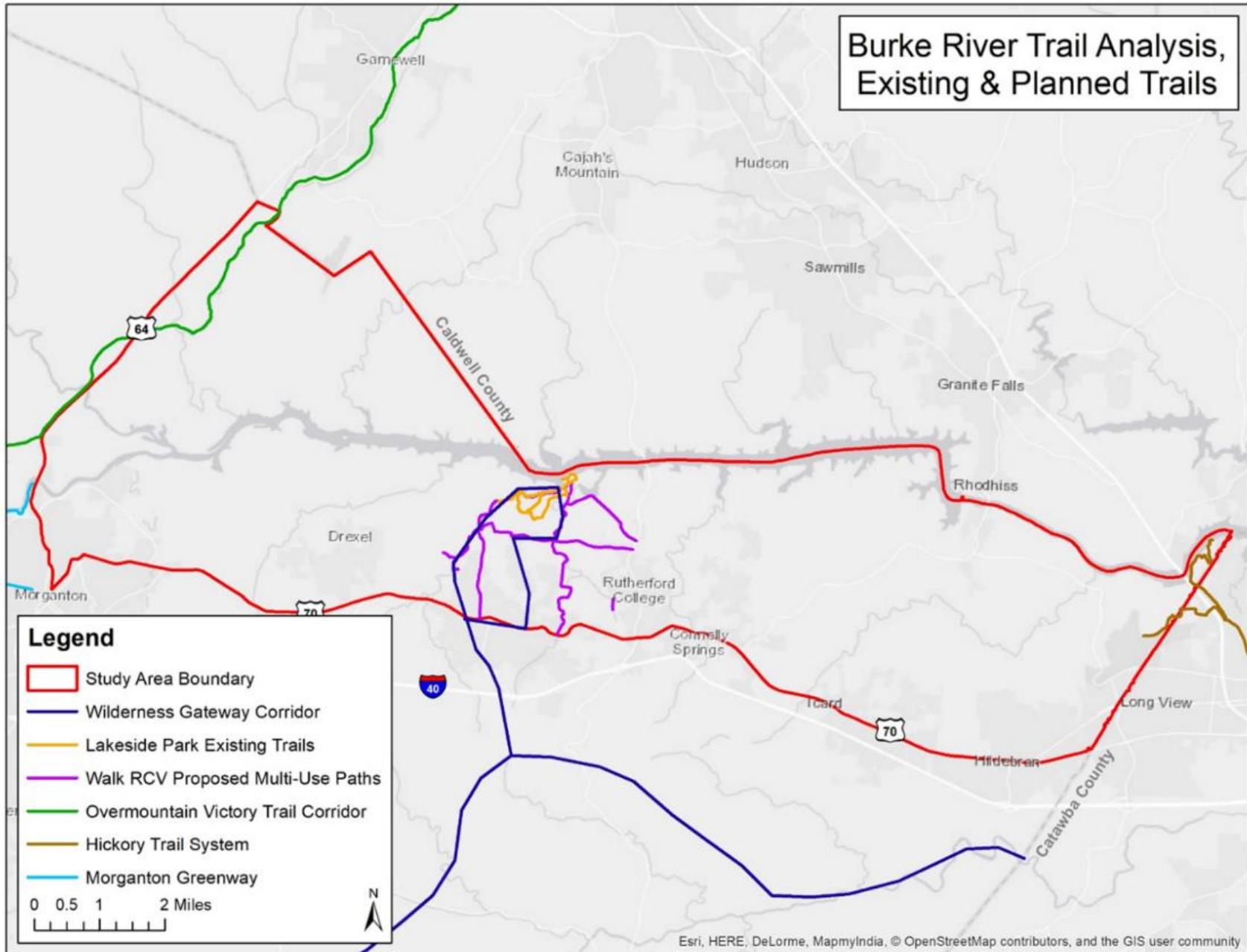


Figure 3-12 – Proximity to Trails Points

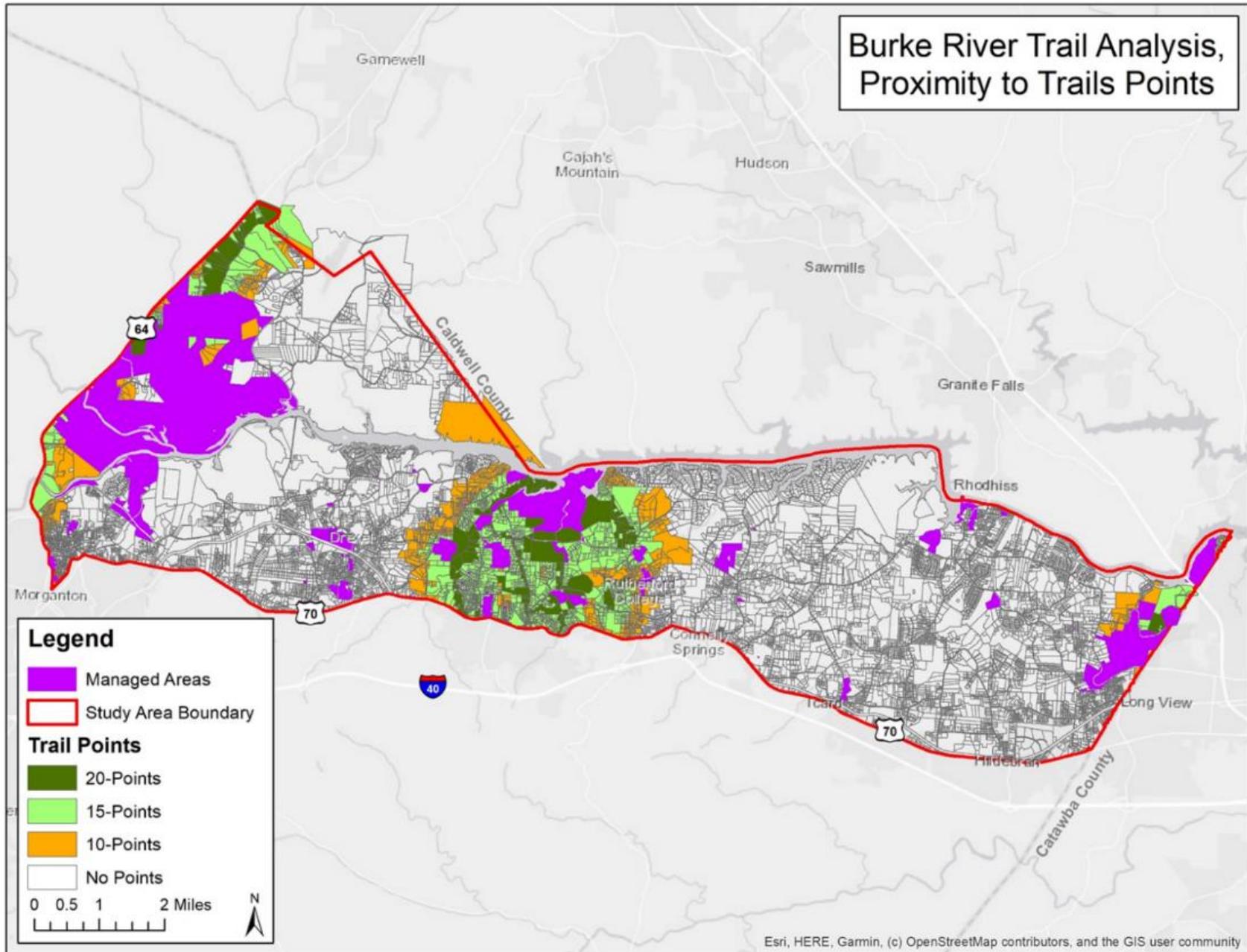
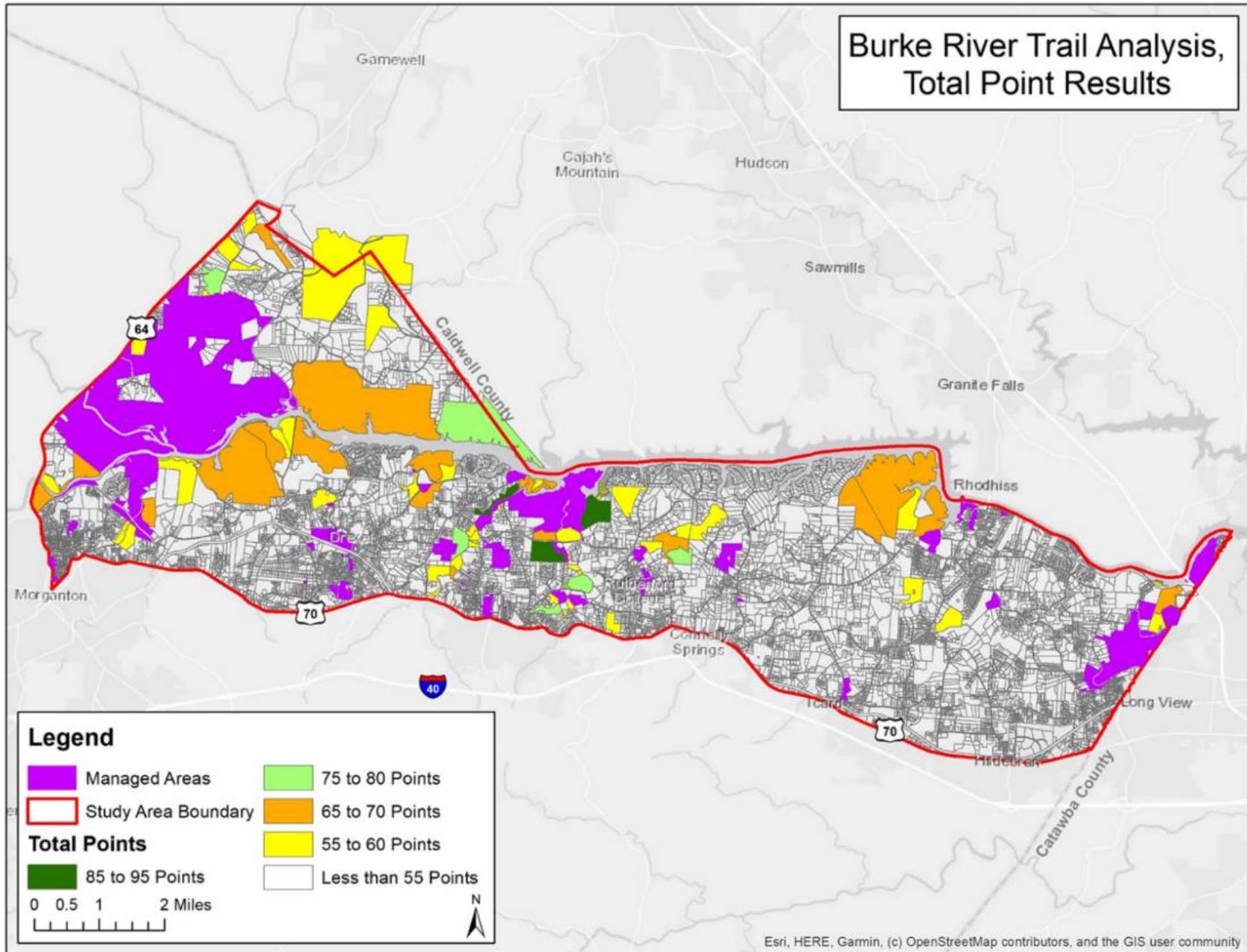


Figure 3-13 – Total Points Results



4 – TRAIL ALIGNMENT AND ALTERNATIVES FOR LOCAL GOVERNMENTS

4.1 - MORGANTON

The River Trail of Burke County's western terminus is at the Rocky Ford Parking Access in Morganton, which currently serves as a Fonta Flora State Trail trailhead. This four-mile section of the RTBC mostly follows the river.

TRAIL CONNECTIONS

Fonta Flora State Trail (4 miles paved greenway west) to RTBC – one ends and the other begins. The FFST will eventually extend to Asheville.

Hunting Creek runs to Broughton Hospital and beyond. A feasibility study has recently been completed for the Hunting Creek Greenway (providing connections to Broughton, NCSSM – Morganton, WPCC and the J. Iverson Riddle Center south of I-40. This trail could continue to the Overmountain Victory State Trail and/or the Wilderness Gateway State Trail creating loop options for hikers and bikers.

TRAILHEAD OPPORTUNITIES

City of Morganton is considering refurbishing this trailhead to include paved parking, restrooms, a picnic area, a kayak launch and other amenities.

The WPCC training center parking lot will be available [in the future](#) for public parking and access to the RTBC. The site may also include a memorial to those who died while serving as an EMT or Firefighter.

PARCELS OF INTEREST

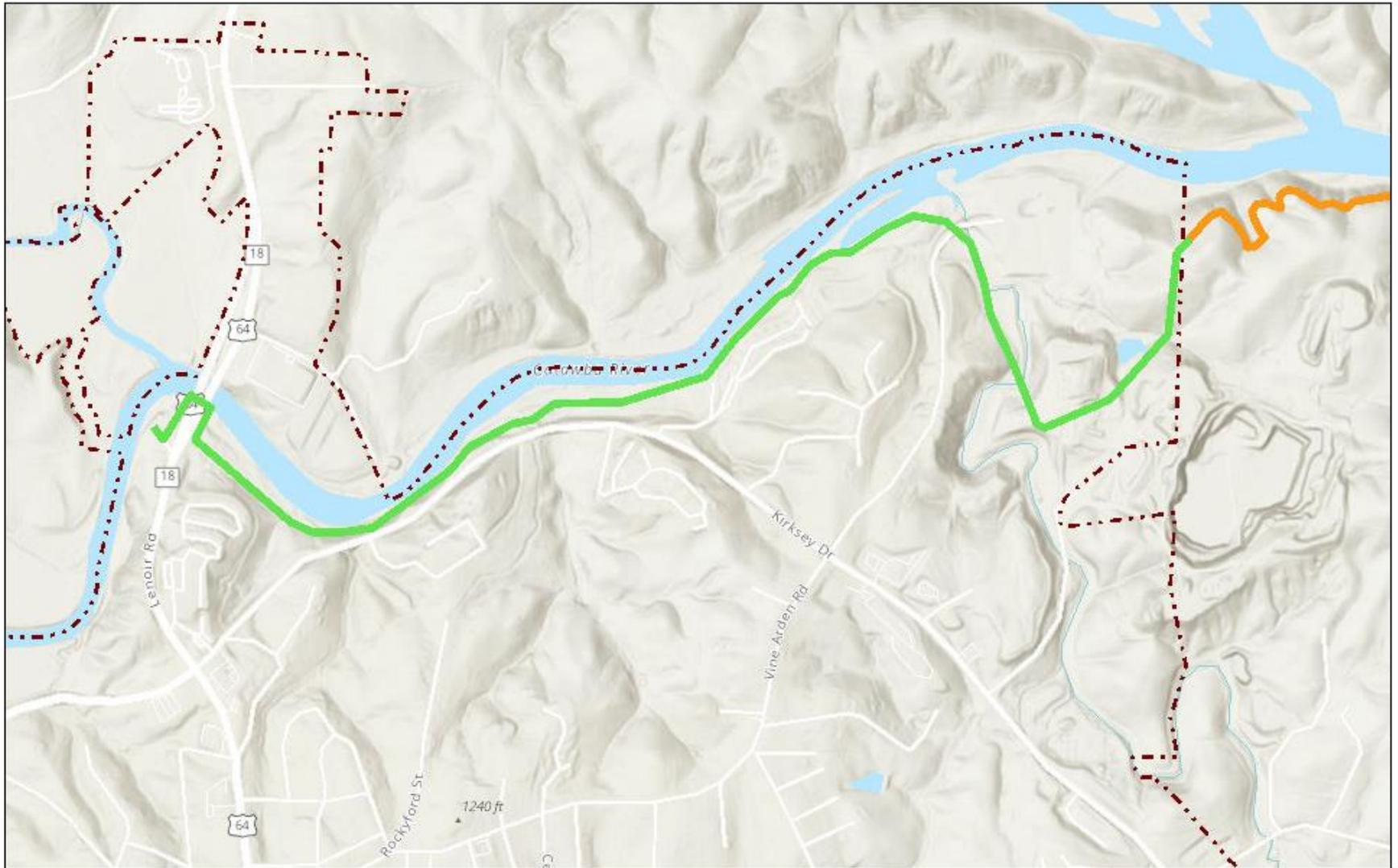
1. **Parcel 1 (0.6 miles):** Grace Ridge – This retirement community, owned by UNC Health Blue Ridge, is willing to allow the RTBC to cross their property along the river. Having access to the Morganton Greenway along a safe connection under the Hwy 64-18 (Lenior Rd) bridge would provide residents with an easier way to get exercise or go shopping. The goal for this parcel is to construct a 10-12-foot-wide ADA surface (paved or crushed cinder), but in the interim the sewer easement roadway may be walkable.

The City of Morganton will hold the trail easement for UNC Health Blue Ridge. As of this plan's writing, a Memorandum of Understanding is being drafted to allow project design work to begin.

2. **Parcels 2-3 (0.7 miles):** City of Morganton – 4-foot-wide natural surface trail will continue along the river to the Riverview Apartments.

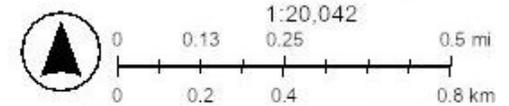
3. **Parcel 4 (0.3 miles):** Riverview Apartments, owned by a New Hampshire company and managed by Keystone, is interested in developing a Memorandum of Understanding with the city of Morganton. Keystone views the trail as a desirable amenity for residents and has provided their parcel plat to help in the planning process. The City of Morganton will hold the trail easement for the apartments. A Memorandum of Understanding is being drafted to allow project design work to begin.
4. **Parcel 5 (0.3 miles):** City of Morganton – possible future WPCC Emergency/White Water Rescue Training Center. May allow public recreational use. [The City of Morganton are in talks](#) with WPCC regarding trail design.
5. **Parcel 6 (1 mile):** City of Morganton – Wastewater Plant and Skeet Range. For safety from chemicals used at the water plant and flyer bullets used at the skeet range, this trail would deviate to the south in this area and follow Hunting Creek Greenway. The trail would then return to the river before the next parcel.
6. **Parcel 7 (0.7 miles):** Vulcan has expressed excitement about the RTBC. A potential route has been walked and mapped and is being discussed. Burke County will hold the trail easement and talks are taking place between the County and Vulcan.

Morganton River Trail



6/27/2023

Burke River Trail Proposed Route
— Natural Surface
— Paved Greenway
— City Limits
— County Boundary
— World Hillshade



Esri, NASA, NGA, USGS, FEMA, State of North Carolina DOT, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS.

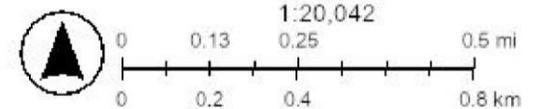
Morganton Parcels



6/23/2023

- Burke River Trail Proposed Route
- Natural Surface
- Paved Greenway
- Burke Parcels
- World Imagery
- Low Resolution 15m Imagery

- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations



NC CGIA, Maxar, State of North Carolina DOT, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US



Morganton Greenway

4.2 - DREXEL

The Drexel section of the RTBC begins at the eastern boundary line of the Vulcan property in Morganton and extends to downtown Drexel. The east side of this trail section will be located along Secrets Creek, which later turns into Howard Creek (Prost Creek near the River). Only a short section of the trail will be in the Town of Drexel's jurisdiction. Other parts of the trail will be located in Burke County and the Town of Valdese.

TRAIL CONNECTIONS

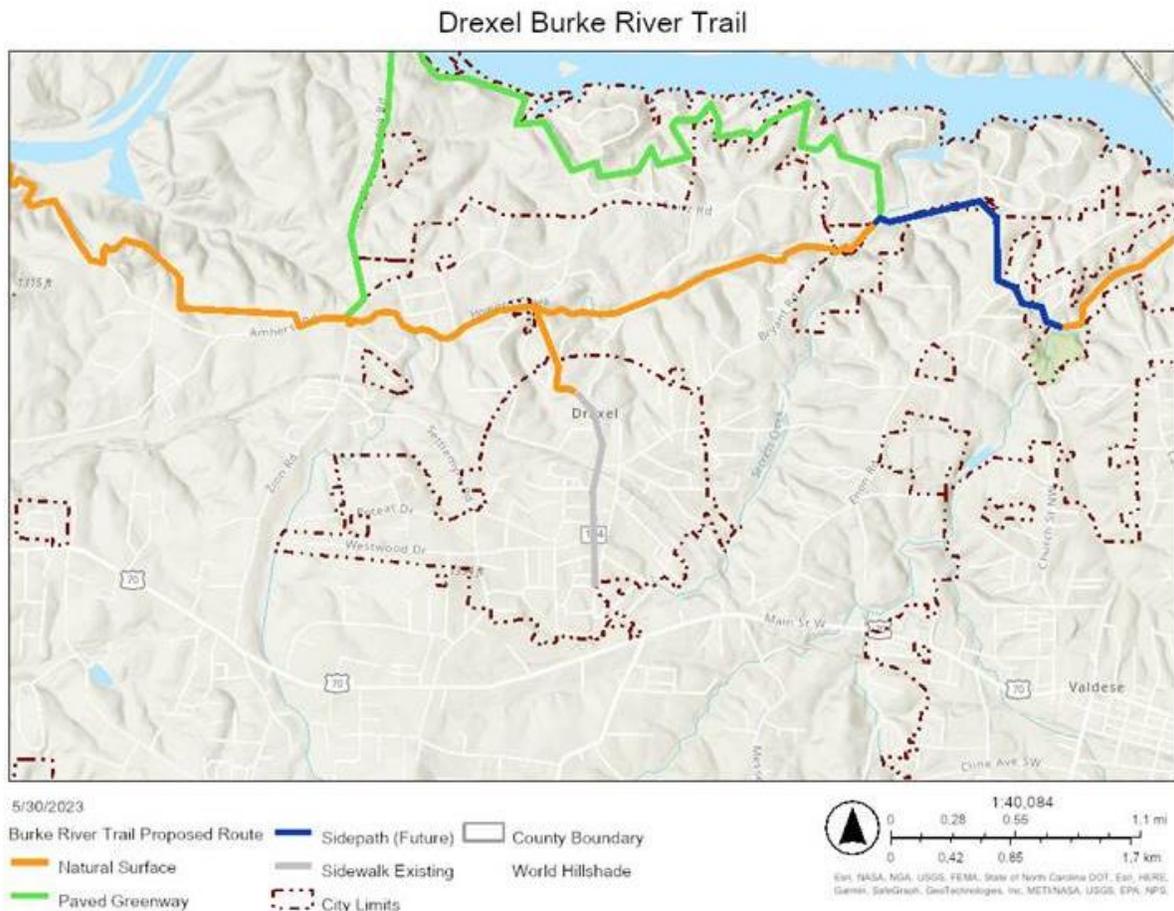
Wilderness Gateway State Trail east of Hallyburton Academy

TRAILHEAD OPPORTUNITIES

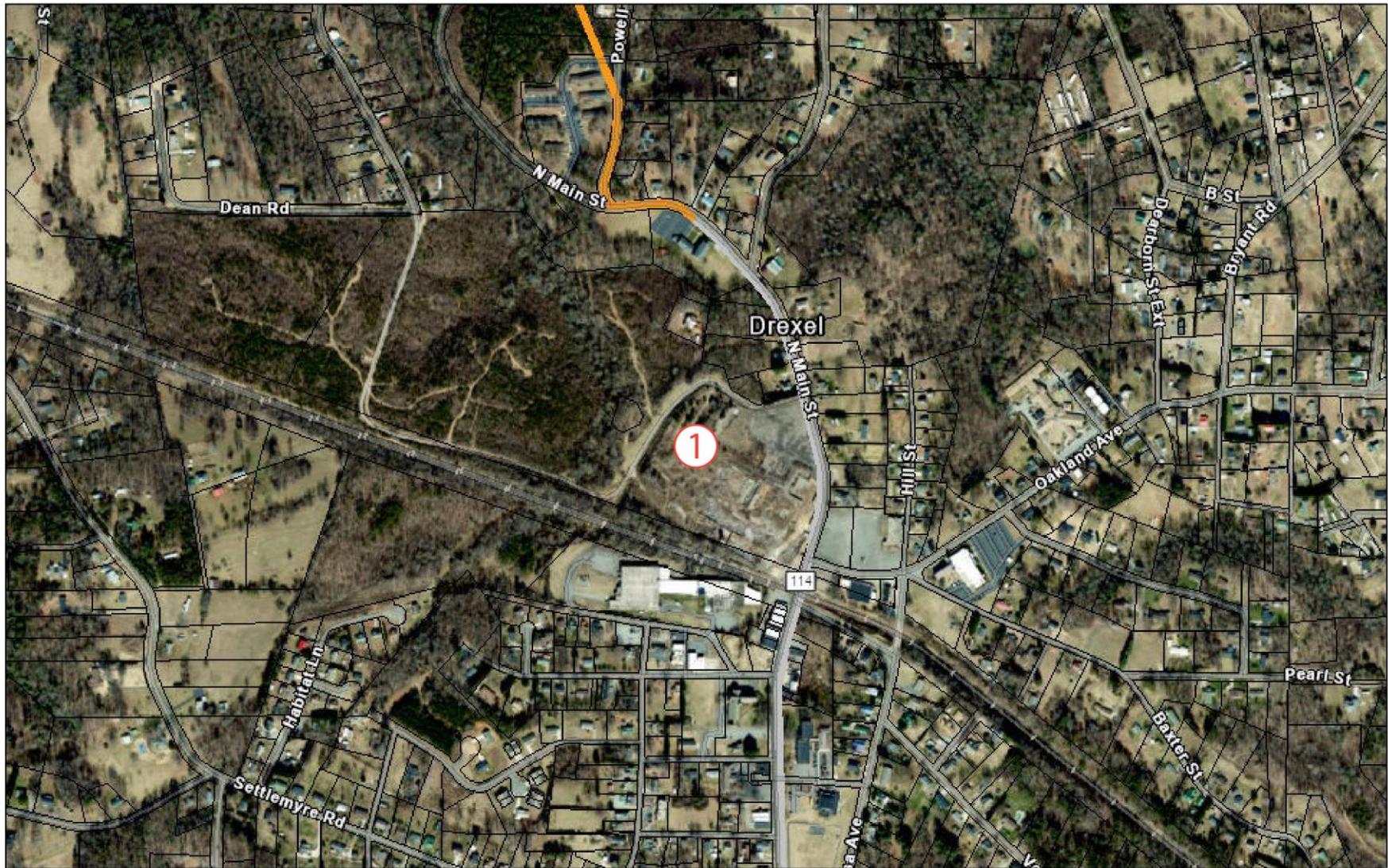
Downtown Drexel Park and the R.O. Huffman Center

PARCELS OF INTEREST

1. A new opportunity exists at the Drexel Heritage Redevelopment Site for a business park with a trail. In meetings with town officials, staff and the community have mentioned the same key locations along Drexel's Main Street that should be connected to the Redevelopment Site's trail: the Drexel Barbershop (a gathering place for bluegrass musicians), Downtown Park, and the R.O. Huffman Center (which has a playground and an indoor recreation center).
2. The potential also exists for developing a future walking loop trail connecting the R.O. Huffman Center, picnic shelter, Boy Scout hut, elementary school, and community fairgrounds.



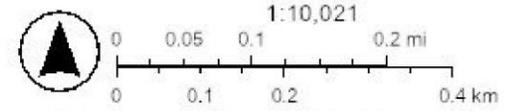
Drexel Parcels



6/23/2023

- Burke River Trail Proposed Route Burke Parcels
- Natural Surface World Imagery
- Sidewalk Existing Low Resolution 15m Imagery

- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations



Esri Community Maps Contributors, State of North Carolina DOT, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS

4.3 - VALDESE

The Valdese Greenway is the first completed section of the RTBC, and is a key centerpiece for establishing trail connections to Drexel and Rutherford College. Extending from McGalliard Falls Park to Valdese Lakeside Park, this 2-mile greenway is a mix of crushed cinder and grass.

Potential trail routes from the west to McGalliard Falls Park are being studied. Much of the property along the river in this section is within the Town of Valdese's planning jurisdiction. Some of the parcels in this area have been developed into waterfront homes, while others have remain undeveloped but are subdivided for future residential development.

COMPLETED TRAIL

There are 2 miles of completed trail in this section (two miles of ADA compliant crushed cinder. A 155-foot suspension bridge is located on the trail.

TRAILHEADS

Trailheads are located on each end of this trail. The McGalliard Falls Park trailhead has parking, restrooms, a picnic shelter. The Valdese Lakeside Park trailhead has parking, restrooms, picnic tables, a dog park, and an overlook.

TRAIL CONNECTION

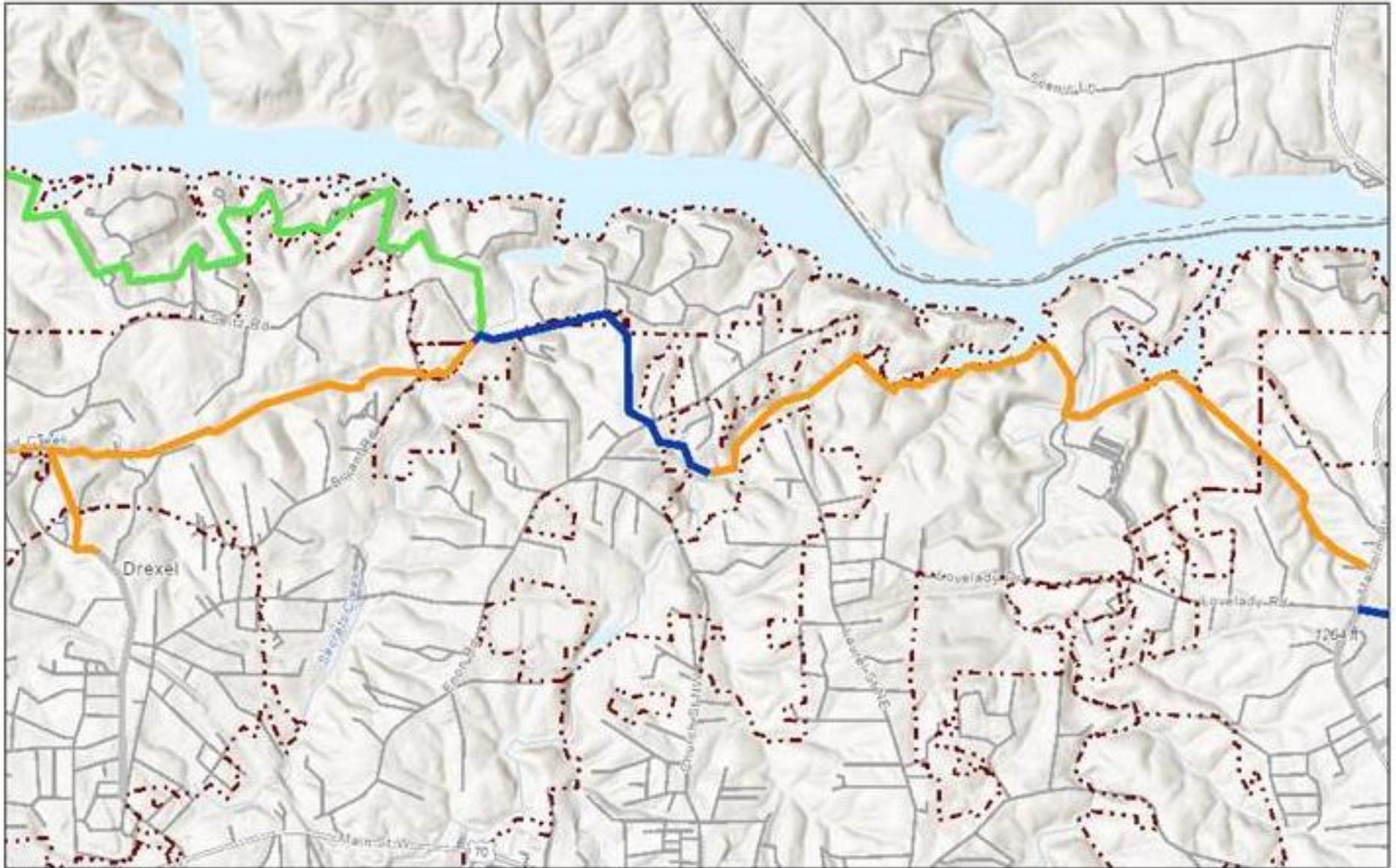
The Wilderness Gateway State Trail (WGST - a planned trail linking Bakers Mountain to South Mountains and Chimney Rock) is co-located with RTBC along the Valdese Greenway. The planned WGST will provide a future connection to downtown Valdese.

Using regional and state trails, there is an opportunity for the development of a larger loop trail in this area. The WGST has a planned connection to Valdese Lakeside Park. This connection would create a loop route between Hildebran, Henry Mill Village, the South Mountains, and Valdese. Developing a larger loop trail is a compelling possibility because loop trails are highly sought-after by outdoor enthusiasts seeking multi-day or weeklong experiences.

PARCELS OF INTEREST

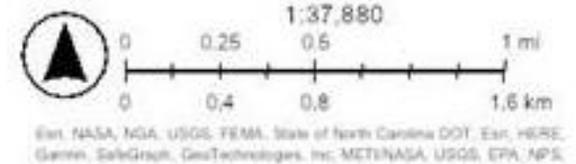
1. **Burke County Public Schools Parcel (0.5 miles):** An opportunity exists to develop a cross country running course and outdoor classroom on this parcel. Burke County Public Schools has approved a trail easement, which will be held by the Town of Valdese. The trail route has been built by the Natural Land Alliance.
2. **Natural Land Alliance (0.5 miles):** - A private developer has proposed a new subdivision on this parcel that would include 240 new market rate units - single-family detached homes, town homes and patio homes. Upon completion, this development would result in \$62M in new revenue for the Town (based on \$250K per unit). The developer believes that a regional trail will be valued by new residents.

Valdese Burke River Trail



6/5/2023

- Burke River Trail Proposed Route
- Natural Surface
- Paved Greenway
- Sidepath (Future)
- Sidewalk Existing
- City Limits
- County Boundary
- World Hillshade



Valdese Parcels



6/23/2023

- Burke River Trail Proposed Route
- Natural Surface
- Sidepath (Future)
- Sidewalk Existing
- Burke Parcels
- World Imagery

- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery

- Citations
- 4.8m Resolution Metadata

1:20,042

0 0.13 0.25 0.5 mi

0 0.2 0.4 0.8 km

NC CGIA, Maxar, State of North Carolina DOT, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US

4.4 – RUTHERFORD COLLEGE

Once known for its outstanding seminary school, the Town of Rutherford College has a rich history in education and a quaint hometown feel. The Town has a new Greenway Park located next to Town Hall. Input received from the community, staff and Town Council indicates that Greenway Park and Town Hall should be designated as connection points for the RTBC. WPCOG staff obtained input by mailing letters to landowners along the proposed trail corridor, through public input meetings at Town Hall in September and April 2023, by conducting a presentation to the Rutherford College Planning Board, through individual meetings with landowners and by walking properties. These efforts have been helpful in narrowing down the possible route options for the western route of the path.

TRAIL CONNECTIONS

The RTBC will extend to Rutherford College Town Hall south along Malcolm Boulevard. Though not an official trail, future NCDOT plans call for a new sidepath extending along Malcolm Boulevard across new Castle Bridge into Caldwell County. Once in Caldwell County, trail users can access a NCWRC boat ramp and a marina with boat and cabin rentals.

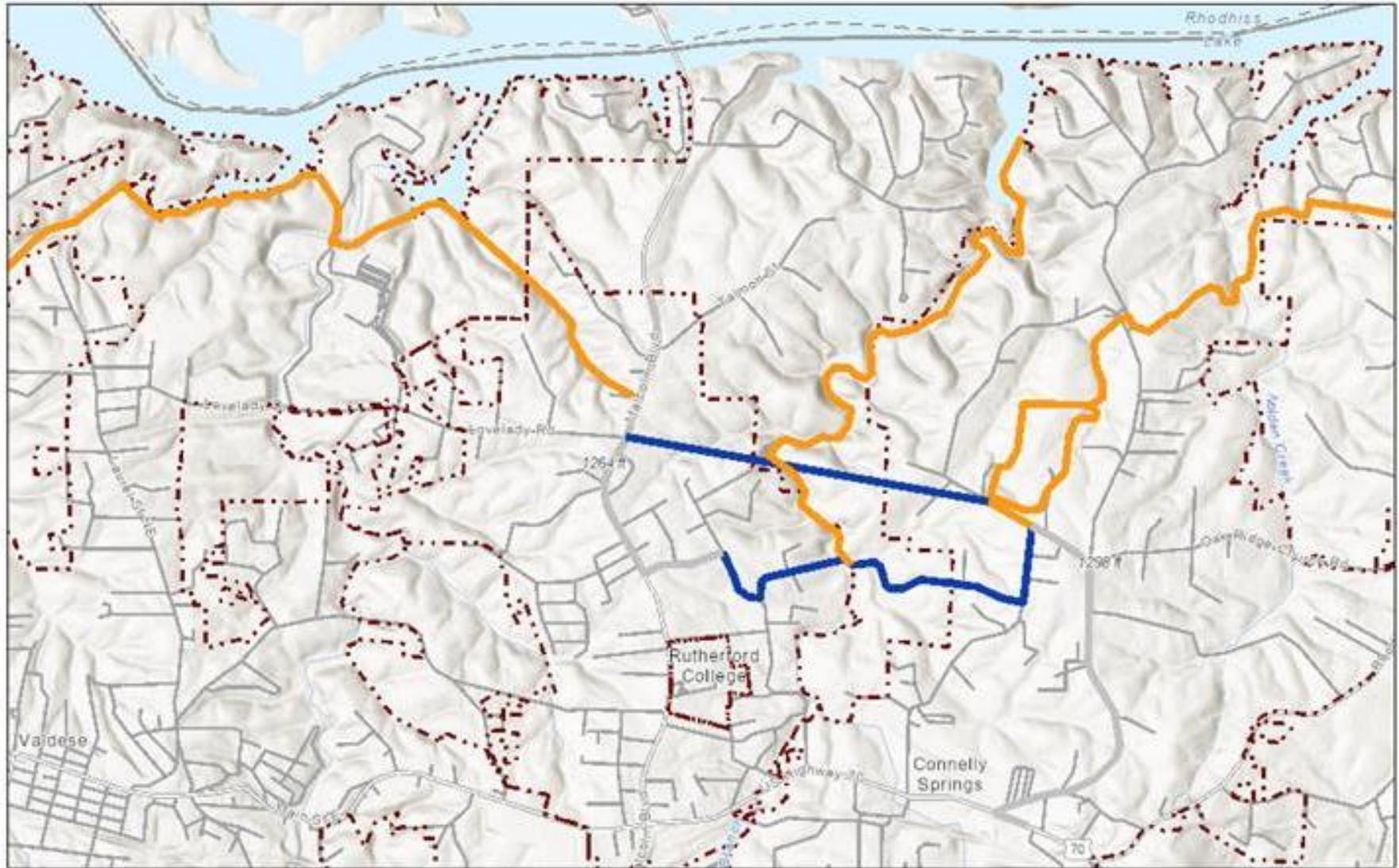
TRAILHEAD OPPORTUNITIES

Trailheads will be located at Greenway Park and in the vicinity of the Malcolm Boulevard and Lovelady Road intersection.

PARCELS OF INTEREST

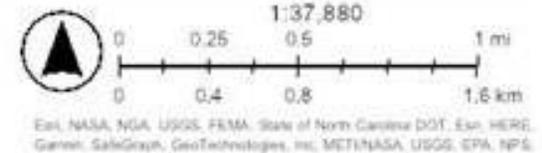
1. Though not all in Rutherford College’s jurisdiction, for this study the “Rutherford College Section” of the RTBC will start on the west with a willing 100-acre landowner close to the town’s sewer pump station. From there the goal is to extend the trail along the Rutherford College sewer easement to the Lovelady Road and Malcolm Boulevard intersection.
2. A developer with an eleven-acre parcel located between the sewer easement and Malcolm Boulevard is interested in allowing the trail to cross the property. Housing and retail are also planned for the site, as well as a possible splash park.
3. From Greenway Park the RTBC could possibly extend to the east via an existing Burke County sewer easement and Island Creek.

Rutherford College Burke River Trail

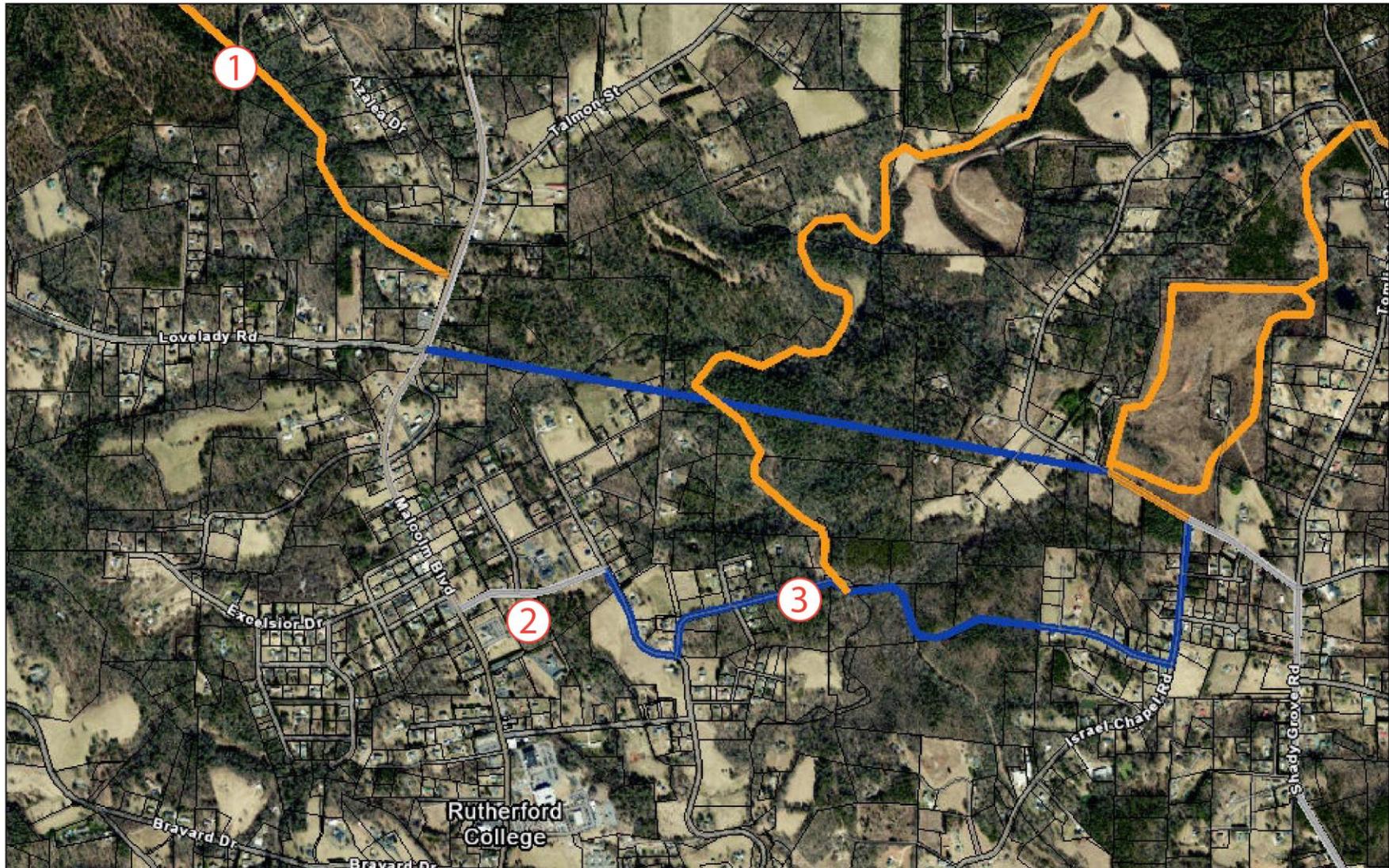


6/5/2023

- Burke River Trail Proposed Route
- Natural Surface
- Sidepath (Future)
- Sidewalk Existing
- City Limits
- County Boundary
- World Hillshade



Rutherford College Parcels



6/23/2023

- Burke River Trail Proposed Route
- Natural Surface
- Sidepath (Future)
- Sidewalk Existing
- Burke Parcels
- World Imagery

- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery

- Citations
- 4.8m Resolution Metadata



1:20,042

0 0.13 0.25 0.5 mi

0 0.2 0.4 0.8 km

NC CGIA, Maxar, State of North Carolina DOT, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US

4.5 – CONNELLY SPRINGS

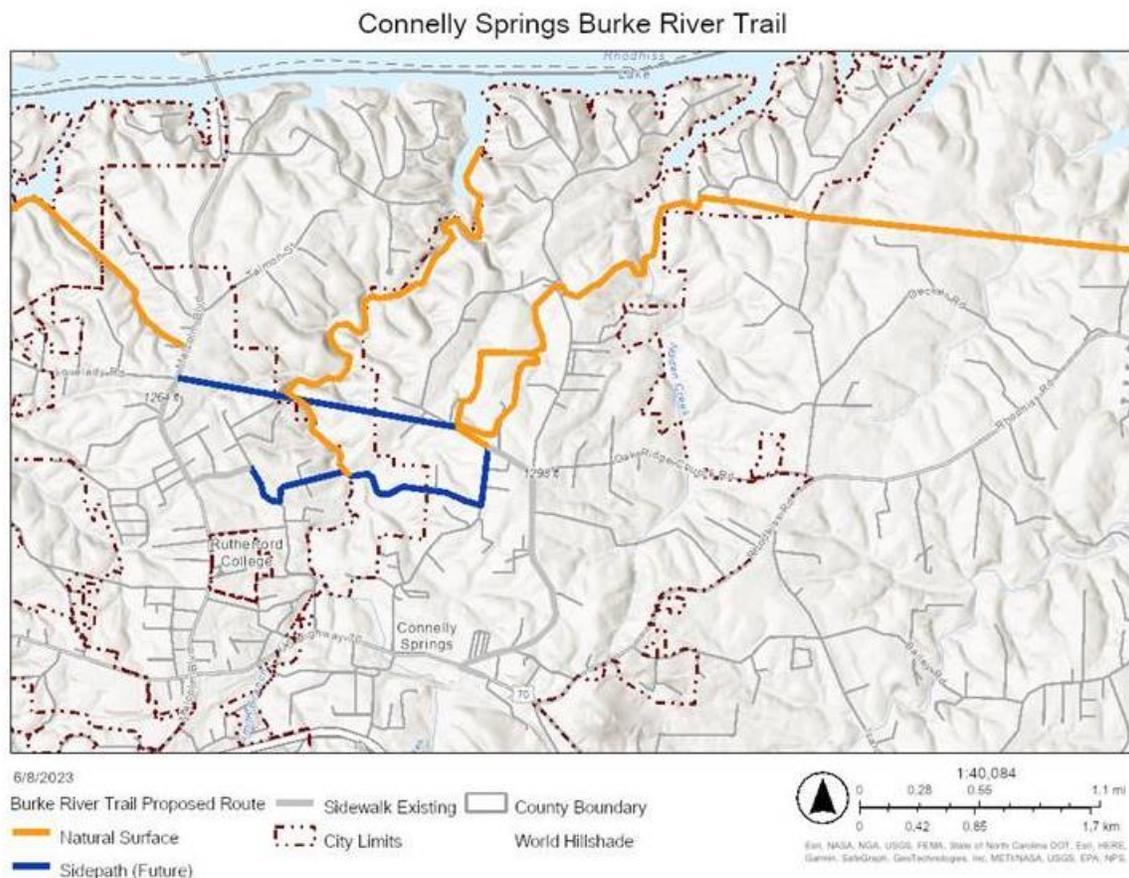
Connelly Springs is located in the center of the RTBC route. The Town has a beautiful town hall with a pavilion and event space. In addition, there is a potential 60-acre housing development with a town park that could become a central feature of the trail. Interesting facts about the the Town's are planned to be aded to informational kiosks located along the trail route.

TRAILHEAD OPPORTUNITIES

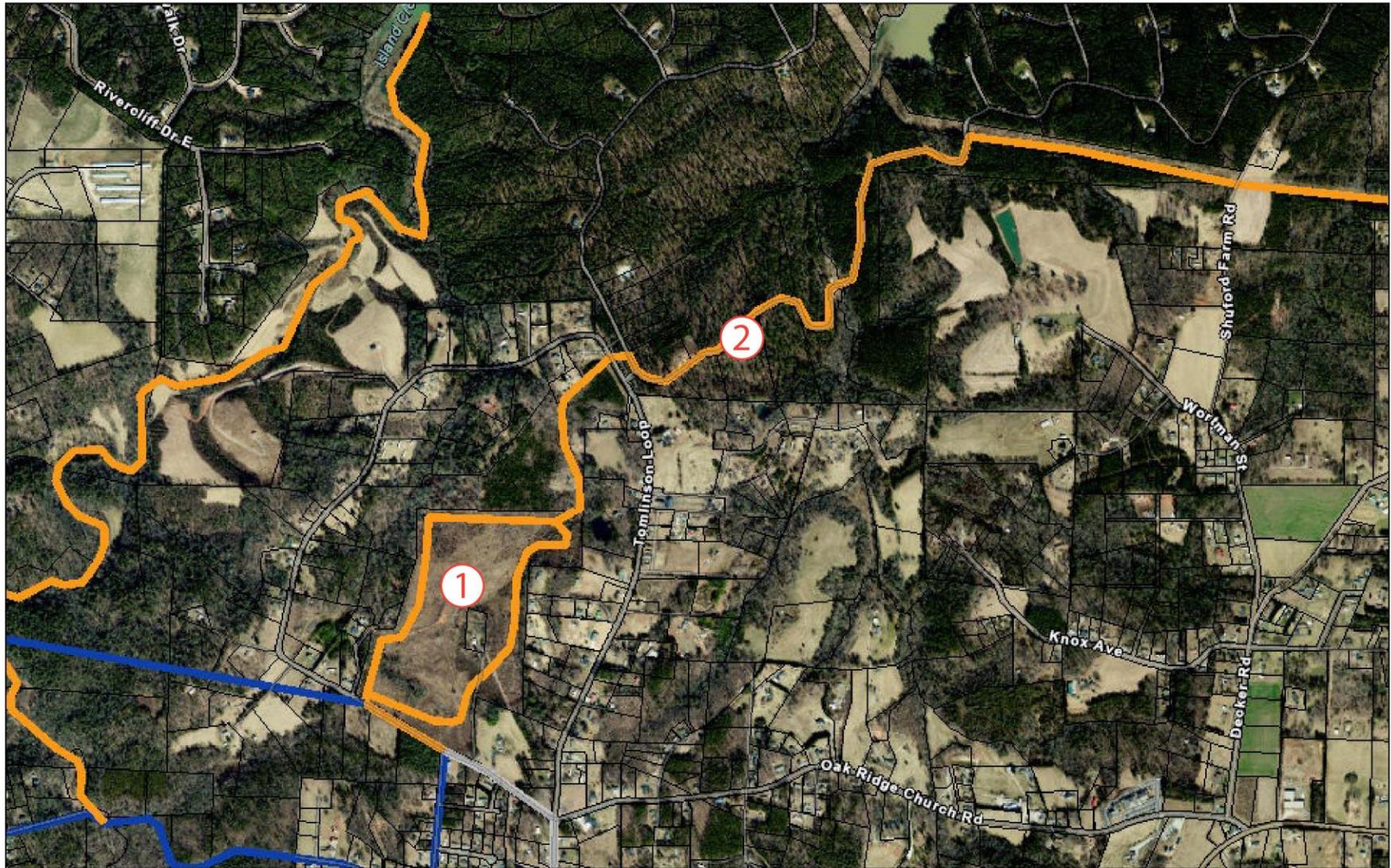
Town Hall is an obvious trailhead. The possibility of a trailhead at the future park located in the 60-acre development would result in the creation of a 1-mile trail.

PARCELS OF INTEREST

1. Town Hall is located on a key parcel because it is a major center of activity for the community. With their monthly summer concert series and other festivals throughout the year, having a trail for event attendees to enjoy would be highly beneficial. Visitors to the Veterans Memorial will also benefit from a trail to explore while visiting the site.
2. The exact trail route is being examined while plans for the housing development are finalized. Potential trail routes include Lail Creek from the west and Nolden Creek or Rhodhiss Road and Jumping Run Creek to the east. The Town is also considering building a possible addition to Town Hall, which may lead to increased activity there.



Connelly Springs Parcels



6/23/2023

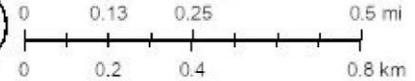
- Burke River Trail Proposed Route
- Natural Surface
- Sidepath (Future)
- Sidewalk Existing
- Burke Parcels
- World Imagery

- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery

- Citations
- 4.8m Resolution Metadata



1:20,042



NC CGIA, Maxar, State of North Carolina DOT, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US

4.6 – RHODHISS

Located both in Caldwell and Burke counties, and home to the factory that wove the material for the US flag that the astronauts erected on the first visit to the Moon in 1969 – Rhodhiss is prime for even more unique opportunities.

WPCOG staff held multiple meetings with Duke Energy and NCWRC, developers and the NC State Historic Preservation Office, Burke County, Burke Development Inc., NC Hometown Strong regarding potential trail development. A new local business and landowners along the proposed trail corridor voiced their support for the proposed trail at a public meeting.

TRAIL CONNECTIONS

Although not along the RTBC corridor, a trail crossing the Burke Street/Caldwell Drive bridge into Caldwell County is being considered. Such a connection would add to the Town's quality of life by providing a non-motorized connection to both sides of the town.

TRAILHEAD OPPORTUNITIES

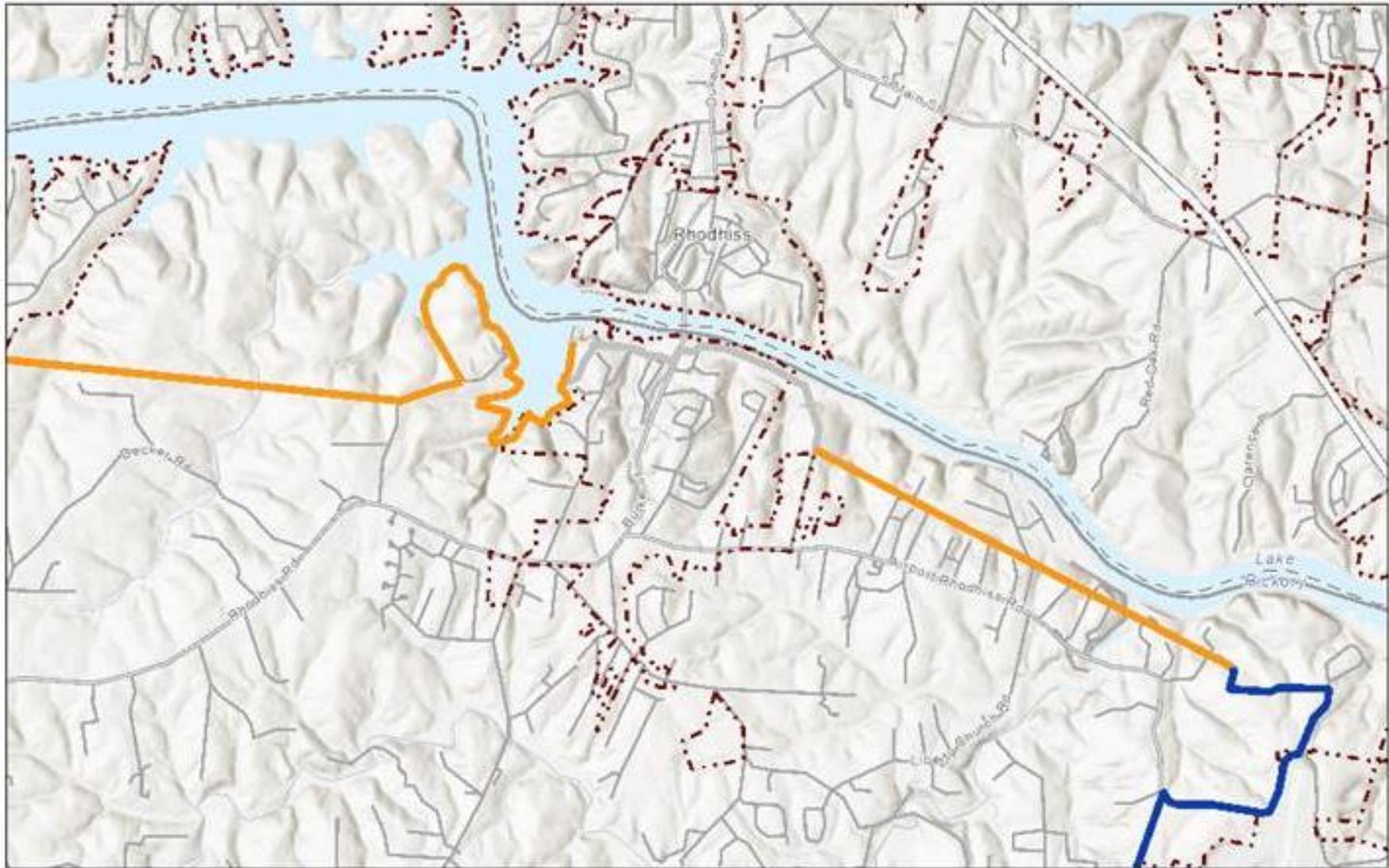
Trailheads are being considered along Rhodhiss Road at the Burke County-owned parcel. There is the existing Horseshoe Dam Park with parking. Finally, the development of the old mill building will create a town center with additional parking.

PARCELS OF INTEREST

1. With the NCWRC boat ramp on the 131-acre Duke Energy parcel adjacent to the 44-acre Burke County convenience center site (which will be closing), there is potential to create an eastern Burke County recreation site with trails, camping, picnicking and possibly an educational nature center on this parcel.
2. Additionally, the former Burlington Mills building is being evaluated by a developer for 120 market rate apartments. The RTBC would extend along a cantilevered boardwalk running between the building and the Catawba River, offering views of the river and dam.
3. Burke County holds an existing trail easement for a small section of the Lakeside Reserve neighborhood.

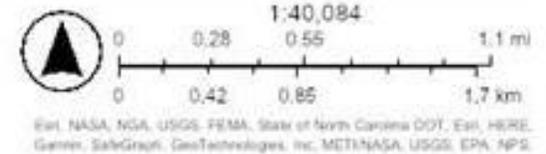
Planned connection points from the Connelly Springs section of the RTBC are the existing Burke County easement at Lakeside Reserve, Weaver Lane boat access, Horseshoe Park, and the former Burlington Mills building. East of the former Burlington Mills building, the trail route may continue along the river or start heading south to the Hickory Regional Airport.

Rhodhiss Burke River Trail



6/8/2023

- Burke River Trail Proposed Route
- Natural Surface
- Sidepath (Future)
- Sidewalk Existing
- City Limits
- County Boundary
- World Hillshade



Rhodhiss Parcels



6/23/2023

- Burke River Trail Proposed Route
- Natural Surface
- Sidewalk Existing
- Burke Parcels
- World Imagery
- Low Resolution 15m Imagery

- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations

1:20,042

0 0.13 0.25 0.5 mi
0 0.2 0.4 0.8 km

NC CGIA, Maxar, State of North Carolina DOT, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US

4.7 – LONG VIEW

The Long View Recreation Center is a central hub located along the proposed RTBC. The trail's objective is to reach all eastern Burke County municipalities. To achieve this, the trail will extend from Rhodhiss into Long View and continue to Hildebran.

TRAIL CONNECTIONS

In the Long View area, there is an opportunity to create a larger “loop trail” experience. The Wilderness Gateway State Trail (WGST – a planned trail that would connect Bakers Mountain to the South Mountains and Chimney Rock) will extend into Hildebran, which would provide a connection to Long View via the RTBC. With a WGST connection in Valdese, a loop would be created linking Long View, Hildebran, Henry Mill Village, the South Mountains, Valdese and back along the RTBC. Outdoor recreation enthusiasts often seek out loop trails to create multi-day experiences.

TRAILHEAD OPPORTUNITIES:

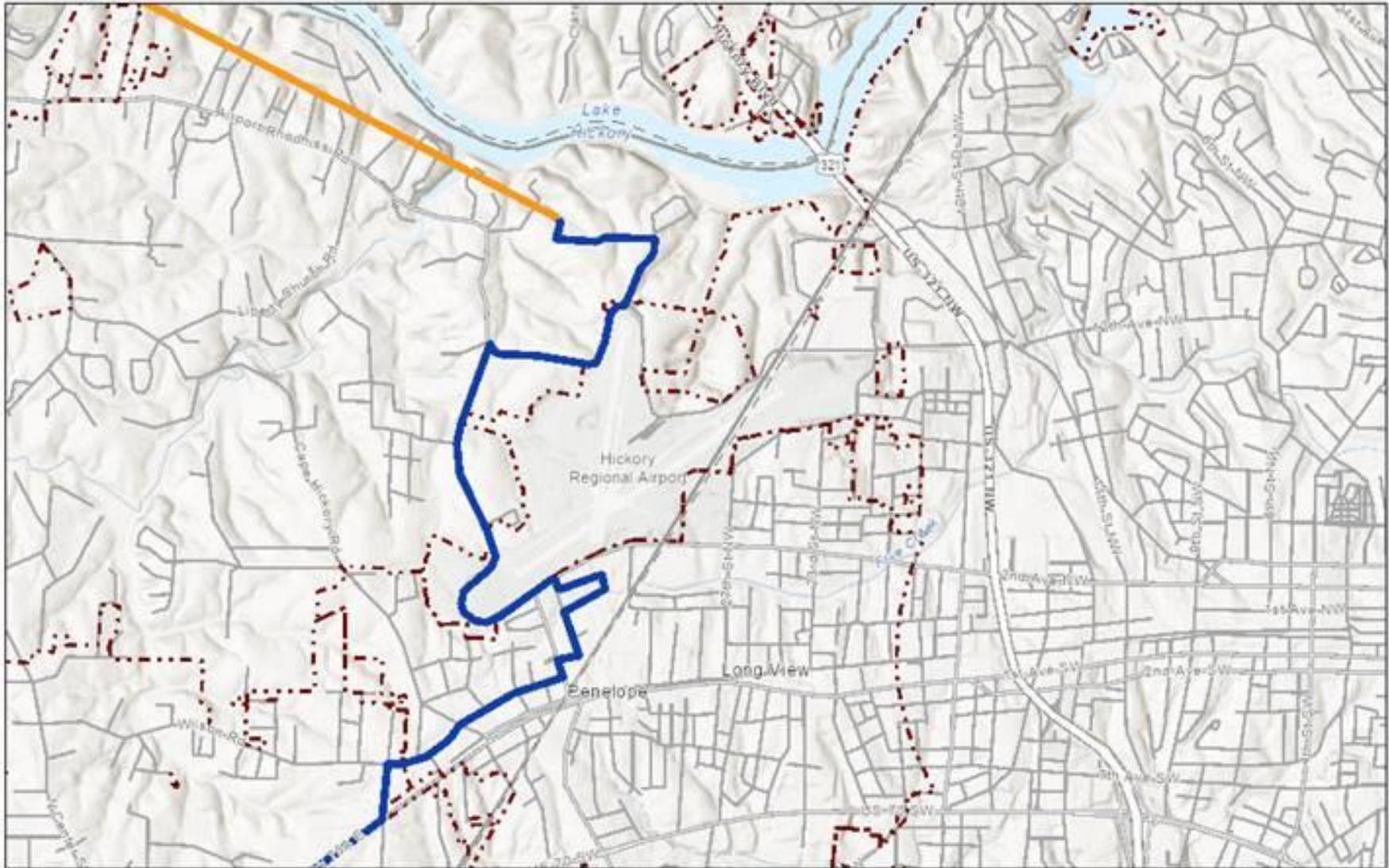
The key parcel in Long View is the Long View Recreation Center (3107 2nd Ave NW, Hickory, NC 28601). The recreation center has a large parking lot and restrooms, which could accommodate trail users and also offers a walking track, playground, picnic area, and tennis/basketball courts.

PARCELS OF INTEREST:

Keeping in mind that a “trail” is not always a path in the woods, and the need to examine practical trail alternatives given existing constraints, WPCOG staff developed a list of potential routes in Long View that could accommodate a side path (or wider sidewalk). These options include:

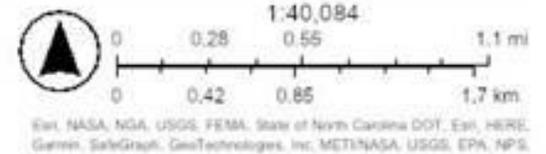
1. Connecting to the Hickory Trail System via 2nd Ave to 17th St which will give access to the Catawba River around Hickory, the new ASU campus, shopping and employment opportunities
2. Henry Fork River Park via 33rd Street
3. Southwest Primary School via 33rd Street

Long View Burke River Trail

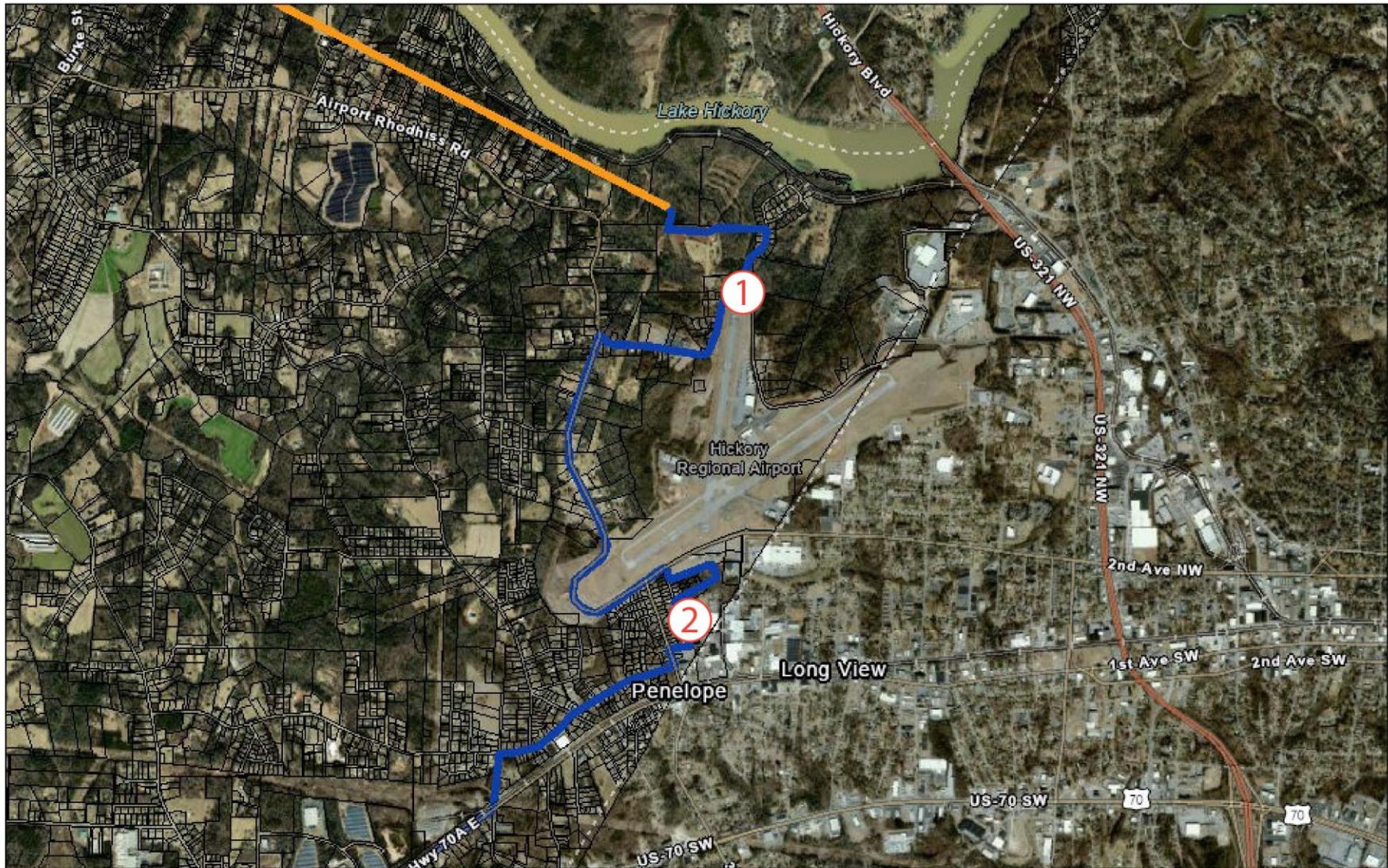


6/8/2023

- Burke River Trail Proposed Route
- Natural Surface
- Sidepath (Future)
- Sidewalk Existing
- City Limits
- County Boundary
- World Hillshade



Long View Parcels



6/23/2023

- Burke River Trail Proposed Route
- Natural Surface
- Sidepath (Future)
- Burke Parcels
- World Imagery
- Low Resolution 15m Imagery

- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations

1:40,084

0 0.28 0.55 1.1 mi
0 0.42 0.85 1.7 km

NC CGIA, Maxar, State of North Carolina DOT, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, MET/NASA, USGS, EPA, NPS, USDA

4.8 – HILDEBRAN

The Burke River Trail's eastern terminus is downtown Hildebran (this includes a connection to the Wilderness Gateway State Trail south of I-40). Town leaders and the public have identified South Center Street between U.S. Highway 70 and Old N.C. State Highway 10 as a key section of the future RTBC.

TRAIL CONNECTIONS

Key attractions on the South side of Hildebran include the Henry River Mill Village, the planned Wilderness Gateway State Trail and future developments (possible camping, restaurant and the like). Several survey responses in The Town of Hildebran Comprehensive Parks and Recreation Plan requested a non-motorized connection to Henry River Mill Village. A key historic tourism destination, Henry Mill Village could also be a possible trailhead for the Wilderness Gateway State Trail. The RTBC would leave Hildebran's "Center Street Hub" (see description below) by travelling south and crossing the bike/pedestrian adaptable I-40 Exit 119 bridge. From there, discussions are underway with private landowners to take the trail through forested areas to the Henry River Mill Village. Another option would be to use Henry River Road.

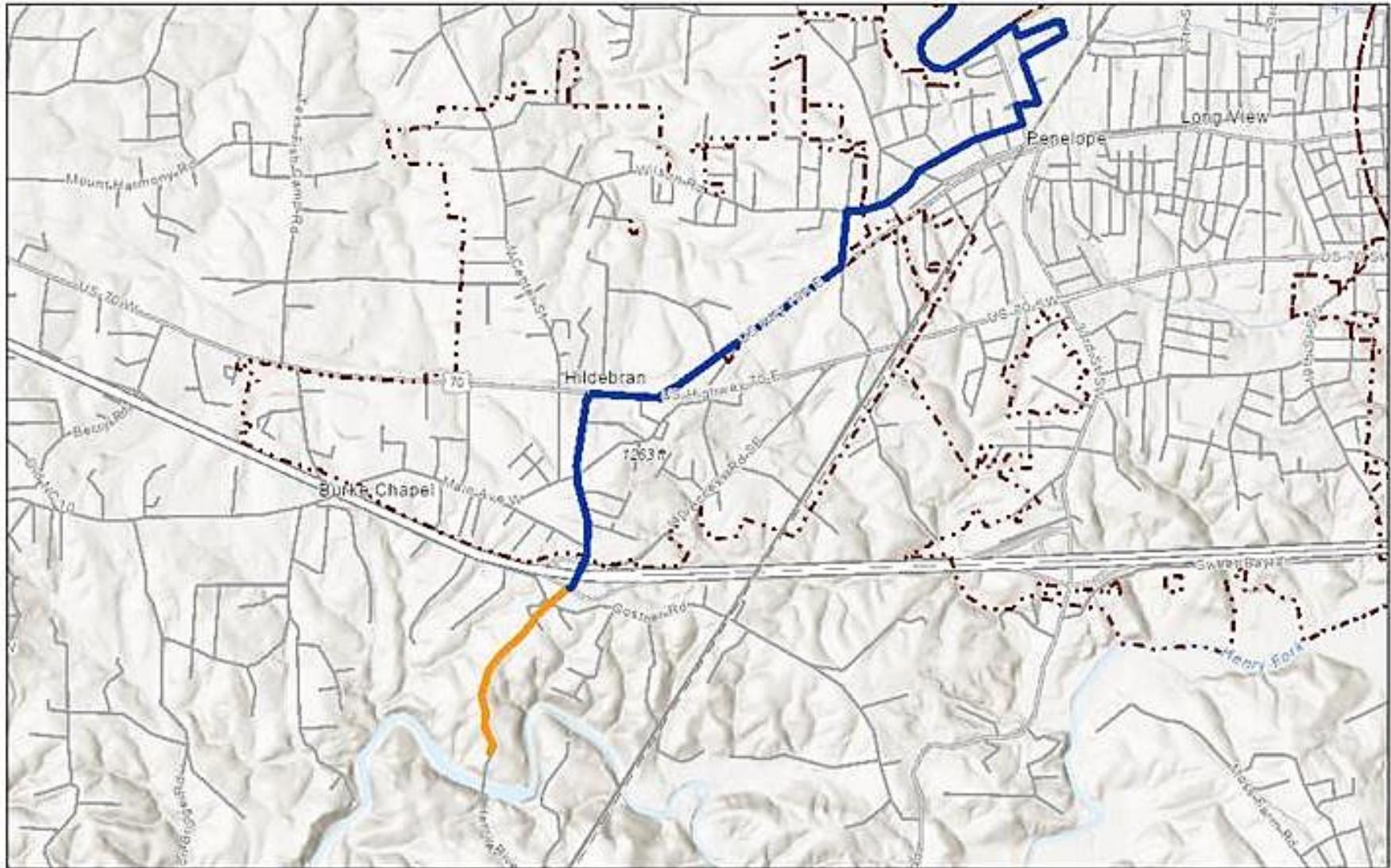
TRAILHEAD OPPORTUNITIES

Hildebran's "Center Street Hub," consists of the New Downtown Park, Town Hall, the Community Center and Gym along South Center Street. All of these locations could be key destinations along the proposed trail. The existing centralized parking access and the available restrooms in the hub area would also contribute significantly to the establishment of a trailhead here. As a bonus, sidewalks already exist that extend from the hub to the Hildebran Community Park and Disc Golf Course on the east side and the Burke County Library and Senior Center on the west side. A trailhead on the north side of U.S. Highway 70A at the Old Depot site could also be a location to install historical and educational kiosks.

PARCELS OF INTERES

1. The RTBC trail stops prior to Hildebran in Long View. The primary corridor being studied to provide a connection to Hildebran is U.S. Highway 70A, which could provide a future recreational path in addition to bicycle and pedestrian transportation.
2. Another route option is Wilson Road. Hildebran has noted in various plans (recreation plan, pedestrian plan, Western Piedmont Bicycle Plan) the need for new and better bicycle/pedestrian routes. NCDOT's Complete Streets policy could be applicable in future situations as the Town works to achieve these goals.

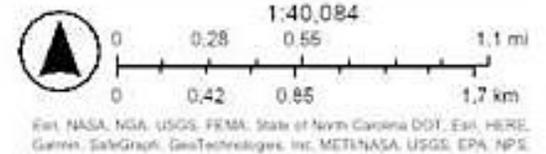
Hildebran Burke River Trail



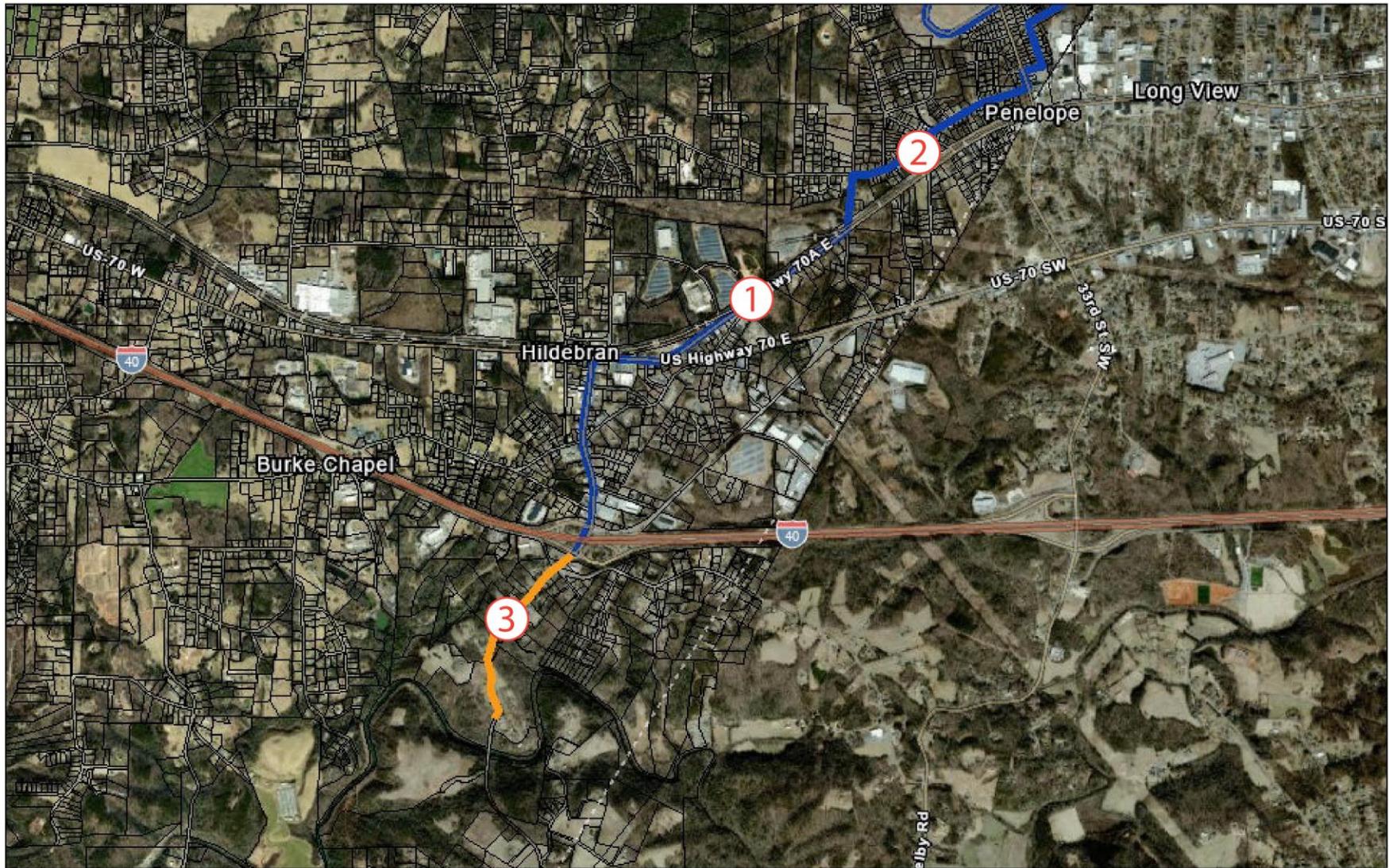
6/8/2023

Burke River Trail Proposed Route

 Natural Surface	 Sidepath (Future)	 City Limits	 County Boundary
			World Hillshade



Hildebran Parcels



6/23/2023

- Burke River Trail Proposed Route
- Natural Surface
- Sidepath (Future)
- Burke Parcels
- World Imagery
- Low Resolution 15m Imagery

- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations

1:40,084

NC CGIA, Maxar, State of North Carolina DOT, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, MET/NASA, USGS, EPA, NPS, USDA

5 - VALDESE TRAIL ALIGNMENTS, ALTERNATIVES AND COST ESTIMATES

Valdese is located in eastern Burke County. It is bordered to the west by the town of Rutherford College and to the north by Lake Rhodhiss on the Catawba River. Interstate 40 forms part of the southern boundary of the town, and U.S. Highway 70 is the main local route through the town.

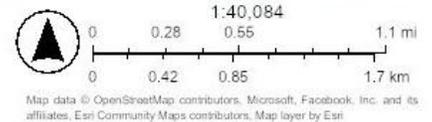
According to the United States Census Bureau, the town has a total area of 7.87 square miles. As of the census of 2020, there were 4,689 people and 1,545 housing units in the town.

Valdese River Trail Alignment



6/28/2023

- Burke River Trail Proposed Route
- Orange line: Natural Surface
- Green line: Paved Greenway
- Blue line: Sidepath (Future)
- Grey line: Sidewalk Existing
- Red dashed line: City Limits
- White dashed line: County Boundary



Map data © OpenStreetMap contributors, Microsoft, Facebook, Inc. and its affiliates, Esri Community Maps contributors, Map layer by Esri

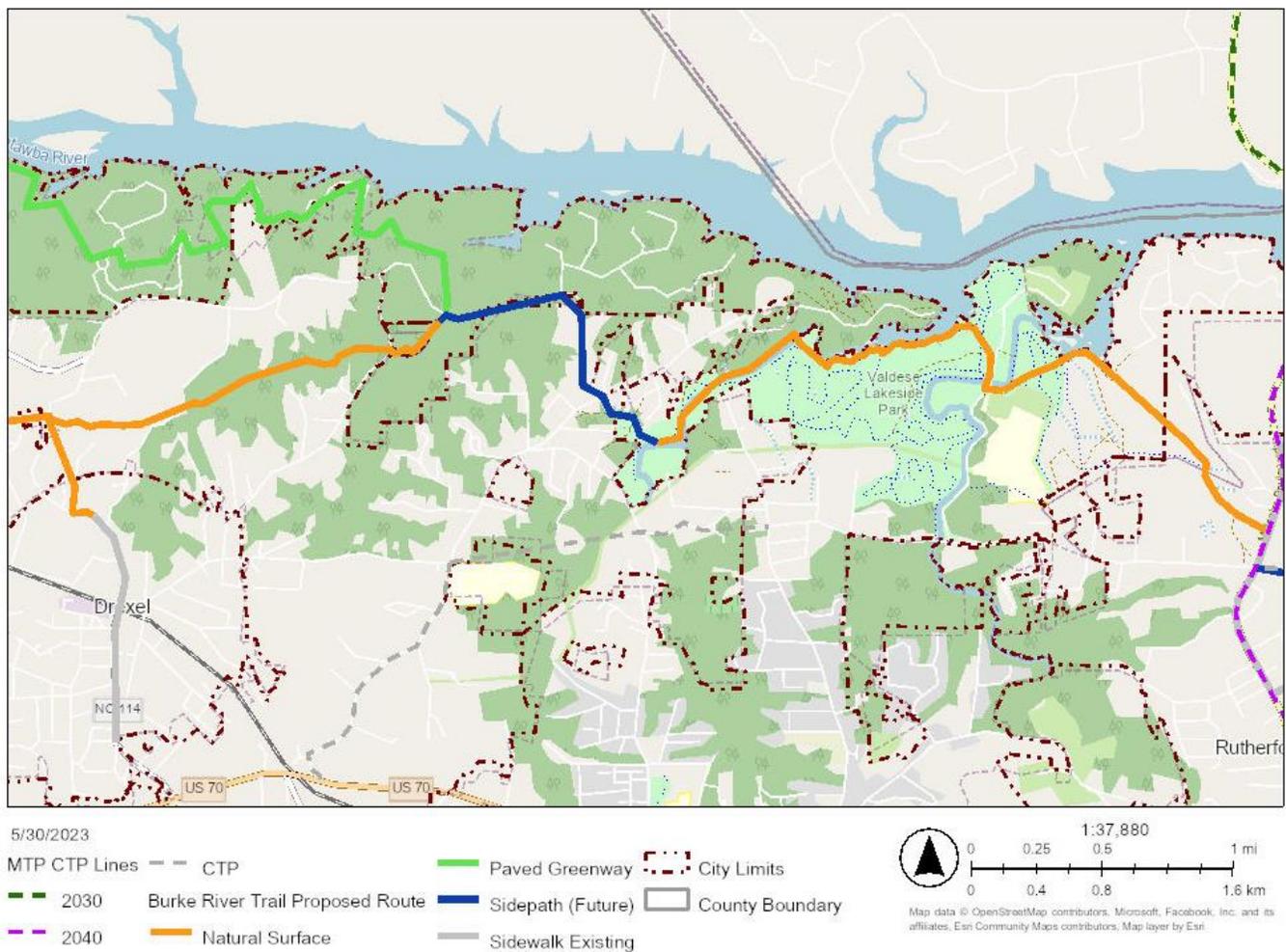
5.1 - TRANSPORTATION

Transportation policies help guide improvements made to existing roadways and set standards for new transportation projects. Policies are in place that require streets to be planned, designed, operated, and maintained to enable safe, convenient and comfortable travel and access for users of all ages and abilities regardless of their mode of transportation. These improvements will be planned in conjunction with new development and redevelopment. The general locations of potential transportation improvements are shown below.

IMPROVED AREA THOROUGHFARES

The Greater Hickory Metropolitan Planning Organization’s (GHMPO) current Comprehensive Transportation Plan (CTP) shows that there are planned roadway improvements along Enon Road from Highway 70, going into Valdese. This runs west of Valdese and is not in the Town of Valdese itself. There are no Transportation improvements within Drexel that should affect the RTBC.

Valdese Transportation



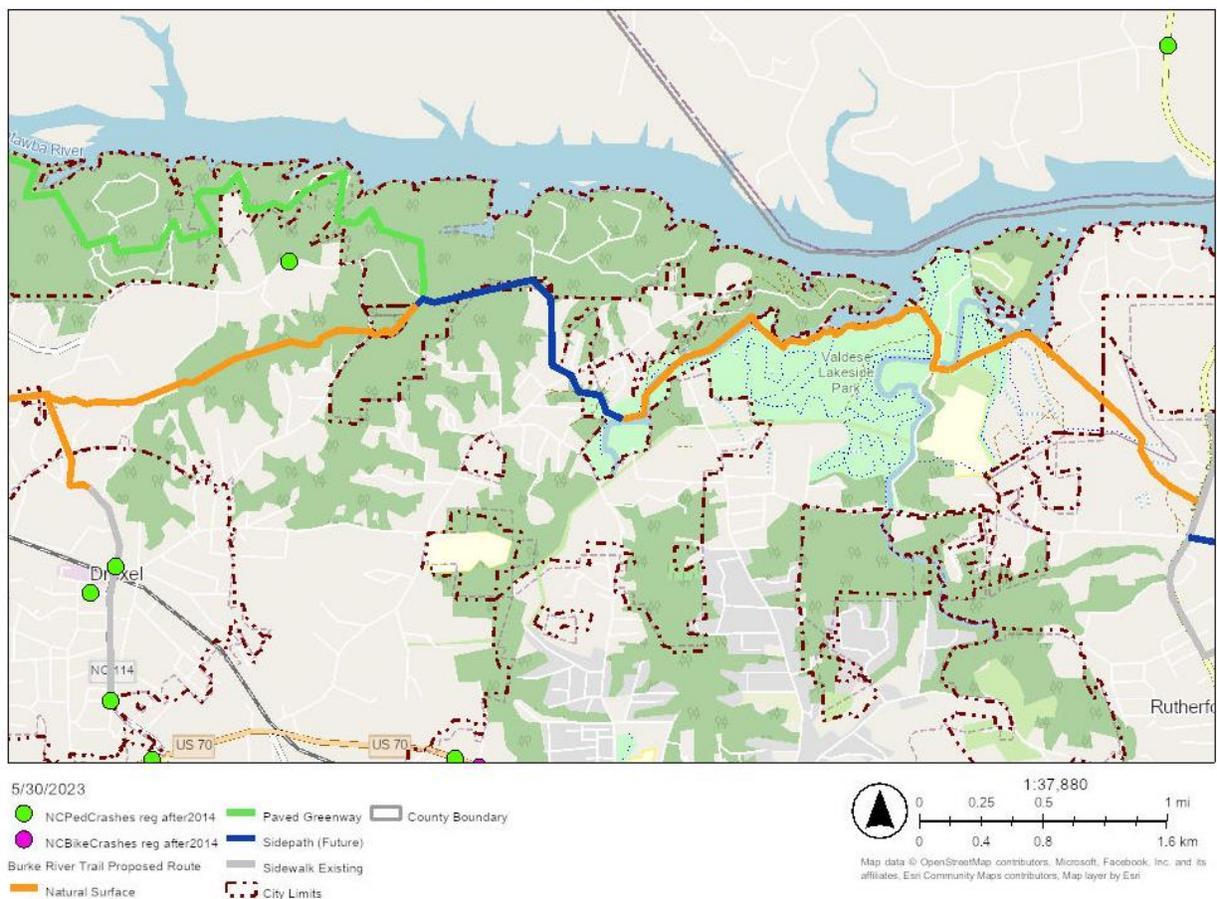
PEDESTRIAN SAFETY

Safety is the most important aspect of transportation planning. It is vital to examine how the safety of the areas’s transportation network may be affected by current and future land uses. Safety improvement projects (referred to as “modernization projects” by NCDOT) can include the construction of new turn lanes, the straightening of curves, the installation of rumble strips, pedestrian crossings and other intersection improvements.

The National Highway Traffic Safety Administration has determined that pedestrian crashes are more likely to occur during peak travel periods in the morning and afternoon. Most crashes involving pedestrians will occur in urban areas where pedestrian and vehicular traffic volumes are high; however, rural areas can also be dangerous for pedestrians due to the lack of sidewalks, paths, wide shoulders, and crosswalks. Driver behavior is also a factor; speed and alcohol involvement has an impact on many crashes with pedestrians. American roadways, which were primarily designed to serve only automobile traffic, create dangerous conditions for bicyclists. Slight increases in automobile speeds can severely affect the likelihood of a cyclist’s ability to walk away from an accident unscathed. Wayfaring and awareness signage, and pavement markings such as sharrow, are examples of relatively low-cost solutions that can be used to improve bicycle and pedestrian safety.

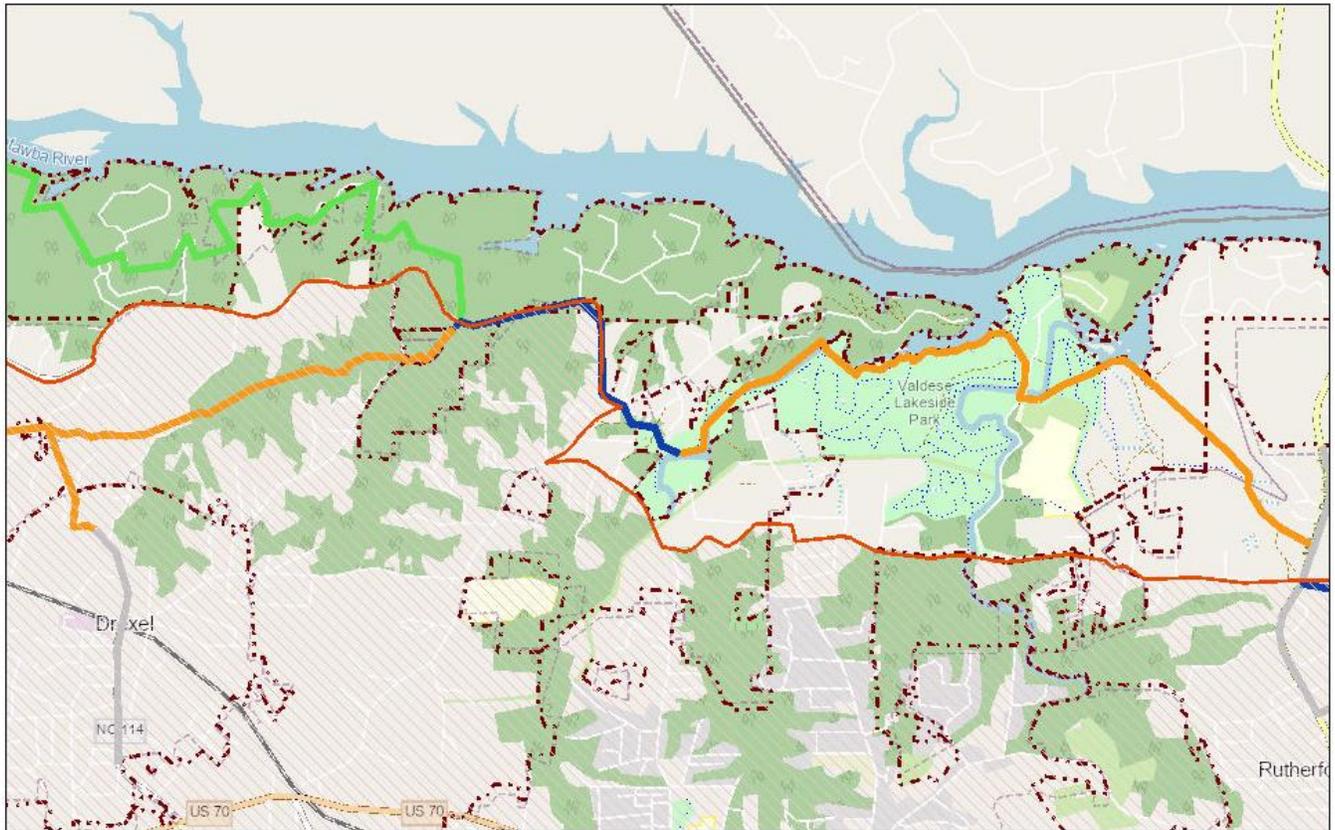
Map 5-3 shows pedestrian crashes (green dots) in Valdese from 2014 through 2022. There were no bicycle crashes. The proposed trail alignments do not intersect with any of crashes shown on the map.

Map 5-3: Valdese Pedestrian Crashes
Valdese Pedestrian Crashes



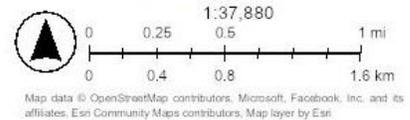
Public transportation is a lifeline for many citizens in the Western Piedmont region. Transit services connect people to jobs, schools, grocery stores, medical care, recreational areas, and family. The Western Piedmont Regional Transit Authority (WPRTA) serves the Greater Hickory MPO planning area, currently operating as Greenway Public Transportation. Greenway Public Transportation provides Demand Response Van Service and Micro Transit service in Burke County. Micro Transit service is currently provided in Valdese.

Valdese Transit



5/30/2023

- Micro Transit Zone
- Paved Greenway
- City Limits
- Burke River Trail Proposed Route
- Natural Surface
- Sidewalk Existing
- County Boundary

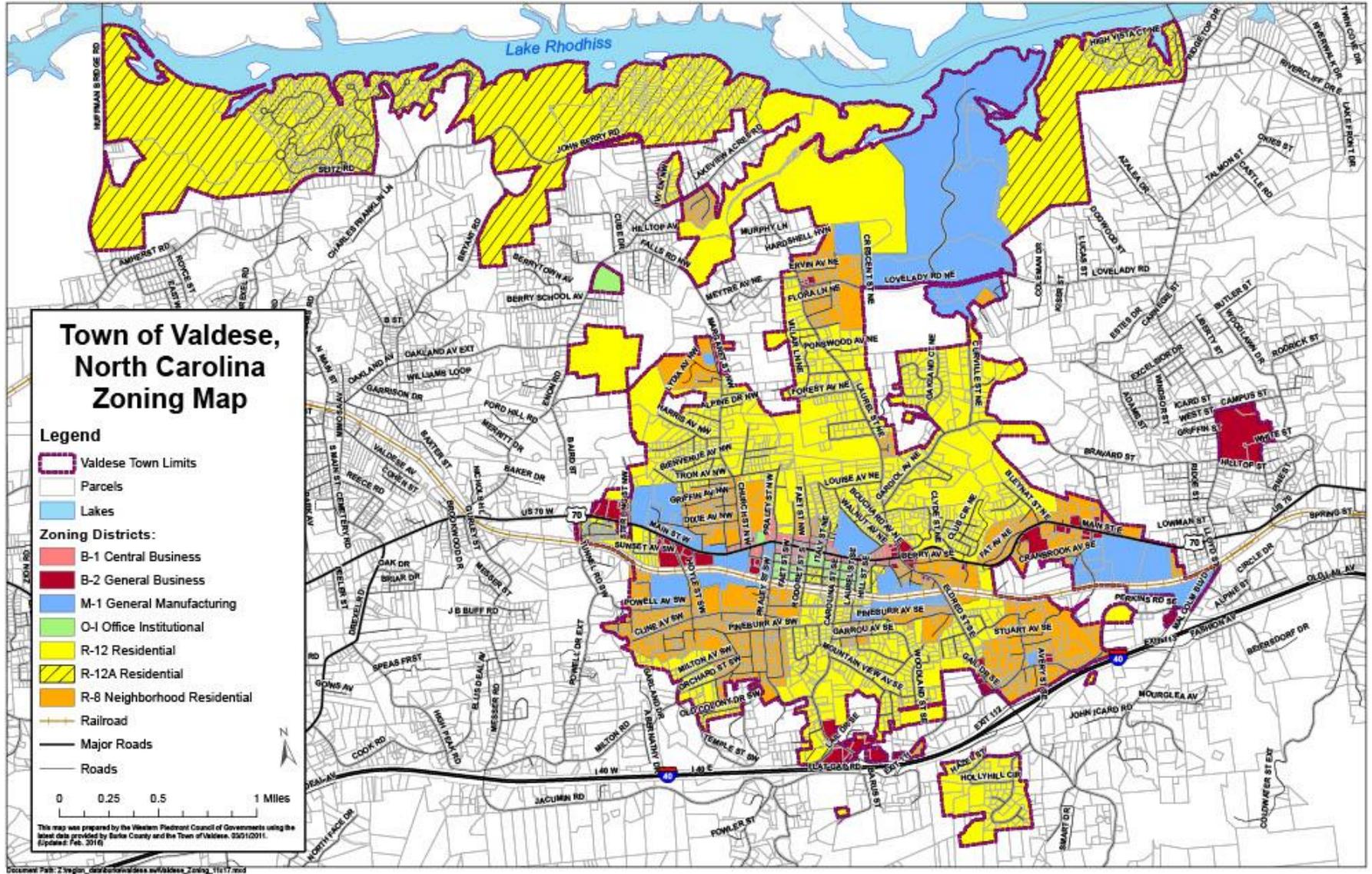


5.2 - LAND USE

ZONING

The Town of Valdese has a planning jurisdiction (within Town limits) of approximately 3,200 acres. Zoning in Valdese is predominately residential. The remainder of the Town is zoned as commercial along U.S. Highway 70, with some Neighborhood Business zoning in the northern part of Town.

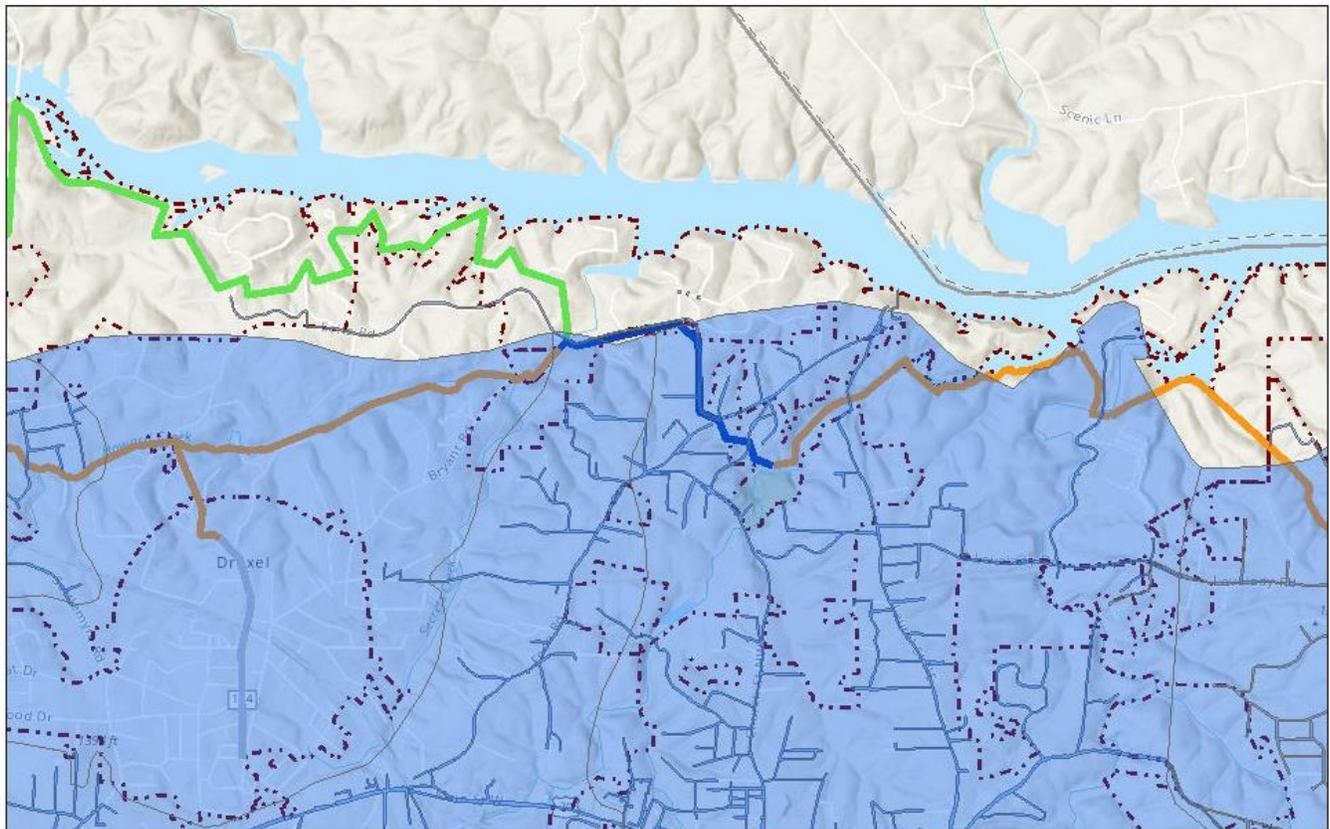
As Table 5-5, “Town of Valdese Zoning” shows, most of the parcels zoned commercial are located along U.S. Highway 70. All proposed trail alignments in this study pass through residentially-zoned parcels. The manufactured zoning shown in the north is now Valdese Lakeside Park.



5.3 - PUBLIC SERVICES

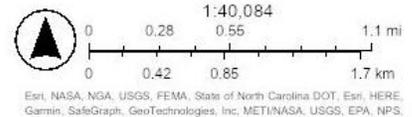
The Town of Valdese provides water and sewer service to approximately 14,000 customers in the Town limits and surrounding area. (See Figure 5-4: Town of Valdese Water Coverage). Utility right-of-way can often have the potential to house trail and make connections.

Valdese Water Line Coverage



6/28/2023

- Burke Water Master
- Paved Greenway
- Sidepath (Future)
- Natural Surface
- Sidewalk Existing
- City Limits
- County Boundary
- World Hillshade



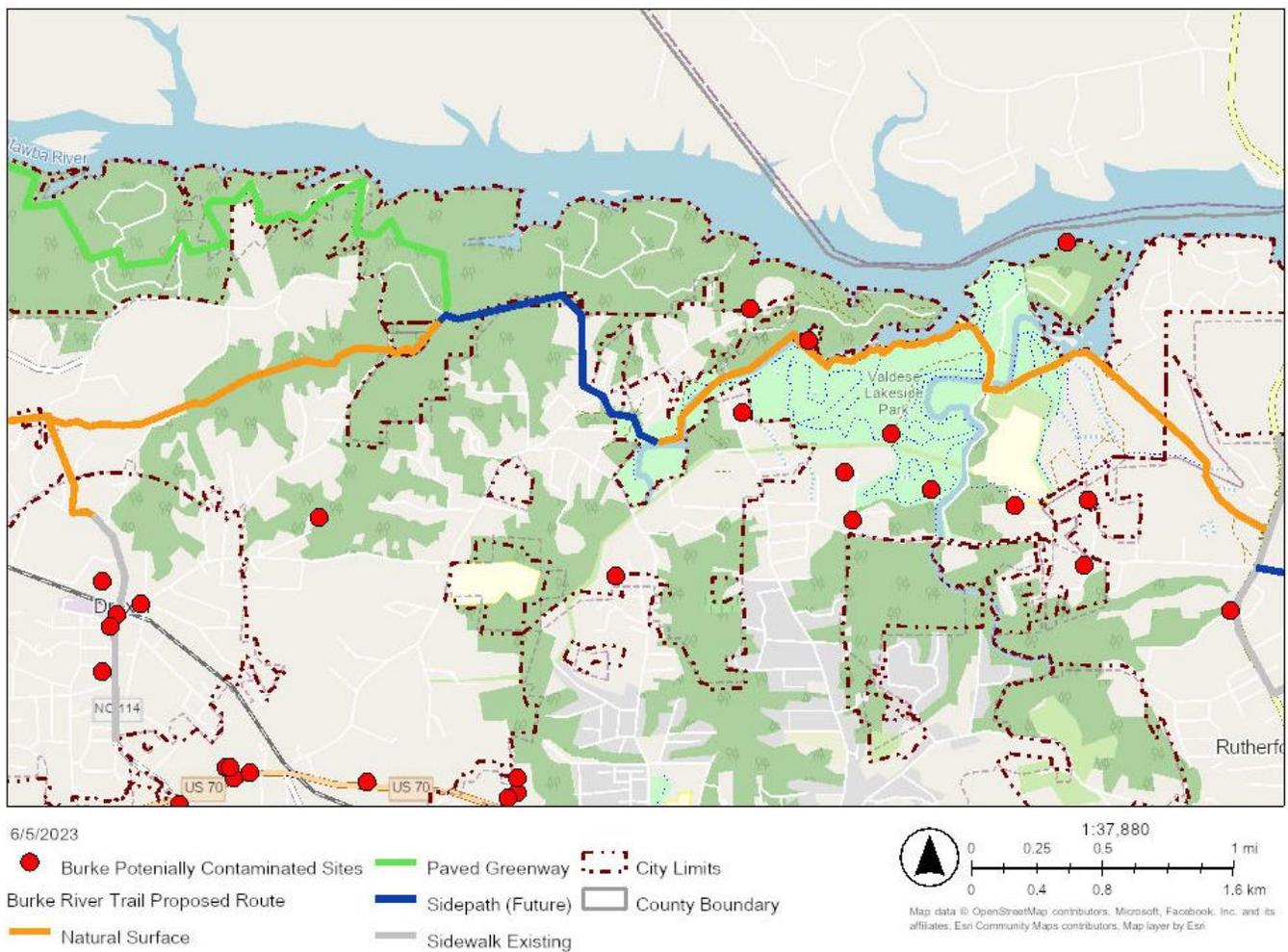
Esri, NASA, NGA, USGS, FEMA, State of North Carolina DOT, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS.

5.4 - POTENTIAL CONTAMINATION SOURCES (PCS)

The North Carolina Division of Water Resources, Public Water Supply (PWS) Section is responsible completing assessments for all public drinking water supplies in the state. A source water assessments are completed by PWS to evaluate the potential for a drinking water source to become contaminated by an identified potential contaminant sources (PCS) within a delineated area. PCS's may need to be avoided during trail planning, or plans to mitigate the site may be required to build trail for safety, legal and funding purposes.

Surface water sources can be threatened by many potential contaminant sources, including permitted wastewater discharges, urban storm water runoff, or other types of non-point source contamination such as runoff produced by agricultural activities and land clearing for development. Types of PCSs include: animal operations (AO), superfund sites (CERCLIS), Hazardous Waste Transporter/Generators (HWGT), National Pollution Discharge and Elimination System permit holders (NPDES), petroleum contaminated soils (PCBS), prior pollution incidents (PIRF), Tier II hazardous chemical inventory (TII), treatment storage and disposal (TSD), old Landfill Sites (UDS), underground injection control wells (UIC), and underground storage tanks (UST) (NC DEQ Source Water Protection Planning Branch).

Valdese Potential Contaminant Sites



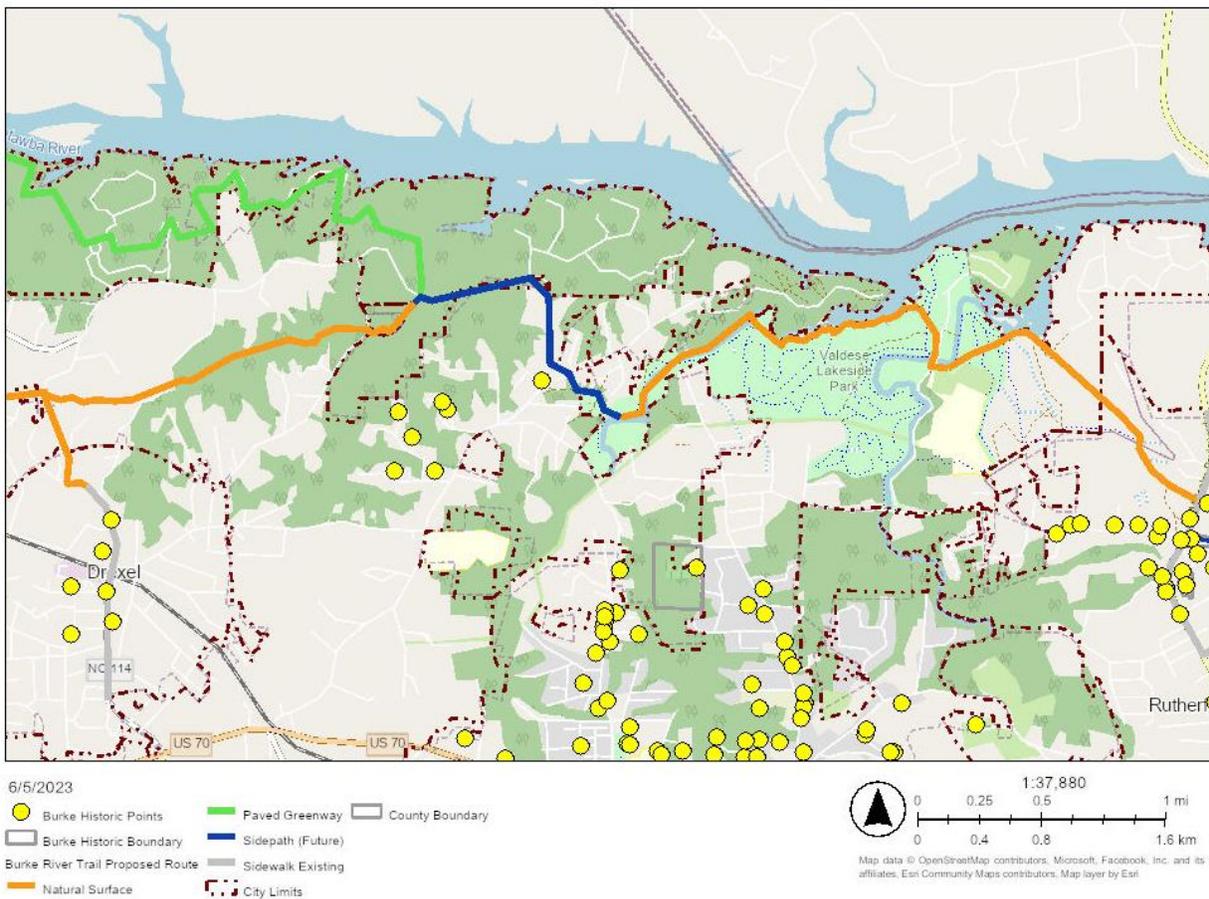
5.5 - HISTORIC RESOURCES

The National Register of Historic Places is the official list of the Nation's preservation-worthy historic places. The Register includes significant properties, which are further divided into buildings, sites, districts, structures, or objects. The National Register of Historic Places is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archeological resources. Proposed trails that are located near historic properties could make the trail more interesting to tourists and contribute to economic development.

The North Carolina State Historic Preservation Officers (SHPO) carries out many historic preservation responsibilities including surveying, evaluating and nominating properties for inclusion in the National Register. Properties that are eligible for and listed on the National Register, qualify for federal rehabilitation tax incentives, federal tax incentives for preservation easements on historic buildings and sites, or National Park Service grants.

In North Carolina, the placement of a property or district on a "Study List" constitutes the first step toward nomination to the National Register. The Study List identifies properties and districts that are likely to be eligible for the National Register, giving the green light to sponsors and staff to proceed with a formal nomination with reasonable assurance that the property can be successfully nominated to the National Register. Figure 5-8: Historic Properties illustrates where those historic properties in Valdese are located.

Valdese Historic Sites



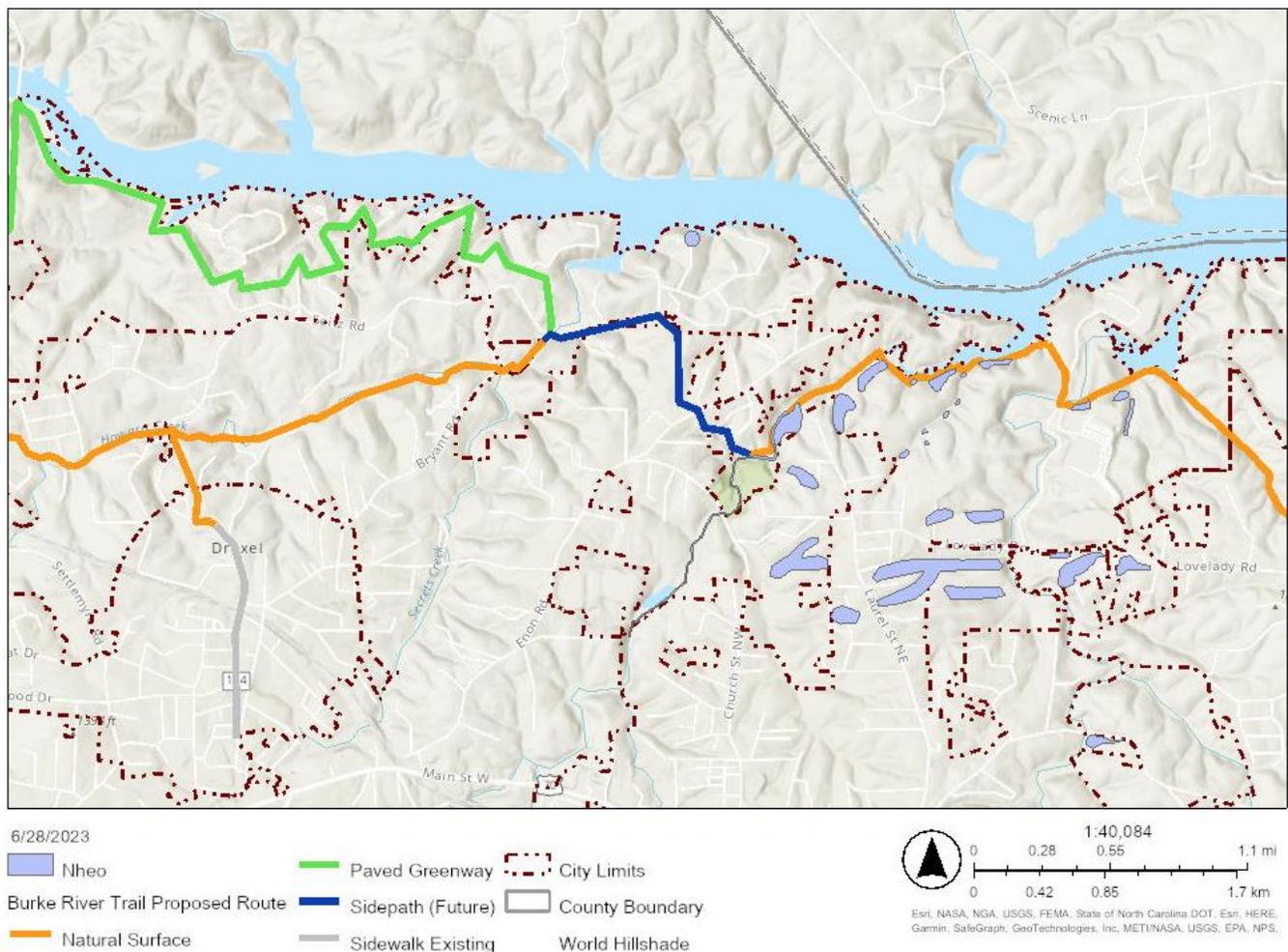
5.6 - NATURAL HERITAGE INVENTORY

Figure 4-5: National Heritage Inventory displays information that can be used when developing a plan for water and ecological conservation by identifying those areas of ecological importance. The information displayed is based on the best scientific data and expertise available from a multitude of sources. Areas with more rare, abundant and diverse species and habitats are rated with higher conservation values, and contain the rarest species and habitats. These are the most important areas to conserve, buffer and connect for wildlife purposes. They play an important role in maintaining habitat connectivity and biodiversity.

Natural Heritage Natural Areas are identified by North Carolina Natural Heritage Program ecologists. These sites support rare and high-quality populations of native plants, wildlife and natural communities (habitats) on both land and water – and are extremely important to the conservation of the state’s biodiversity. An area’s value rating may be due to the presence of rare species, rare or high-quality natural communities or other important ecological features. It should be noted that this dataset only contains data for rare species and habitats; not all priority wildlife and habitats species datasets are included.

There is a potentials for trail projects to be delayed or altered due to the presence of rare/endangered species.

Valdeese Natural Heritage Inventory

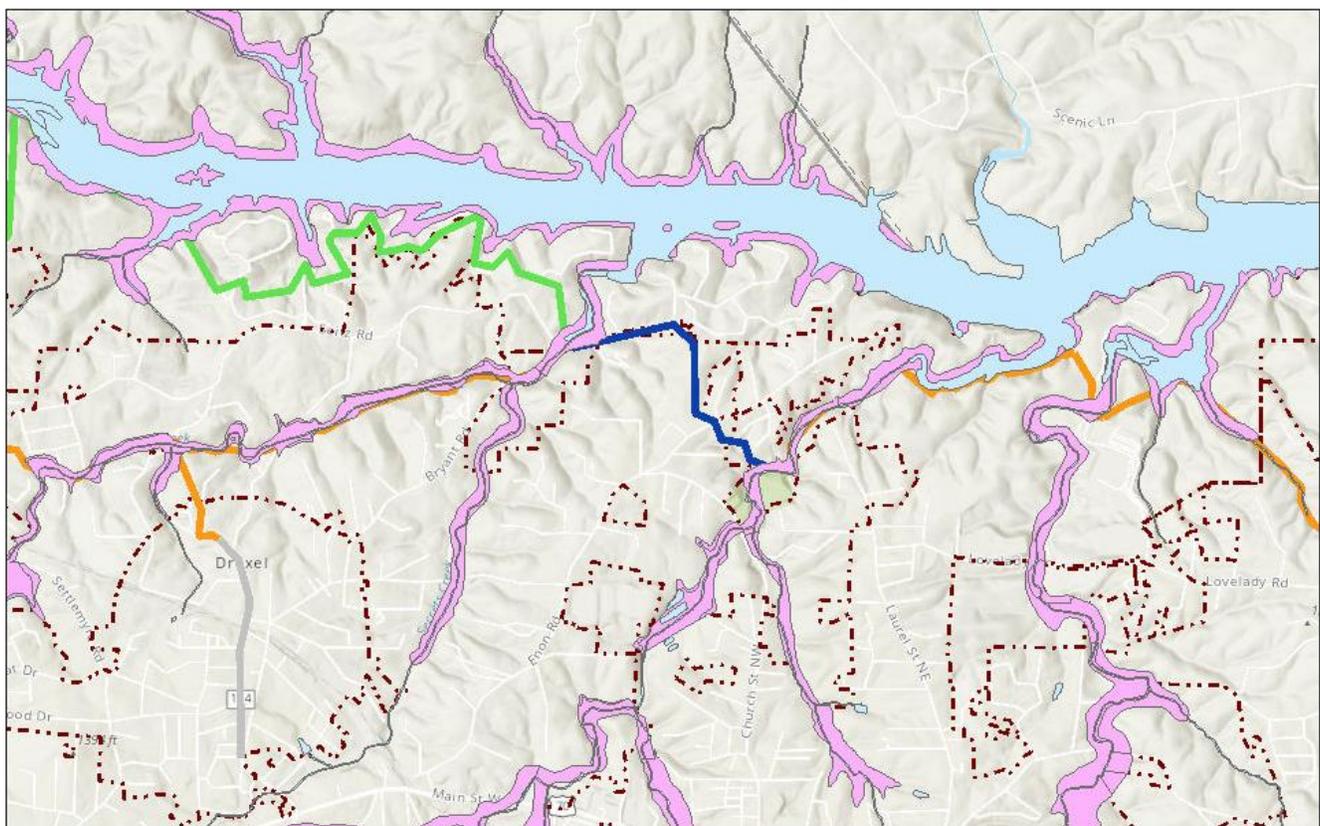


5.7 - WETLANDS AND WATER BODIES

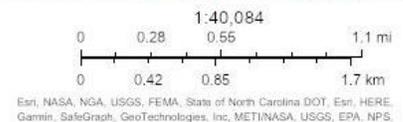
The entirety of Town of Valdese is in the drainage area for the Catawba River watershed. Burke County’s streams and creeks drain into the Catawba River, which then drains into Lake Rhodhiss and into the Catawba River Basin. The entirety of the planning jurisdiction of the Town is subject to the WS-IV (Water Supply Watershed), the Flood Damage Prevention Ordinance, and the Catawba River Buffer Rules (See Figure 6-1: Water Resources). The lake is a major source of drinking water for hundreds of thousands of people throughout the region. Stricter development regulations are imposed in the WS-IV Protected Area and the WS-IV Critical Area. The regulations are a requirement of the North Carolina Division of Environmental Quality, and are based on a template ordinance provided by the State and administered by the Town. The density, or amount, of proposed development is governed by these watershed regulations.

Water bodies within Valdese that the trail intersects with include Howard Creek and McGalliard Creek. There is a potential for trail projects to be delayed or altered due to the presence of wetlands or water bodies.

Valdese Wetlands and Floodplain



6/28/2023

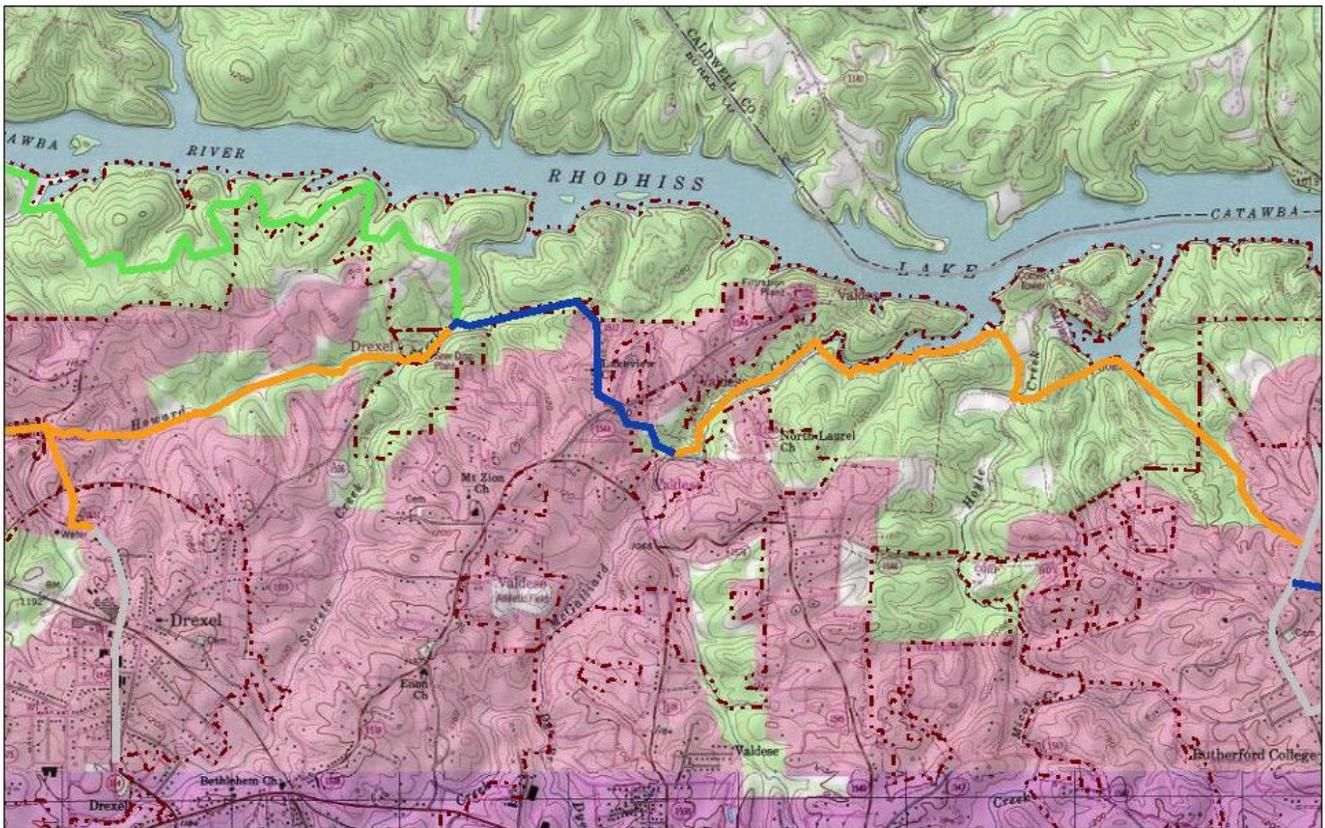


5.8 - TOPOGRAPHY

Digital topographic maps from the U.S. Geological Survey were used in the planning of trail routes for the Burke River Trail. Topographic lines indicate levels of elevation and can help identify features in the landscape such as hills, streams, and wetlands, as well as existing roads, tracks and other points of interest.

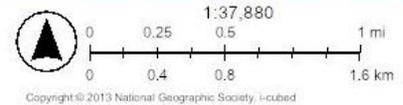
Natural trail routes can include ridgelines and areas with minimal slope, and should avoid wetlands and swamps, very rock or steep slopes, the edges of streams, endangered flora, fauna, geology, and natural plant communities. The goal is to keep the average trail grade at 4 to 6 percent, and allow small sections of a trail to have steeper grades. There is a potential for trail projects to become more costly, delayed or significantly altered due to topographic constraints.

Valdese Topo



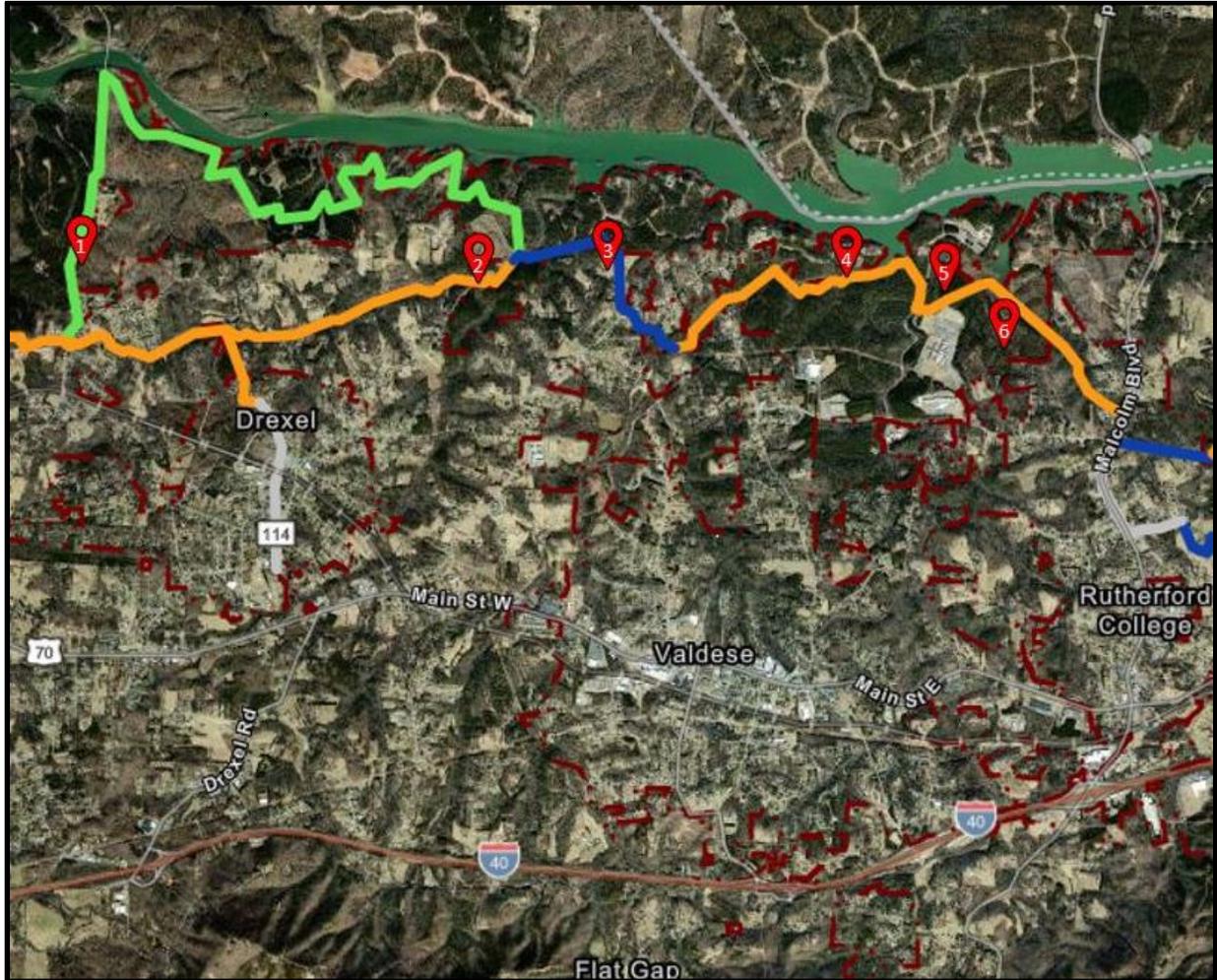
6/5/2023

- | | | |
|---|---|--|
| Burke River Trail Proposed Route | — Sidepath (Future) | County Boundary |
| — Natural Surface | — Sidewalk Existing | USA Topo Maps |
| — Paved Greenway | City Limits | |



5.9 - FIELD INVENTORY

The following photographs were taken at different intervals along the proposed RTBC alignment. Some of the images were taken at road locations and some were taken during stream walks. The location of the photos are shown below.



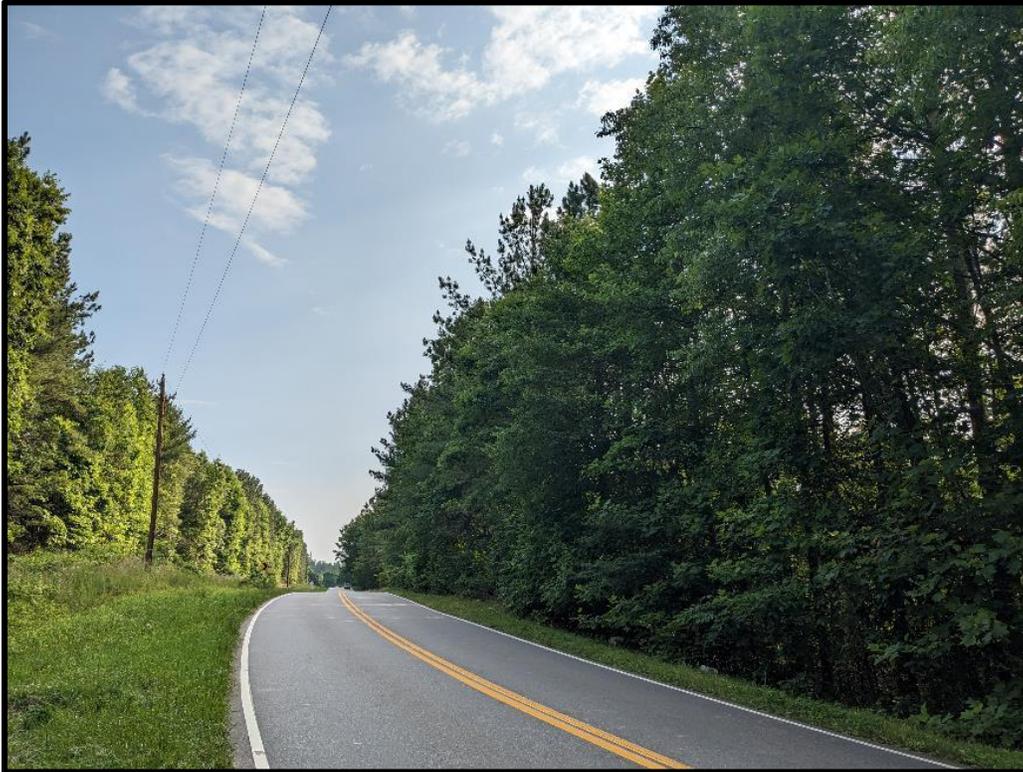


Photo 1: Huffman Bridge Road.

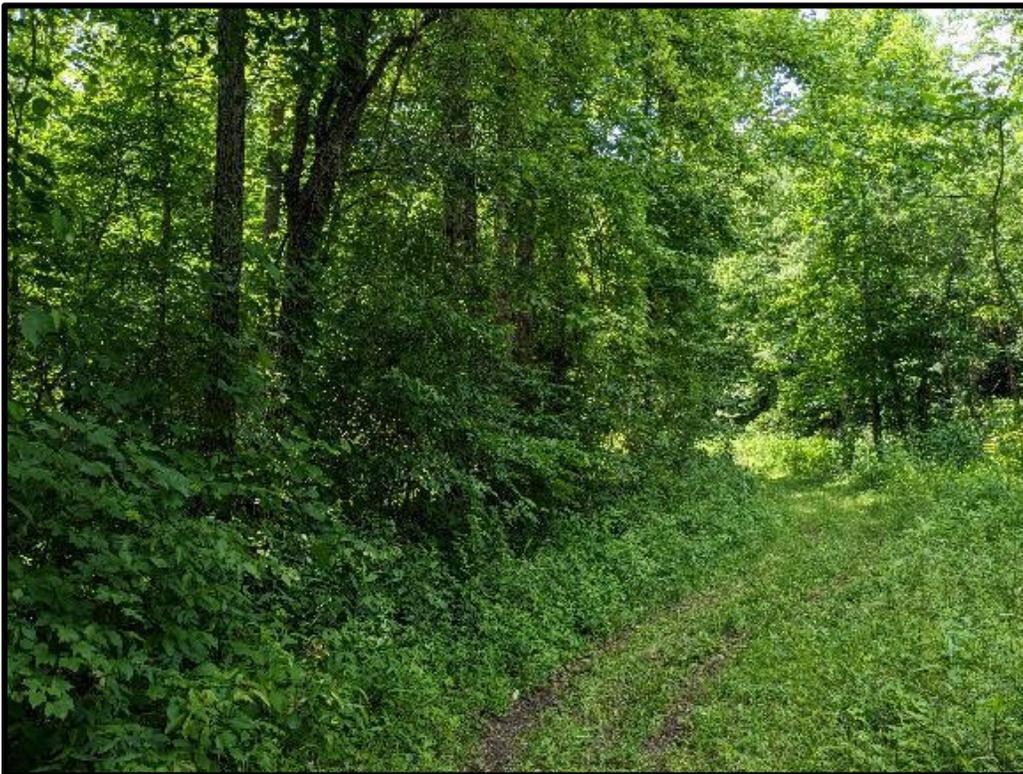


Photo 2: Near Howard Creek.

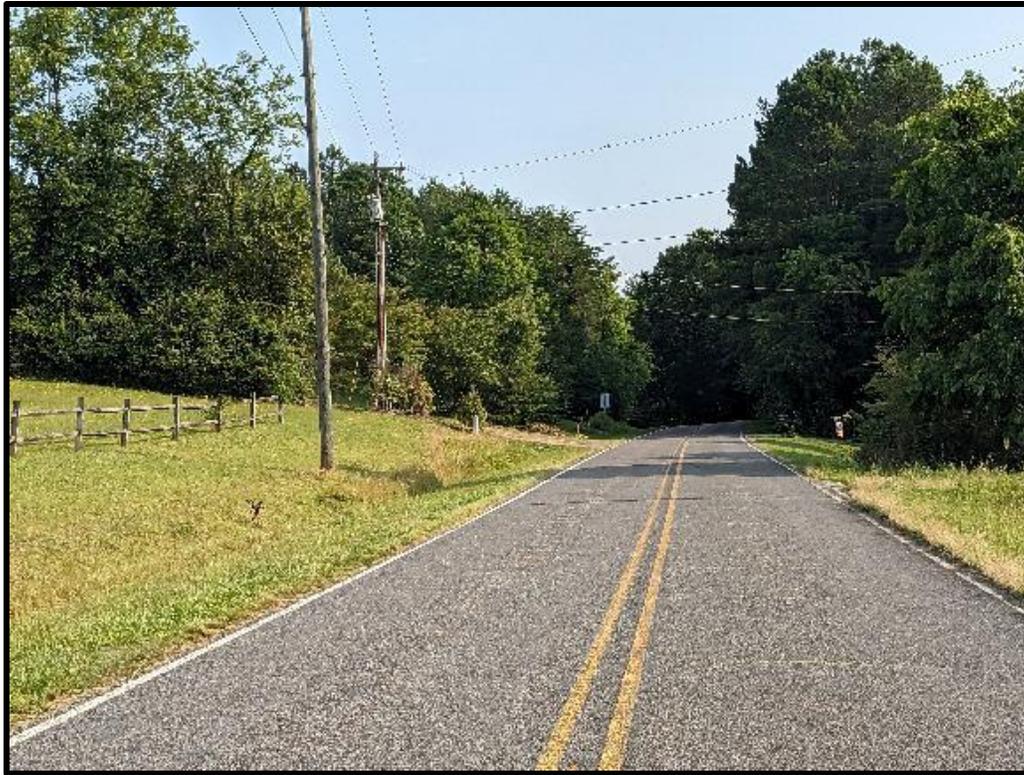


Photo 3: John Berry Road



Photo 4: Near McGalliard Creek



Photo 5: Valdese Lakeside Park



Photo 6: Burke County Public School Property

5. 10 - VALDESE BURKE RIVER TRAIL ALIGNMENTS

As a multiuse trail, the Burke River Trail must accommodate a wide range of users, including pedestrians, bicyclists and people in wheelchairs. In addition to traditional upright bicyclists, tandem bicyclists, recumbent bicyclists and bicyclists pulling trailers should all be accommodated in the trail's design. It is anticipated that motorized use on the trail will be prohibited with the exception of motorized wheelchairs and security or maintenance vehicles.

There are several methods used to acquire property for trail development. Access to privately-owned parcels within the desired alignment will need to be considered and negotiated. Acquiring adequate right of way to construct a trail can be the most time-consuming portion of a project. Additionally, participation in the RTBC project is voluntary and may involve negotiations with many different land owners, some of whom may not be willing partners in the project. It is not uncommon for the land acquisition process for a project to take between three to five years depending on the number of properties involved, and a single holdout can derail a project or require significant changes to a project. Acquisition costs can range from 10 percent or less of construction costs in rural areas to over 200 percent of construction costs in urban areas.

As part of the acquisition process, there are a variety of voluntary arrangements that can be used to address potential liability concerns. Trail managers will likely be required to carry supplemental insurance policies for the trail. But in general, the trail management agency's municipal or state insurance policy will satisfy the trail's insurance requirement.

The cost to plan, design, and build trails or shared use paths varies widely based on a several conditions. Topography, urban versus rural settings, the presence of wetlands or other environmentally sensitive areas, and other conditions all play a significant role in the cost of building trails. Until very specific trail corridors are known (based on landowner participation, future transportation corridors, etc.) and an individual analysis can be developed for each individual trail alignment, it is not possible to provide cost calculations that are more exact. The cost estimates used in this study were developed by using the Rails-to-Trails Conservancy's cost calculation tool.

The calculations derived from the spreadsheet-based cost calculator below provides opinions of probable cost for the construction of trails under a variety of conditions. The components included in the cost opinion are earthwork and grading, aggregate base material and surface material.

The cost opinions do not include:

- Easement and right-of-way acquisition
- Permitting, inspection, or construction management
- Extensive surveying, geotechnical investigation, documentation, or mitigation 2
- Significant retaining walls or landscaping
- User amenities including trail waysides, lighting, benches, bike racks, or water fountains
- Special site remediation
- Escalation
- The cost for ongoing maintenance

The spreadsheets below (Table 5-1 and 5-2) uses a cost calculator to develop a planning-level cost estimate for the RTBC. The calculator uses the base costs in Table 5-1 and multipliers in Table 5-2 to adjust the base cost per mile depending on various conditions. Table 5-1 displays the base cost per mile for the construction of a ten-foot wide shared use path or a 5-ft wide for natural surface trail, in rural and urban settings.

Table 5-1

Setting	Natural Surface	Crushed Cinder	Asphalt	Concrete
Rural Cost per Mile	\$30,000	\$265,000	\$532,000	\$586,000
Urban Cost per Mile			\$798,000	\$879,000

Table 5-2 displays multipliers used in the calculator to develop costs based on various conditions where a path may be installed. The multipliers are applied to the cost subtotal before the contingency is applied.

Table 5-2

Condition	Variable	Multiplier	
Setting	Rural	1.0	Accounts for increased crossings, utility adjustments
	Urban	1.5	
Terrain	Flat	1.0	Accounts for increased costs of mobilization, more extensive grading
	Hilly	1.2	
Railroad/Easement Grade	No	1.0	Accounts for reduced grading and mobilization costs
	Yes	0.5	
Along Stream/River	No	1.0	Accounts for increased environmental constraints
	Yes	1.2	
Design	No	1.0	Accounts for the need for engineering/plans
	Yes	1.2	
Acquisition	Donation Easement	1.0 1.1	Accounts for the cost of acquisition

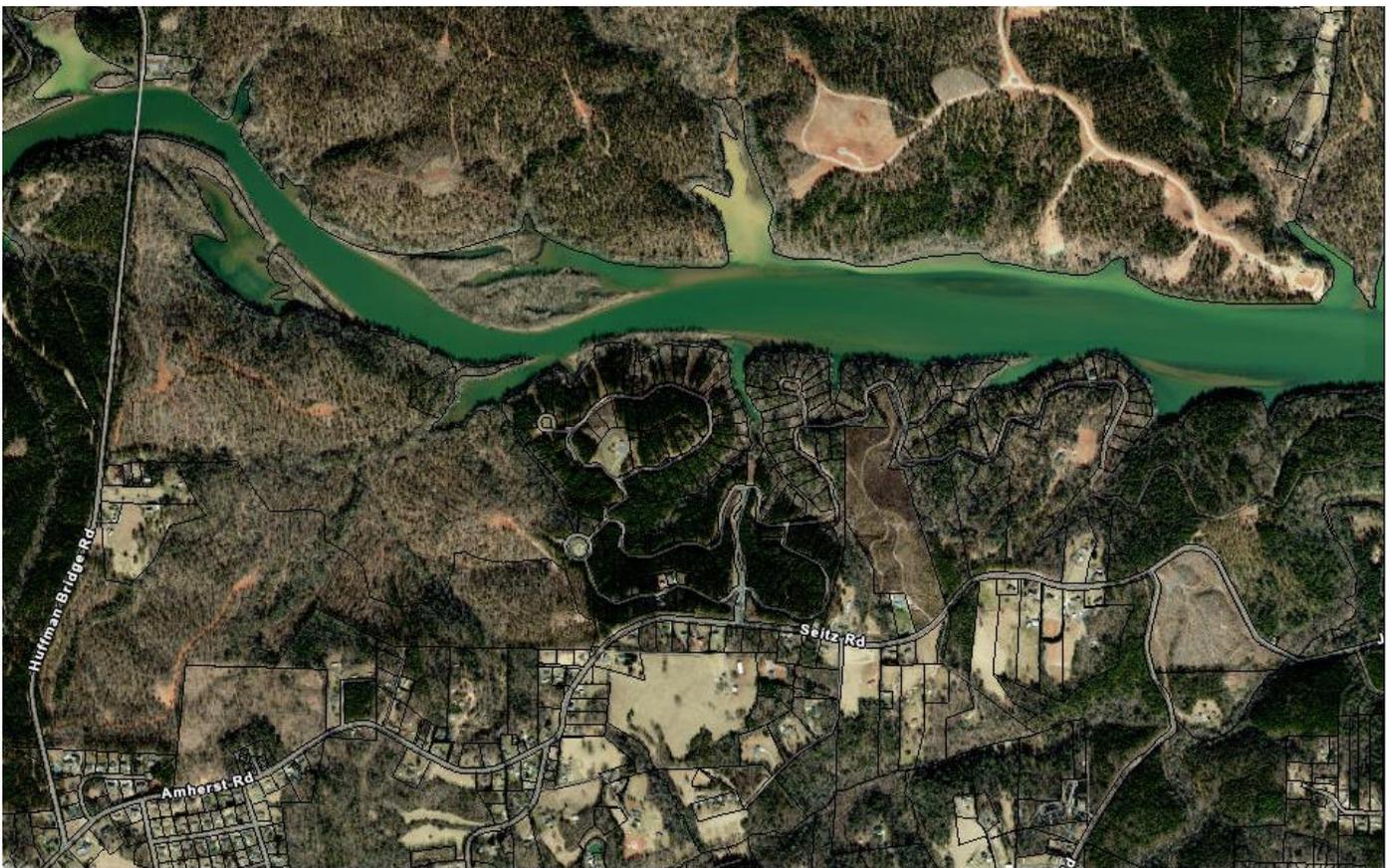
For the purposes of this study, the Valdese portion of the trail is determined to begin at the Town of Valdese municipal limits in the west and the east. There are some portions of the trail that are not technically within the Town of Valdese, however, these areas are being included for continuity purposes with other sections of the trail. Cost estimates are shown, but the Town of Valdese would not be responsible for any trail construction or maintenance outside of town limits. The trail segments have been divided into 4 different sections for descriptions and cost breakdowns.

VALDESE RIVER TRAIL – SECTION 1

Potential trail routes from the west to McGalliard Falls Park are being studied. Much of the property along the river in this section is within the Town of Valdese’s planning jurisdiction. Some of the parcels in this area have been developed into waterfront homes, while others have remain undeveloped but are subdivided for future residential development. There is a potential for a greenway in this area, however, the preferred alignment would be south and closer to Drexel to better utilize the amenities there (See Drexel Study).

GREENWAY ALIGNMENT COST ESTIMATE

Item	Multiplier	Running Subtotal
Length – 1 mile	5 Miles of Greenway	\$2,660,000
Setting – Rural	1.0	\$2,660,000
Terrain - Flat	1.0	\$2,660,000
RR/Easement Grade - No	1.0	\$2,660,000
Stream/River - No	1.0	\$2,660,000
Contingency	1.3	\$3,458,000
Design – Yes	1.2	\$4,149,600
Acquisition	1.1	\$4,564,560
	Total	\$4,564,560

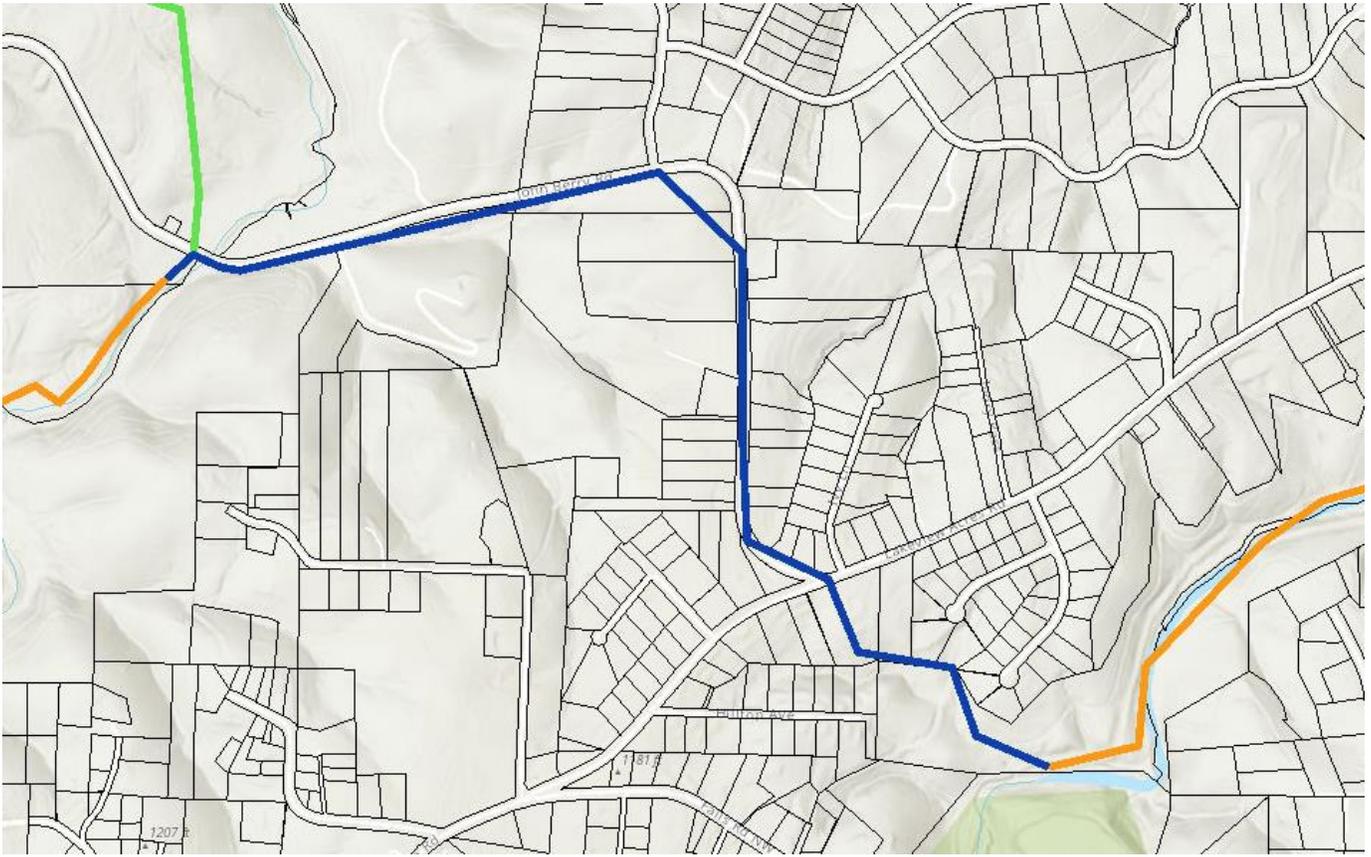


VALDESE RIVER TRAIL - SECTION 2

The second Section would involve side path that extends from Howard Creek, then runs down John Berry Road before ending at McGalliard Creek. This section extends for 1.15 miles.

ALIGNMENT COST ESTIMATE

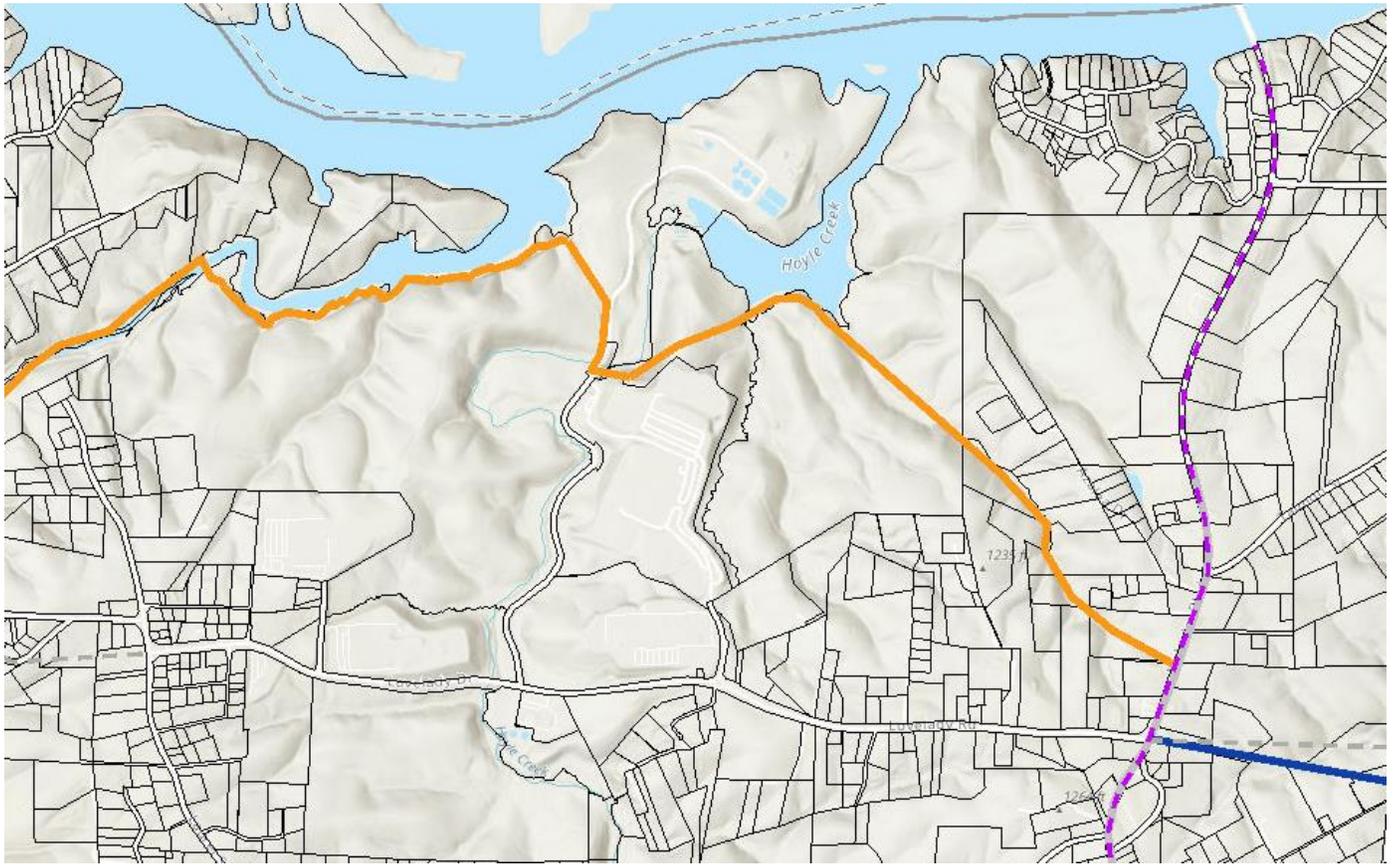
Item	Multiplier	Running Subtotal
Length - 1 mile	1.15 Miles Side Path	\$673,900
Setting - Rural	1.0	\$673,900
Terrain - Flat	1.0	\$673,900
RR/Easement Grade - No (sidewalk)	1.0	\$673,900
Stream/River - Portion	1.0	\$673,900
Contingency	1.3	\$876,070
Design - Yes	1.2	\$1,051,284
Acquisition	0	\$1,051,284
	Total	\$1,051,284



VALDESE RIVER TRAIL – SECTION 3

The Valdese Greenway is the first completed section of the RTBC, and is a key centerpiece for establishing trail connections to Drexel and Rutherford College. Extending from McGalliard Falls Park to Valdese Lakeside Park, this 2-mile greenway is a mix of crushed cinder and grass. A 155-foot suspension bridge is located on the trail.

Trailheads are located on each end of this trail. The McGalliard Falls Park trailhead has parking, restrooms, a picnic shelter. The Valdese Lakeside Park trailhead has parking, restrooms, picnic tables, a dog park, and an overlook.



6 – RIVER TRAIL OF BURKE COUNTY RECOMMENDATIONS

ECONOMIC DEVELOPMENT

1. Identify stakeholders and business partners that can connect walking trails from businesses to the RTBC.
2. Identify downtown connections to trails and create signage that shows distances to breweries/restaurants/retail/etc.
3. Identify parcels near the trail that could be used by outdoor recreation outfitters to create satellite locations/expanded buildings.
4. Encourage vendors to attend trail-related events.
5. Partner with Burke County Tourism and the Greater Hickory Metro Convention and Visitors Bureau to identify specific tourism-related recommendations that can be included in local government comprehensive plans.
6. Contact other local/regional trail organizations that have completed trail economic development impact studies to justify the return on investment to taxpayers and donors.

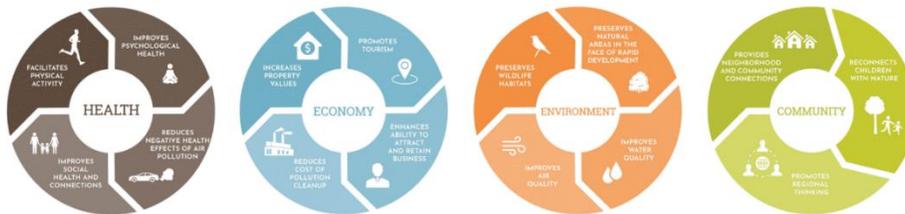


Table 52: Annual Economic, Health, and Environmental Impacts Facilitated

		Total Impact of All Six Study Trails	Average Impact per Trail Mile	Impact Range Across All Six Study Trails
\$	EMPLOYMENT	190 jobs	15 jobs	16-58 jobs
\$	LABOR INCOME	\$9.7 million	\$770 thousand	\$0.9-\$2.9 million
\$	ECONOMIC OUTPUT	\$25.8 million	\$2.1 million	\$2.2-\$7.9 million
\$	TAX REVENUE	\$3.3 million	\$262 thousand	\$0.3-\$1.0 million
+	HEALTHCARE SAVINGS	\$3.9 million	\$310 thousand	\$0.1-\$1.4 million
🌿	VEHICLE EMISSIONS REDUCTION BENEFIT	\$90 thousand	\$7 thousand	\$2.8-\$32.2 thousand
🌿	CARBON STORAGE & SEQUESTRATION BENEFIT	\$1.45 million	\$115 thousand	\$92.7-\$417.2 thousand

Source: Carolina Thread Trail website.

“The economic benefits of greenways and trails to the surrounding region are numerous. An economic impact assessment completed by ITRE in 2022 calculated millions of dollars of annual benefits for each of the six trails/greenways studied,” with in the Carolina Thread Trail (located in the North Carolina reaching 15 counties). - Carolina Thread Trail website.

BRANDING/MARKETING

1. Establish a cohesive design that reflects the region and all communities along the trail.
2. Promote the trail through social media blasts and print materials.
3. Create a hashtag for trail patrons to use when posting a picture to social media.
4. Incorporate the RTBC into existing and future bicycle and pedestrian planning documents.
5. Provide maps with QR codes to streamline access to online RTBC information.
6. Design marketing materials to appeal to specific groups – out-of-town, in-town, school-age children, college students, families and businesses.
7. Market the trail to businesses and industries for retreats, volunteer opportunities and celebrations.
8. Establish trail-centered events to encourage trail usage and awareness (ex. “Egg Hunt on the Trail”, bird watches, tree/plant identification walks, and trail running events).

WAYFINDING/SIGNAGE SYSTEM

1. After establishing a trail logo and branding, create a wayfinding system that address the needs of all users, whether traveling by foot, bicycle, car, or transit.
2. Engage local agencies, key stakeholders, and the public to develop comprehensive wayfinding signage systems that meet their unique needs.
3. Use signage as an opportunity to educate trail users about the history of the trail, local ecology, or environmental concerns.



onlyinyourstate.com
Possum Walk Trail, Pearlington

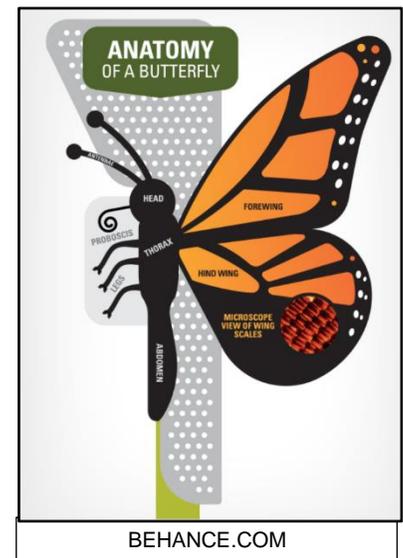
FUNDING STRATEGIES

1. Engage private funding opportunities such as fundraiser campaigns to pay for design, acquisition, and construction of trails such as buy a foot or memorial type feature.
2. Take advantage of public funding opportunities:
3. Federal – CDBG grants, and Land and Water Conservation Fund.

4. State - Clean Water Management Trust Fund, Parks and Recreation Trust Fund (PARTF), Recreational Trails Program, and NCDOT (NCDOT allows for multi-modal facilities to complete trail networks).
5. Local - use discretionary funds, debt financing, and bond referendums to support trail development, parks, open space, and greenways.
6. Encourage acquisition of land through gifting or by inclusion in ordinances as a developer incentive.
7. Engage railroad owners to explore the creation of trails along abandoned rail corridors.
8. Leverage the use of voluntary easements, conservation easements, and property donations.

EDUCATIONAL OPPORTUNITIES AND PROGRAMS

1. Incorporate gardens and orchards in trail design where feasible. These spaces can act as community areas and as a source for food scarcity countermeasures.
2. Leverage technology and non-technological opportunities to promote educational games such as scavenger hunts - plants, animals, destinations, etc.
3. Coordinate with the school system to encourage field trips for outdoor classroom learning.
4. Build an environmental center as a trail destination to promote economic development and provide an opportunity for environmental programming during inclement weather.
5. Leverage cultural resources and local history to educate users.
6. Create an educational campaign about trail etiquette - consideration for others using the trail so that everyone's experience is enjoyable. Below are other recommendations:
 - a. No motorized vehicles.
 - b. No fires, discharging of firearms, fireworks, camping, or alcohol
 - c. Keep right, pass left, and give an audible signal when passing.
 - d. Dogs must be on a leash and please pick up after your dog.
 - e. Dispose of waste and litter properly - pack it out or use a trash receptacle.
7. Establish a trail maintenance education program to aid volunteer support for the trail.
8. Create a health promotion campaign by partnering with local health organizations and conservationists to educate the public about trail-related benefits - environmental, physical, mental and emotional.
9. Tap into local resources such as the Lenoir-Rhyne University Reese Institute to create environmental education programs and conduct research.



PARTNERSHIPS

1. Continue to use WPCOG as a conduit for grant funding opportunities and planning initiatives.
2. Learn, collaborate, and build relationships with non-profits such as the YMCA, Boys and Girls Clubs, Boy and Girl Scouts of America, 4-H clubs, land conservation groups and volunteer organizations to help maintain the trail and promote opportunities for collaboration and education.
3. Partner with the kidsinparks.com, a non-profit network of family-friendly outdoor adventures called TRACK Trails to promote outdoor education and experiences.
4. Collaborate with the local library system to create a book walk experience along the trail.
5. Encourage commercial providers along the trail to provide uses such as campgrounds, recreation/water sports, golf courses, outfitters and bike shops, summer camps, and nature tours.
6. Coordinate efforts with Duke Energy for lake access and power line easement trail opportunities.
7. Work with the following State of North Carolina departments to engage ideas and opportunities - Fish and Wildlife, State Parks System, Forestry Service, Division of Transportation - Bike/Pedestrian, Wildlife Resource Commission, the Outdoor Industry Office, and Visit North Carolina.

EMERGENCY/SAFETY PLANNING:

1. Work with emergency personnel to ensure familiarity with the trail system and to develop emergency plans.
2. Encourage the idea of trails serving as evacuation routes should a natural or manmade disaster occur (fires, flooding, etc.).
3. Install emergency location markers along the trail network to assist with rescue efforts.
4. Encourage patrons to use the locators on their cell phones should an emergency occur and they need to be found.
5. Maintain updated maps of the trail for emergency personnel and patrons showing locations, proximate distances, and topography.

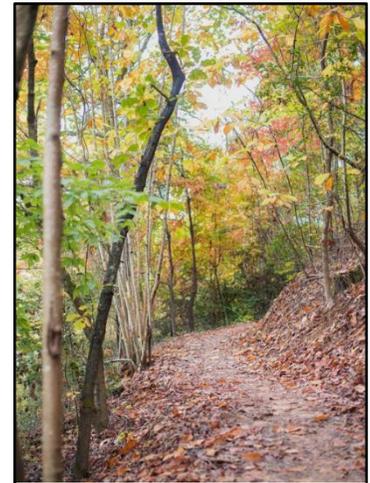
CONSTRUCTION:

1. Identify:
 - a. Needed physical improvements (reduction of conflicts at complicated intersections, transitions to on-road bikeways and sidewalks, mitigation of impacts in sensitive environmental and constrained areas).
 - b. Aesthetic qualities (landscaping, surfacing, amenities).
 - c. Site security elements (rules signing, fencing, visibility, lighting).
 - d. Maintenance and management needs (trail monitoring, police patrolling, and community stewardship).

2. Work to negotiate easements, secure required permits, and work with contractors/volunteer groups to construct the trail and associated amenities.
3. Add native trees to reduce heat islands in areas where a hard surface is prevalent and use native shrubs for beautification purposes.
4. Identify users - pedestrians, runners, slow cyclists, fast cyclists - and other modes such as e-bikes, scooters, skaters, strollers, and wheelchairs where feasible.
5. Coordinate planning and construction efforts with NCDOT and utility providers as needed.
6. Where applicable, collaborate with Greenway Public Transportation for on-board bicycle accommodations.

TRAIL AMENITIES:

1. Provide benches at rest areas and viewpoints (such as wildlife observation areas) to encourage people of all ages and abilities to use the trail.
2. Create accessibility and connectivity (walking and bicycling) to established residential neighborhoods and businesses
3. Provide the following:
4. Secure bicycle parking
5. A mix of trail types to appeal to different users - paved, natural and other surfaces
6. Trailheads with amenities for trail users
7. Restrooms and water fountains
8. Picnicking/covered areas/playgrounds/multi-use fields
9. Wildlife observation areas
10. Access to canoe and kayak launches
11. Mountain bike trails
12. Tap into niche recreation trends - dog parks, court games and disc golf to encourage usage.



Sometimeshome.com



Singletracks.com

TO: Valdese Town Council

From: Larry Johnson, Planning Director

DATE: August 1, 2023

SUBJECT: Rezoning Application 1-3-23
Town of Valdese

Property Location: 0 Lake Rhodhiss Drive NE, 709 Lake Rhodhiss Drive NE, and Lovelady Road NE

Record Numbers: 59763, 58624, and 60948

PIN Numbers: 2744557428, 2744544380, and 2744621058

ACREAGE: 97.09 acres

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

BACKGROUND: In 2006, The Valdese Town Council approved a text amendment allowing Secondary Schools in the M-1 Manufacturing District after learning of the acquisition of property by Burke County for the location of a high school. The parcels now comprise vacant land and a secondary school (Draughn High School). The Valdese Planning Board currently recommends a more appropriate zoning designation for the Burke County/Burke County Public School BOE property. A rezoning to R-12A Residential from M-1 Manufacturing will continue to permit secondary school uses.

REVIEW CRITERIA:

1. Existing land uses in the general vicinity of the subject's property;
 - **North:** The property is zoned M-1 Manufacturing District and is the location of the Town of Valdese Waste Water Treatment Facility.
 - **South:** The property is zone M-1 Manufacturing and contains a manufacturing facility.

- **East:** The properties to the East are zoned R-8 Residential District and Burke County R-2 Residential. These properties are mostly vacant, with two single-family residences.
- **West:** The property to the West is zoned R-12A Residential District and is currently being developed for outdoor recreation.

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

2. Traffic;

Valdese Park Road NE is the primary entrance for two of the parcels. It is considered a local or minor street. The street provides ingress and egress for school attendees and the manufacturing facility.

No Traffic Study was conducted because school is out for the Summer, which would not reveal meaningful results.

3. Public Services;

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

4. Consistency;

The proposed zoning of R-12A Residential is *inconsistent* with the Valdese Vision: A Land Use Plan for the Future. The proposed zoning designation of R-12A Residential is also inconsistent with the future " **Social** " land use designation in the Valdese Vision Land Use Plan and map.

RECOMMENDED ACTION:

The Valdese Planning Board finds Rezoning Petition 1-3-23 to be considered **inconsistent** with the Valdese Vision: A Land Use Action Plan for the Future; however, the Planning Board recommends the following:

1. The Valdese Town Council adopts a statement affirming the consistency or inconsistency with the Valdese Vision;
2. Adoption of a Reasonableness Statement analyzing the reasonableness of the proposed rezoning amendment; and
3. Approve the recommended zoning designation to R-12A Residential.

CITIZEN INPUT

A Notice of Public Hearing appeared in the News-Herald on July 27, 2023, and August 1, 2023. All adjoining property owners received notices of the hearing. A Notice of Public Hearing was also posted at the properties. No comments were received before the submission of this memorandum.



TOWN OF VALDEESE

NORTH CAROLINA'S FRIENDLY TOWN

P.O. BOX 339

VALDEESE, NORTH CAROLINA 28690-0339

PHONE (828) 879-2120 | FAX (828) 879-2139 | TOWNOFVALDEESE.COM



VALDEESE TOWN COUNCIL ZONING MAP AMENDMENT CONSISTENCY AND REASONABLENESS STATEMENT

On August 7, 2023, the Valdeese Town Council met to consider Rezoning Petition 1-3-23 and received a recommendation from the Valdeese Planning Board. After considering the Plan (defined below), ordinances, maps, recommendations, and other materials presented, the Valdeese Town Council makes the following findings and conclusions:

1. In 2014 the Town of Valdeese adopted a comprehensive land use plan entitled “The Valdeese Vision: A Land Use Action Plan for the Future” (hereinafter the “Plan”).
2. The Town of Valdeese submitted a Rezoning Petition recommended by the Town of Valdeese Planning Board requesting to rezone the following three properties from M-1 Manufacturing to R-12A Residential District: (i) 0 Lake Rhodhiss Drive NE, Connelly Springs, North Carolina, PIN: 2744557428; (ii) 709 Lovelady Rd NE, Connelly Springs, North Carolina, PIN: 2744544380; and (iii) 0 Lovelady Rd, Connelly Springs, North Carolina, PIN: 2744621058 (the “Properties”).
3. The Properties are comprised of vacant land and a secondary school, Draughn High School. A rezoning of the Properties to R-12A Residential will continue to permit secondary school uses.
4. 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.

5. The Town of Valdese's request for amendment was duly considered at a meeting of the Town of Valdese Planning Board. The Planning Board found the Town of Valdese's request to amend the Town's Zoning Map around the Properties from their currently designated zoning to Zone R-12A Residential District to be *inconsistent* with the Plan.
6. The Planning Board voted five to zero to recommend that Town Council amend the Town's Zoning Map regarding the Properties from M-1 Manufacturing to R-12A Residential.
7. The Valdese Town Council hereby finds Rezoning Petition 1-3-23 in regards to rezoning the Properties from their currently designated zoning to Zone R-12A Residential to be *inconsistent* with the Plan.
8. 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.

9. The Town Council finds that the zoning amendment is reasonable and in the public interest based on the following:
 - a. The total acreage of the Properties is of sufficient size so as not to be construed as "spot" zoning.
 - b. The surrounding zoning designations are M-1 Manufacturing to the North (location of the Town of Valdese Waste Water Treatment Facility), M-1 Manufacturing to the South (contains a manufacturing facility), R-8 Residential and Burke County R-2 Residential to the East (mostly vacant, but with two single-family residences), and M-1 Manufacturing to the west (outdoor recreation).
 - c. Rezoning the Properties to R-12A Residential District will permit uses similar to those in the area, with the exception of manufacturing.
 - d. 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.

- e. 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. A rezoning of the Properties to R-12A Residential will continue to permit secondary school uses.
- f. The proposed amendment will not cause public services to fall below acceptable levels. Public services are in place to service the parcel. These public services include water and sewer, police, and fire protection.
- g. 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 1-3-23 in regards to rezoning the Properties from their currently designated zoning to Zone R-12A Residential District to be **inconsistent** with the Plan and approves Rezoning Petition 1-3-23 and the recommendation from the Valdese Planning Board to amend the Town's Zoning Map regarding the Properties from M-1 Manufacturing to R-12A Residential District.

Based on those above and the findings from the public hearing, the Valdese Town Council further finds Rezoning Petition 1-3-23 reasonable and approves Rezoning Petition 1-3-23.

The Town Council therefore approves Rezoning Petition 1-3-23.

THE TOWN OF VALDESE,
a North Carolina Municipal Corporation

ATTEST:

_____ (Seal)
CHARLES WATTS, Mayor

JESSICA LAIL, Town Clerk

Rezoning Application

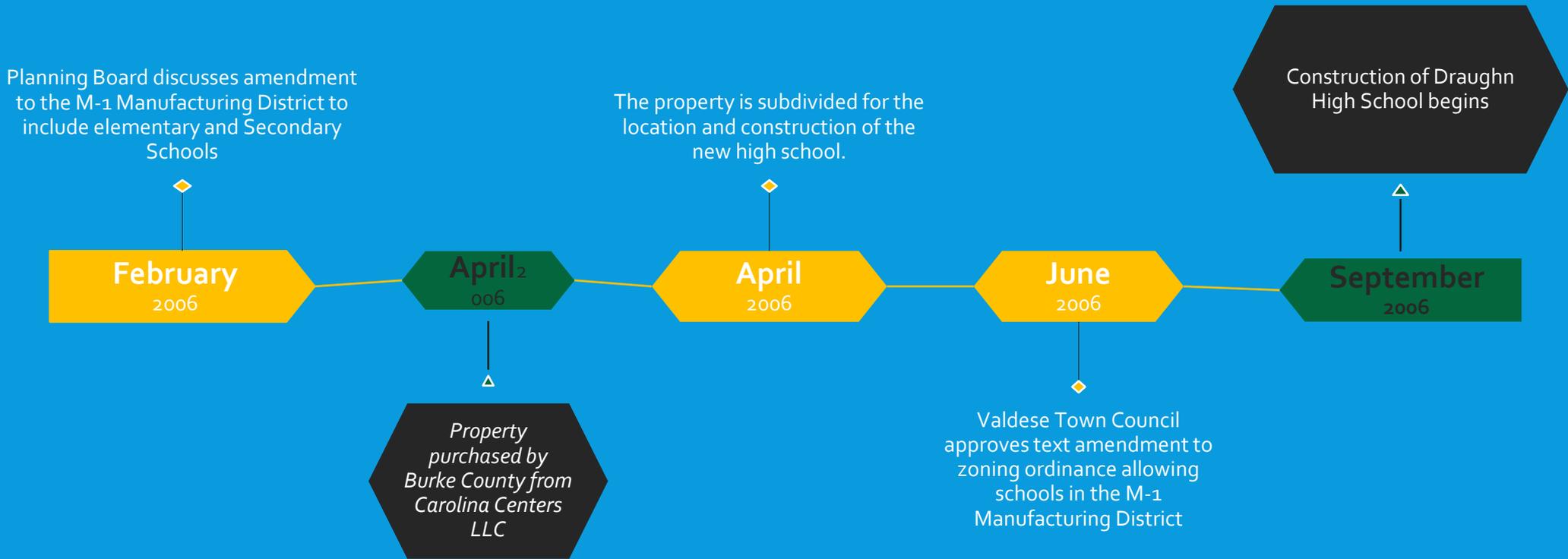
1-3-23

Filed by

Town of Valdese

HOW DID WE GET HERE?

SCHOOL PROPERTY



- Draughn High School is located on a parcel titled to Burke County. Current zoning designation of school is M-1 Manufacturing
- The two remaining parcels are titled to Burke County Public School School BOE. The current zoning designation is M-1 Manufacturing.

M-1 MANUFACTURING DISTRICT

- District is intended to establish and preserve areas for industrial and related uses of such nature that they do not create serious problems of compatibility with other kinds of commercial uses which are most appropriately located as neighbors of industrial uses or which are necessary to service the immediate needs of people in these areas.

9-3058.1 Permitted Uses

- (a) Uses permitted by right:
 - Automotive Body Repair
 - Automotive Repair
 - Essential Services - Class 1-3
 - Precision instrument manufacturing
 - Recycling Plant
 -

- (13) The manufacturing, processing, fabricating, and/or wholesaling of the following products: bedding, carpets, and pillows; clothing, including hosiery; electric and electronic products; **foods and food products**, not including slaughterhouses; glass; household appliances; ice; **leather goods**, not including the processing or storage of rawhides; **machine tools**; **metals and metal products**; paints; **paper products**, not including the manufacturing or processing of paper; plastics; rubber products, not including the manufacturing or processing of rubber; textiles; **wood and wood products**, furniture, milk distribution (non-bottling) facilities.

REZONING OPTIONS

- Option #1
 - Map amendment to rezone School and County properties to R-8 Residential.
- Option #2
 - Map amendment to rezone School and County properties to the zoning designation of park property (**THE LAKESIDE PARK PROPERTIES REZONED R-12A RESIDENTIAL DISTRICT**)
- Option #3
 - Map amendment to rezone School and County properties to any residential zoning district in the current zoning ordinance

REZONING

Initiated by the Valdese Planning Board, an application was filed in March 2023 by the Town of Valdese to rezone three parcels, including Draughn High School's location to **R-12A Residential District**.

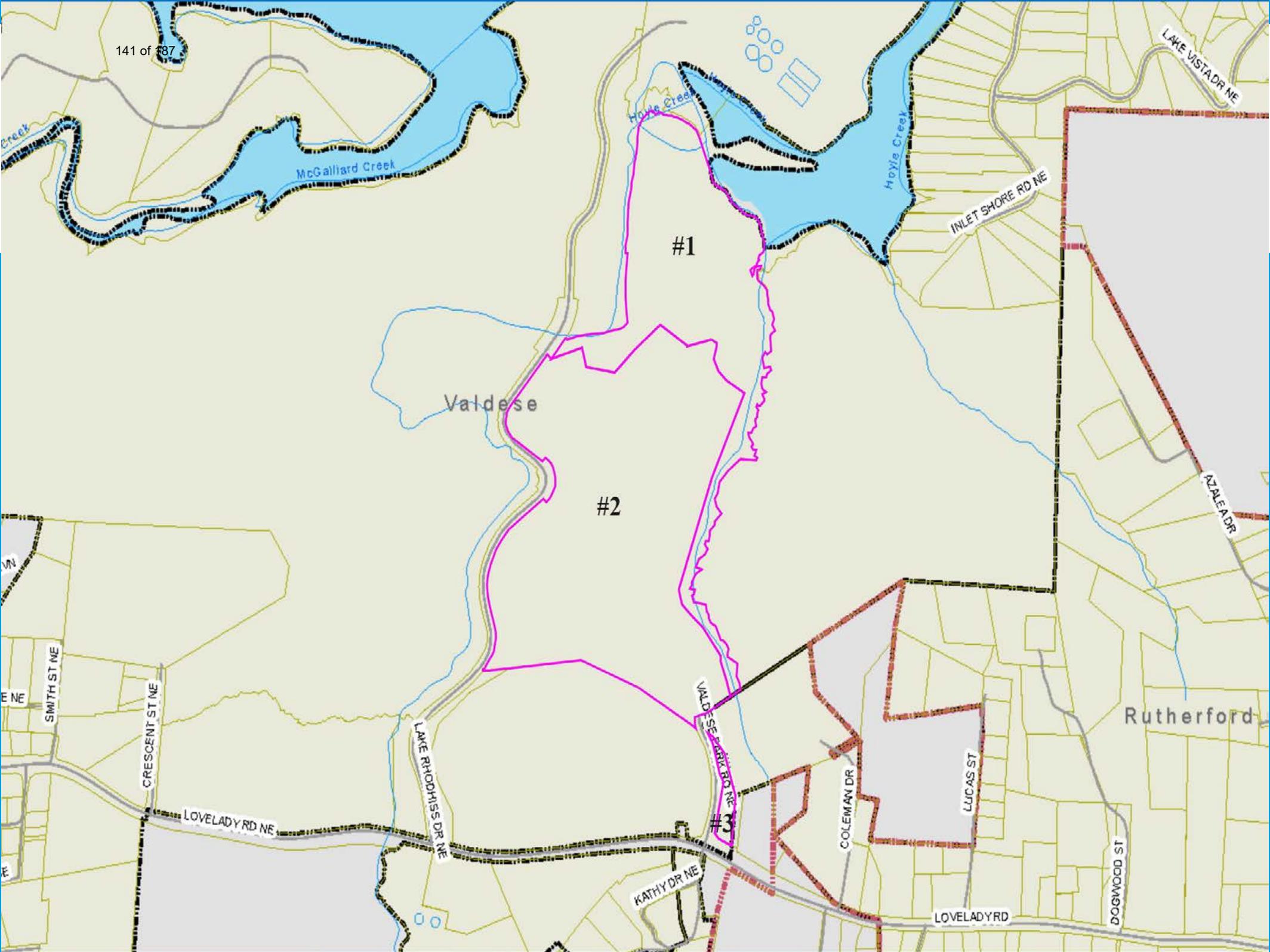
9-3052 R-12A RESIDENTIAL DISTRICT

- (1) Board House
- (2) Cemeteries
- (3) Churches
- (4) Essential Services 1 and 2
- (5) Family Care Homes
- (6) Government Buildings up to 5,000 SF
- (7) Modular Home
- (8) Neighborhood and Outdoor Recreation
- (9) Parks
- (10) Single-family Homes, excluding Manufacturing
- (11) Two-family Homes (duplexes)

R-12A RESIDENTIAL

- Uses permitted with a Special Use Permit use:
 - (1) Multi-family building
 - (2) Residential Care Facility
 - (3) Planned Unit Development -Residential
 - (4) ***Public and private elementary and secondary schools***
 - (5) Detached Garage located in the front yard
 - (6) Ten-Acre Exempt Development
 - (7) Gated Subdivision

Location and Zoning



McGalliard Creek

Hoyle Creek

Hoyle Creek

Lake Vista Dr NE

Inlet Shore Rd NE

#1

Valdese

#2

Azalea Dr

Rutherford

Smith St NE

Crescent St NE

Lovelady Rd NE

Lake Rhodhiss Dr NE

Valdese Park Rd NE

Coleman Dr

Lucas St

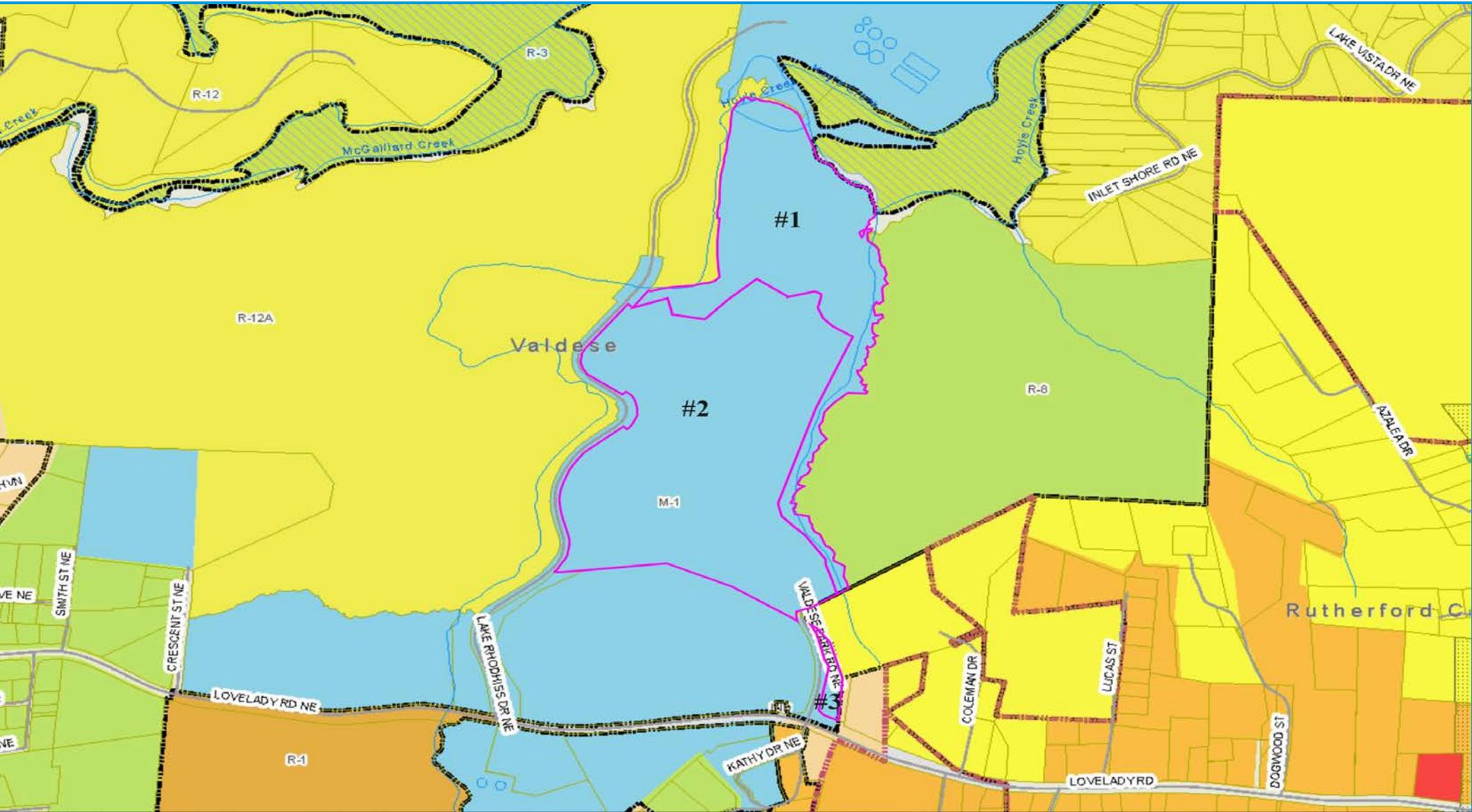
Kathy Dr NE

Lovelady Rd

Dogwood St

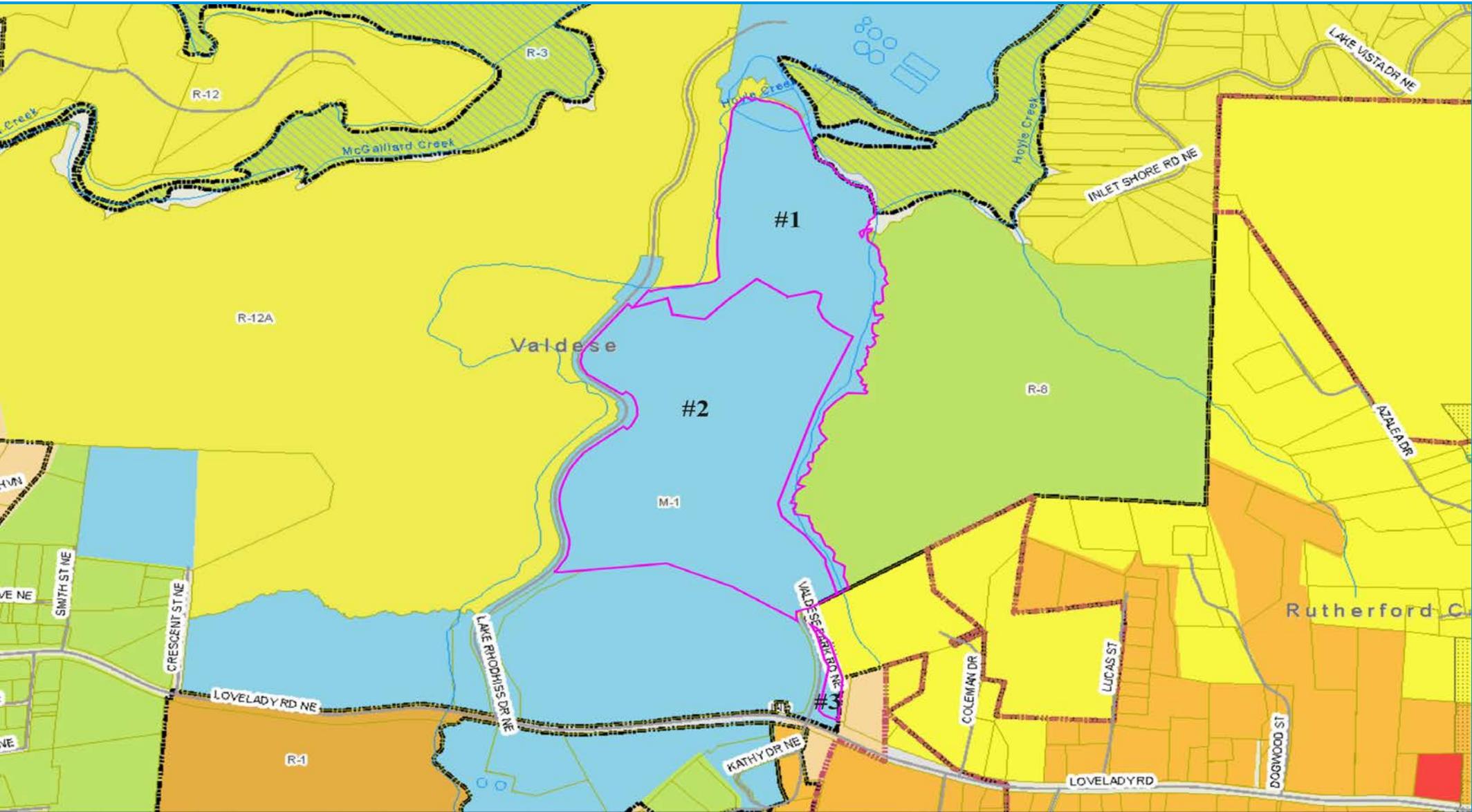
PARCEL #1 LAKE RHODISS DR. NE (32.61 ACRES) BURKE COUNTY PUBLIC SCHOOL BOE

VACANT, ZONING DESIGNATION OF M-1 MANUFACTURING



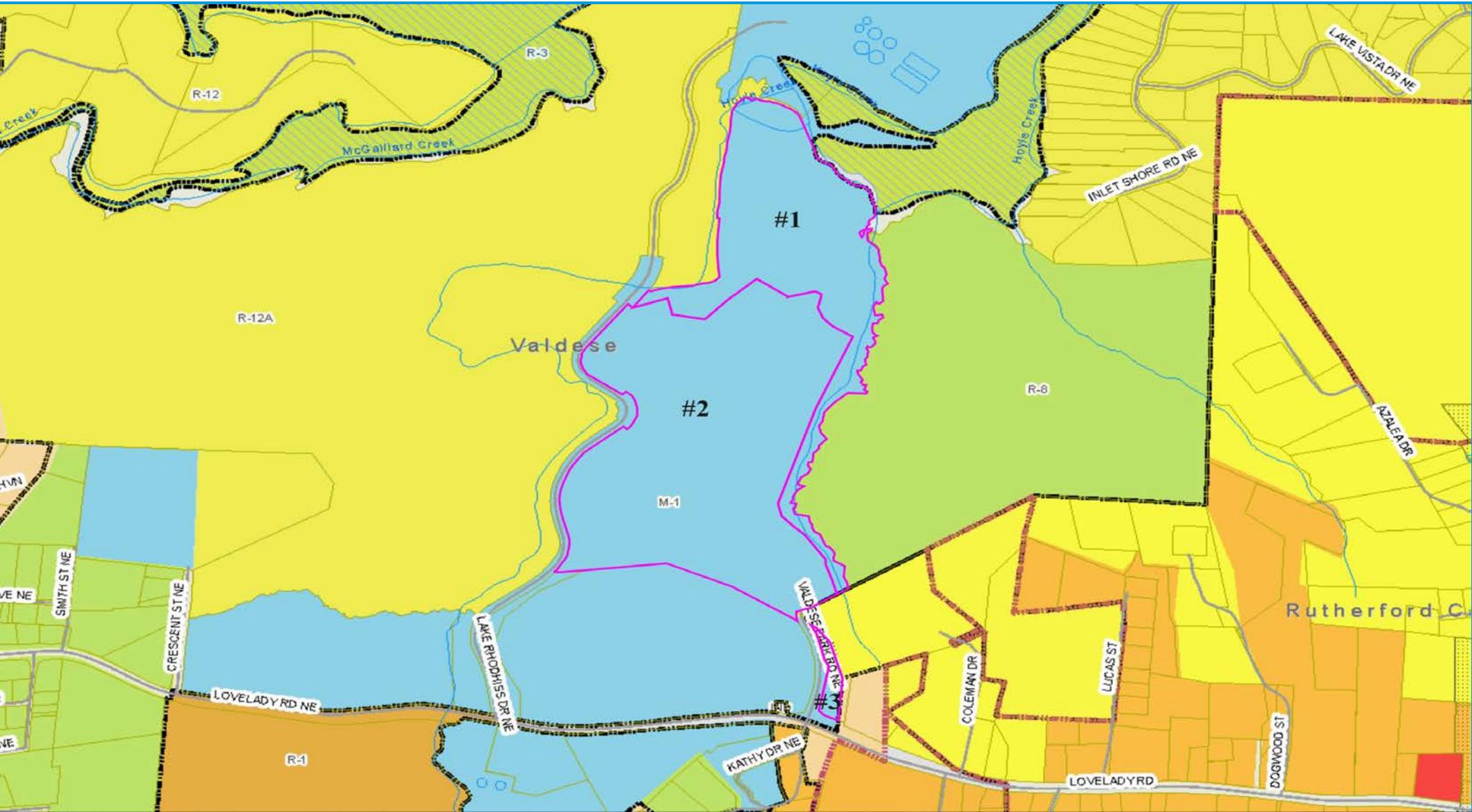
PARCEL #2 709 LAKE RHODISS DR. NE (64.13 ACRES) BURKE COUNTY

SECONDARY SCHOOL, ZONING DESIGNATION OF M-1 MANUFACTURING



PARCEL #3 709 LOVELADY ROAD. NE (0.35 ACRES)

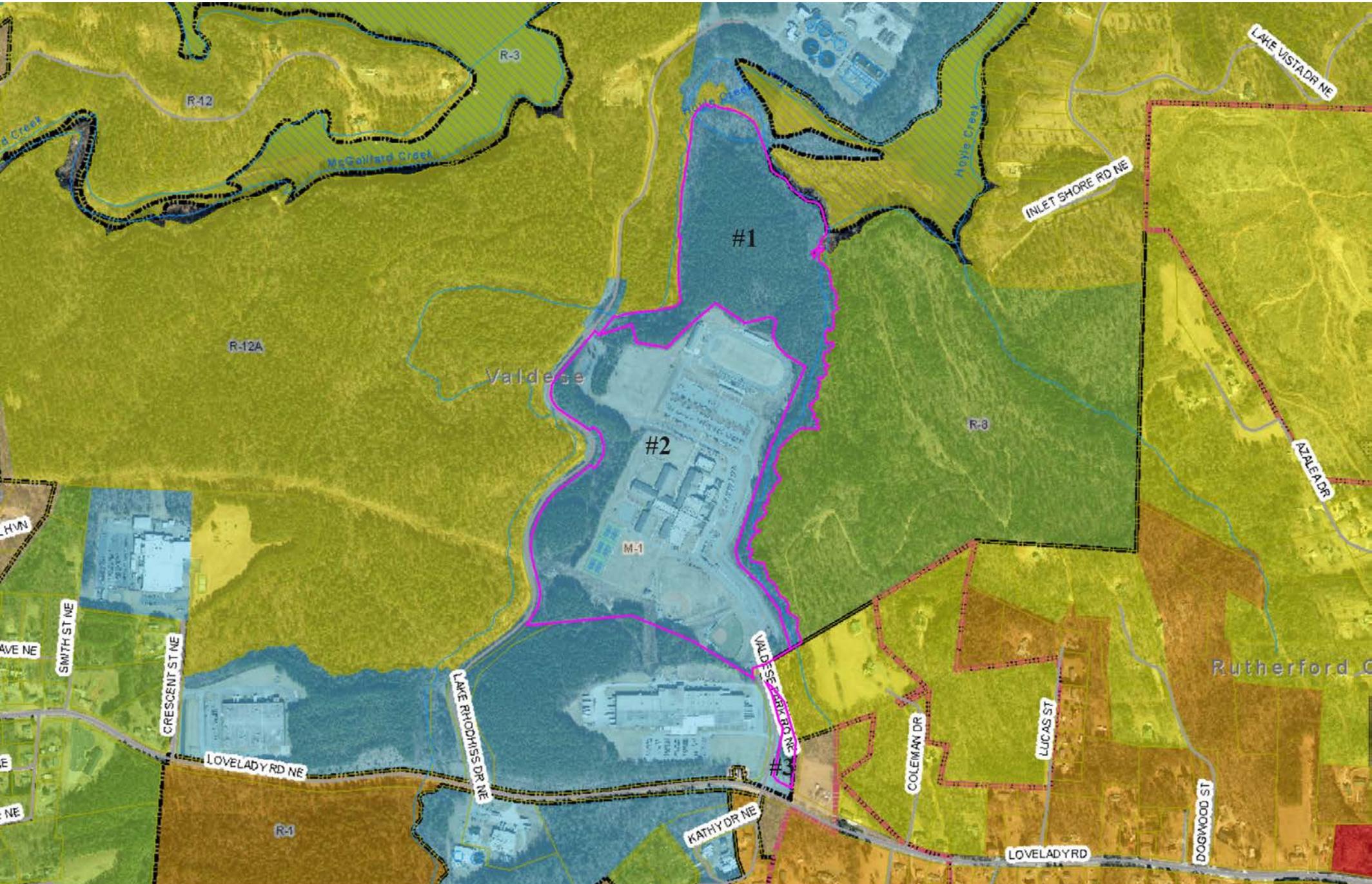
BURKE COUNTY PUBLIC SCHOOL BOE VACANT, ZONING DESIGNATION OF M-1 MANUFACTURING



SURROUNDING LAND USE



SURROUNDING ZONING



APPROVAL CONSIDERATIONS

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

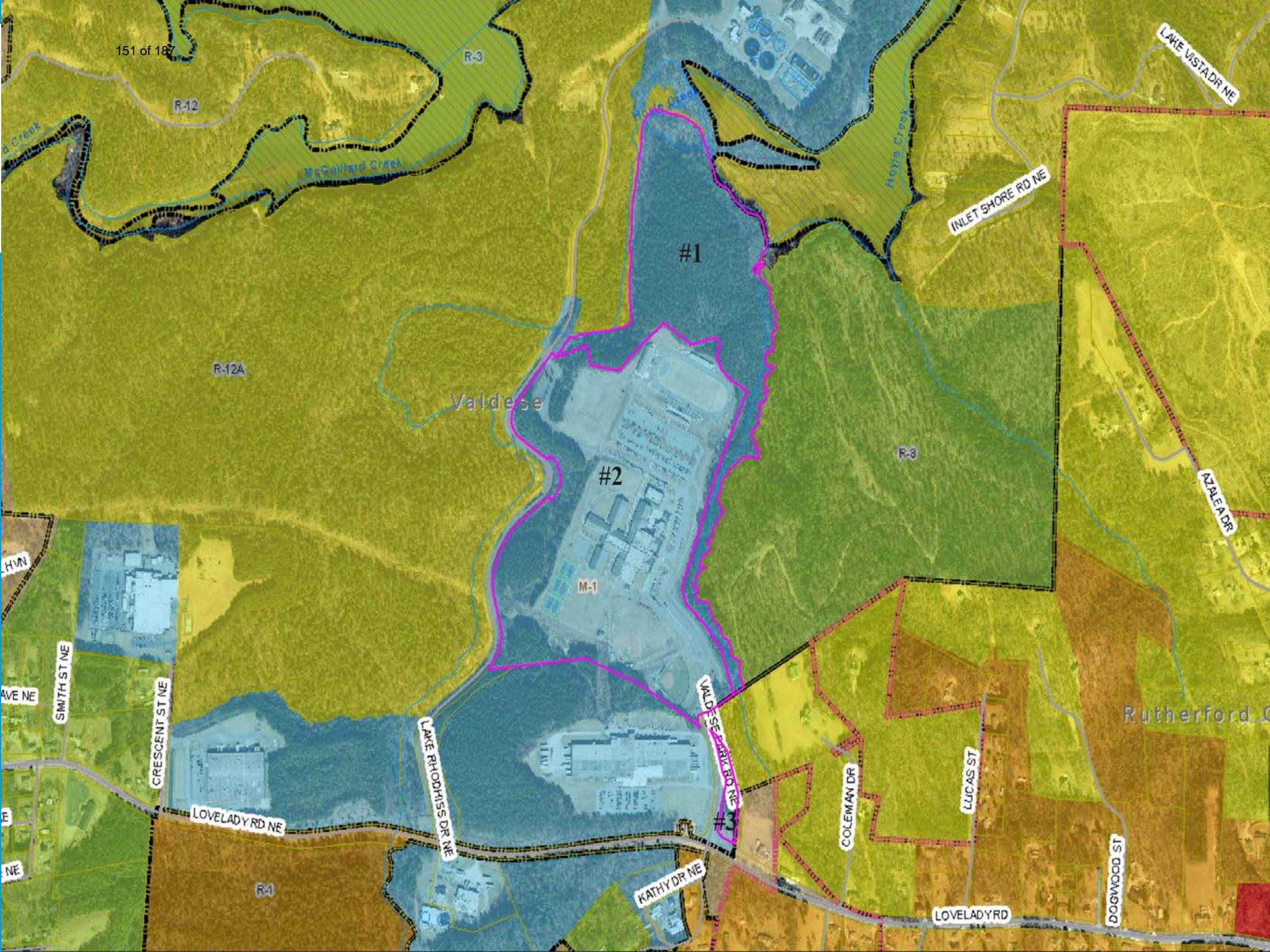
TRAFFIC

- ▶ The primary access to Parcel #1 is along Lake Rhodhiss Drive NE. Lake Rhodhiss Drive NE also serves as bus egress and ingress for the high school.
- ▶ The primary entrance to Parcel #2 (Draughn High School) is through Valdese Park Road NE, which also serves as the entrance to the Valdese Weavers Plant and the Draughn High School buses.
- ▶ Parcel #3 is accessed through Valdese Park Road NE and Lovelady Road NE

A traffic study was not conducted. Conducting a study at this time would not have revealed meaningful results.

ZONING USE CONSISTENCY

The three parcels are contiguous with residential, recreation, and industrial uses. A zoning change from M-1 Manufacturing to R-12A Residential will not have a negative impact on the surrounding land uses. The R-12A Residential District supports surrounding land uses, including parks, residential development, and public and private elementary and secondary schools, with a special use permit.



R-3

R-12

McCalliard Creek

#1

INLET SHORE RD NE

LAKE VISTADR NE

R-12A

Valdese

R-8

#2

AZALEA DR

M-1

HWY

SMITH ST NE

AVE NE

CRESCENT ST NE

VALDESE PARK RD NE

Rutherford Co

LOVELADY RD NE

LAKE RHODHISS DR NE

COLEMAN DR

LUCAS ST

E

NE

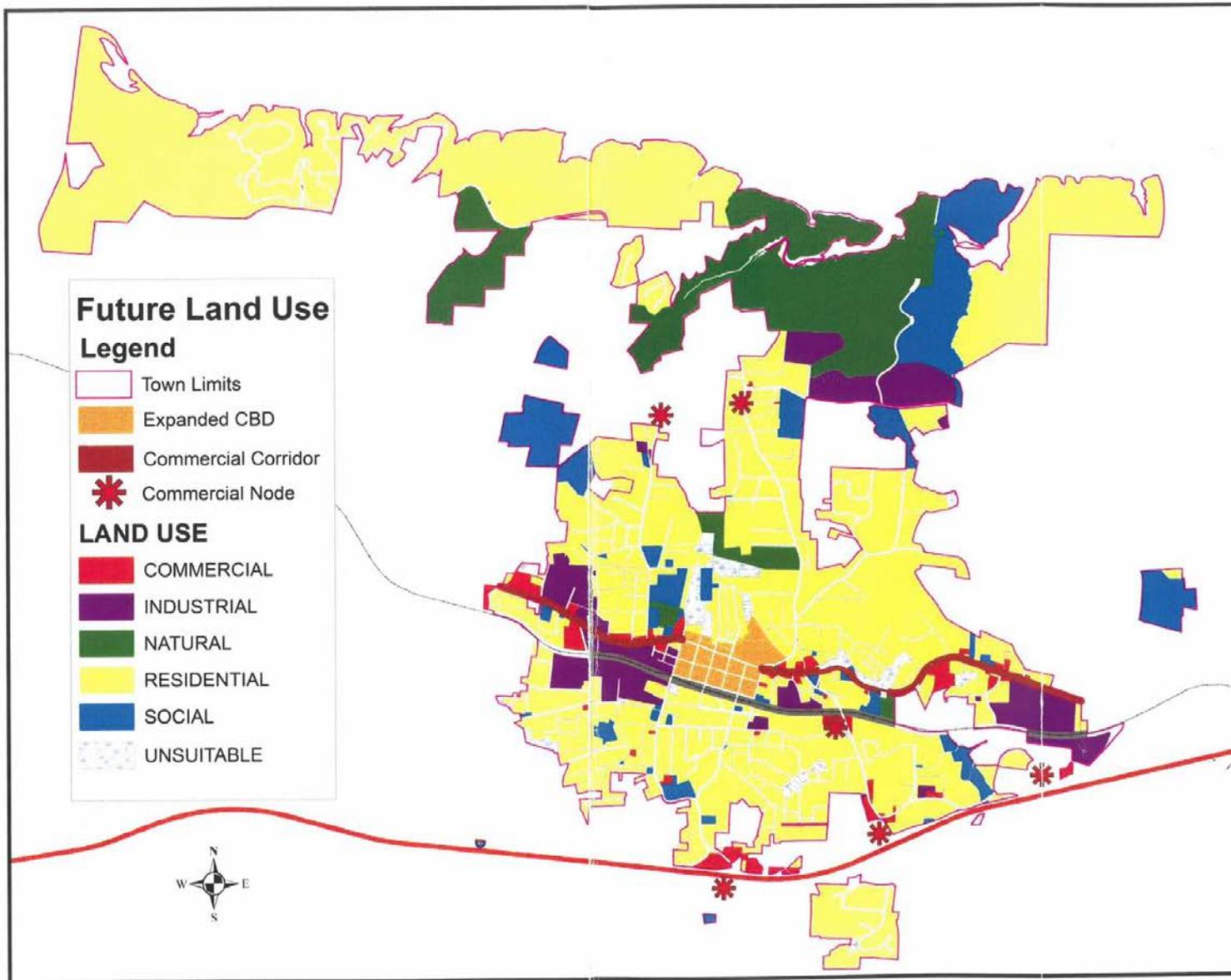
R-1

KATHY DR NE

LOVELADY RD

DOGWOOD ST

THE VALDESE VISION: A LAND USE ACTION PLAN FUTURE LAND USE MAP



THE VALDESE VISION - LAND USE ACTION PLAN FOR THE 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.

The Future Land Use Map guides future development over the next 10 to 20 years. It is a generalized map of where Valdese may develop in the future and the type of land use that is likely and desired. The Future Land Use Map is not intended to be a mandate for future development projects but rather an attempt to anticipate future growth patterns. It should be used with the official zoning map but does not require rezoning of any specific property. It is, however, an important tool that should be used when evaluating future rezoning requests.

Zoning Designations and Consistency

The Valdese Vision Future Land Use Map identifies (parcel #1) Lake Rhodhiss Drive NE, (parcel #2) 709 Lake Rhodhiss Drive NE, and (parcel #3) Lovelady Road NE as Social. This designation is inconsistent with the current zoning classification of M-1 Manufacturing.

The proposed rezoning classification of the three properties to R-12A is inconsistent with the Future Land Use map designation of Social.

REVIEW AND DISCUSSION

- Town of Valdese (Planning Board) requested a zoning map amendment March 2023 to rezone three parcels with zoning designations of M-1 Manufacturing to R-12A Residential District.
- The petition for a R-12A Residential District designation for the three properties is inconsistent with the Future Land Use Map.
- The current zoning designation of M-1 Manufacturing is inconsistent with the Future Land Use Map. The Future Land Use Map identified the three parcels as “Social”.

- The R-12A Residential District identifies Private and Public Elementary and Secondary Schools as permitted uses with a Special Use Permit.
- The three parcels are contiguous with residential, recreation, and industrial uses.
- A traffic study was not conducted.
- The Future Land Use Map is a guide for future development over the next 10 to 20 years. It is not intended to be a mandate for future development

PROPERTY OWNERS

- Adjoining property owners were notified of the public hearing by first-class mailings.
- The three parcels that comprise Burke County/Burke County Public School BOE were posted with Notices of Public Hearing Signage.
- The Planning Department received _____ calls regarding this public hearing.

PLANNING BOARD'S RECOMMENDATION

The Planning Board met on March 20, 2023, to consider the three parcels under the ownership of Burke County and Burke County Public School BOE for a rezoning change from M-1 Manufacturing District to the R-12A Residential District.

PLANNING BOARD RECOMMENDATION CONT.

The Planning Board considered and adopted a statement affirming that the request is *inconsistent* with the Valdese Vision: A Land Use Action Plan; In a vote of five to zero, recommends the approval of petition 1-3-23 to the Valdese Town Council.

TOWN COUNCIL ACTION

- G.S. 160D-605 - 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)
- For zoning map amendments, the governing board (Town Council) must also adopt a Statement of Reasonableness.
- the Land Use Plan does not bind Town Council and may adopt an amendment even though consistent or inconsistent with the land use plan!

CONSISTENCY AND REASONABLENESS STATEMENT

- On August 7, 2023, the Valdese Town Council met to consider Rezoning Petition 1-3-23 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 "Plan,") which included a Future Land Use Map)
2. The Town of Valdese submitted a Rezoning Petition requesting to rezone three parcels from M-1 Manufacturing District to Zone R-12A Residential District: (Parcel 1) o Lake Rhodhiss Drive NE, Record No. 59763, PIN No. 2744557428; (Parcel 2) 709 Lake Rhodhiss Drive NE, Record No. 58624. PIN No. 2744544380 and (Parcel 3) o Lovelady Road NE, Record No. 60882, 2744621058 (the "Properties").

3. The Properties are comprised of vacant land and a secondary school, Draughn High School. A rezoning of the Properties to R-12A Residential will continue to permit secondary school uses.
4. 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.

5. 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 request to amend the Town's Zoning Map around the Properties from their currently designated zoning to Zone R-12A Residential District to be *inconsistent* with the Plan.
6. The Planning Board voted five to zero to recommend that Town Council amend the Town's Zoning Map regarding the Properties from M-1 Manufacturing to R-12A Residential.
7. The Valdese Town Council hereby finds Rezoning Petition 1-3-23 in regards to rezoning the Properties from their currently designated zoning to Zone R-12A Residential to be *inconsistent* with the Plan.

8. North Carolina General Statute 160D-605(a) 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.

- 9. The Town Council finds that the zoning amendment is reasonable and in the public interest based on the following:
 - a) The total acreage of the Properties is of sufficient size so as not to be construed as “spot” zoning.
 - b) The surrounding zoning designations are M-1 Manufacturing to the North (location of the Town of Valdese Waste Water Treatment Facility), M-1 Manufacturing to the South (contains a manufacturing facility), R-8 Residential and Burke County R-2 Residential to the East (mostly vacant, but with two single-family residences), and M-1 Manufacturing to the west (outdoor recreation).
 - c) Rezoning the Properties to R-12A Residential District will permit uses similar to those in the area, with the exception of manufacturing.

- d. 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.
- e. 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. A rezoning of the Properties to R-12A Residential will continue to permit secondary school uses.
- f. The proposed amendment will not cause public services to fall below acceptable levels. Public services are in place to service the parcel. These public services include water and sewer, police , and fire protection.

- g. 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 1-3-23 in regards to the Properties from their currently designated zoning to Zone R-12A Residential District to be *inconsistent* with the Plan and approves Rezoning Petition 1-3-23 and the recommendation from the Valdese Planning Board to amend the Town's Zoning Map regarding the Properties 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 1-3-23 reasonable and approves Rezoning Petition 1-3-23.

QUESTIONS?

TOWN COUNCIL MOTION

- MOVE TO APPROVE REZONING PETITION 1-3-23 AND ADOPT THE PROPOSED CONSISTENCY AND REASONABLENESS STATEMENT CONTAINED IN THE AGENDA MATERIALS.
- THIS APPROVAL DEEMS THE PETITION AS AN AMENDMENT TO THE VALDESE VISION: A LAND USE ACTION PLAN FOR THE FUTURE LAND USE MAP.

COUNCIL AGENDA MEMO

From: Bo D. Weichel, Assistant Town Manager
Date: August 7, 2023
Re: FY 23-24 Street Improvements

REQUEST

To award the street improvements contract with J.T. Russell & Sons, Inc.

BACKGROUND

With the recently adopted budget for FY 23-24, the Town allocated a total budget of \$500,000 for the improvement streets including engineering, resurfacing, and addressing drainage issues to prolong the asphalt service life.

Based on the most recent street condition analysis conducted by J.M Teague Engineering, input from McGill Associates, and in conjunction with the street committee, contractors were invited to provide a lump sum bid based on the listed streets below. These streets are recommended for several reasons: budget, deteriorating street condition, and a mix of residential and commercial street use.

ANALYSIS

The Town received four bids with the lowest responsible, responsive bidder being J.T. Russell & Sons, Inc. as shown on the attached bid tabulation form. In summary, the quoted price for each street are as follows:

Item No.	Description	Bid Price
1	Laurel Street SE	\$ 55,500.00
2	Micol Avenue NE	98,550.00
3	Walsh Drive SE	26,300.00
4	Columbo Street NW	55,500.00
5	Skie Circle SE	52,550.00
6	Hauss Ridge Road SE - Section 1	29,225.00
7	Hauss Ridge Road SE - Section 2	56,000.00
8	Rostan Street SE - Section 1	14,600.00
9	Rostan Street SE - Section 2	25,000.00
10	Flora Lane NE	31,000.00
Total Contract Amount		\$ 444,225.00

RECOMMENDATION

Staff recommends for Council to award the contract to J.T. Russell & Sons, Inc. for all streets listed above in the amount of \$444,225.00

The remaining amount of the \$500,000.00 budget will be used to pay for engineering/inspection fees and a small amount of contingency for any unforeseen subgrade issues.

August 3, 2023

Mr. Seth Eckard, Town Manager
Town of Valdese
102 Massel Avenue SW
Valdese, NC 28690

RE: Award Recommendation
2023 Roadway Paving Project
Town of Valdese, North Carolina

Dear Mr. Eckard:

Informal bids were received and reviewed for the Town's 2023 Roadway Paving Project on August 2, 2023. A total of eight (8) bidding document packages were delivered to interested parties, and the Town received four (4) bids.

J.T. Russell & Sons, Inc., of Conover, North Carolina, was the lowest responsive, responsible bidder, with a total base bid amount of \$444,225.00, inclusive of all ten (10) street segments included in the bid package.

We recommend awarding this project to J.T. Russell & Sons, Inc., with a total contract amount of **\$444,225.00** based on the following information:

- J.T. Russell & Sons, Inc., is appropriately licensed with the North Carolina Licensing Board for General Contractors
- J.T. Russell & Sons, Inc., has successfully completed similar municipal projects in the past

We also recommend establishing a project contingency fund in the amount of \$10,675.00 for any necessary construction materials testing or unforeseen project conditions encountered during construction.

Enclosed for your use is the Certified Bid Tabulation. Please do not hesitate to contact us if you have any questions.

Sincerely,
McGILL ASSOCIATES, P.A.

A handwritten signature in blue ink that reads "R.J. Mozeley".

R.J. MOZELEY, PE
Senior Project Manager

RJM:jcw

Enclosures: Certified Bid Tabulation

CERTIFIED BID TABULATION

2023 Roadway Paving Project

TOWN OF VALDESE, NORTH CAROLINA

Wednesday, August 2, 2023; 2:00 pm

Valdese Town Hall, 102 Massel Avenue SW, Valdese, North Carolina 28690

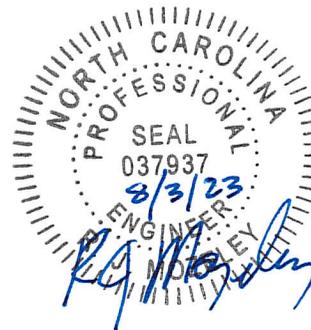
No.	Street Section	Evans Construction	JT Russell and Sons	M&K Enterprises	Midstate Contractors
1	Laurel St SE	\$86,632.00	\$55,500.00	\$78,984.76	\$74,187.30
2	Micol Avenue NE	\$90,373.73	\$98,550.00	\$150,452.47	\$63,822.90
3	Walsh Drive SE	\$34,299.00	\$26,300.00	\$28,242.02	\$30,496.50
4	Columbo Street NW	\$43,835.00	\$55,500.00	\$47,460.47	\$41,784.45
5	Skie Circle SE	\$77,987.00	\$52,550.00	\$87,194.52	\$71,304.70
6	Hauss Ridge Rd SE - 1	\$42,101.00	\$29,225.00	\$36,840.61	\$29,124.30
7	Hauss Ridge Rd SE - 2	\$64,056.00	\$56,000.00	\$72,094.76	\$53,985.70
8	Rostan St SE - 1	\$24,460.00	\$14,600.00	\$28,462.06	\$21,060.70
9	Rostan St SE - 2	\$34,038.00	\$25,000.00	\$34,187.09	\$37,143.30
10	Flora Lane NE	\$35,415.00	\$31,000.00	\$37,771.54	\$28,804.30
TOTAL		\$533,196.73	\$444,225.00	\$601,690.30	\$451,714.15

This is to certify that bids tabulated herein were accompanied by a 5% bid bond or certified check and were received and read aloud at 2:00pm local time on the 2nd day of August, 2023, in the Valdese Town Hall, located at 102 Massell Avenue SW, Valdese, North Carolina 28690

RJ MOZELEY, PE



1240 19th Street Lane NW
 Hickory, North Carolina 28601
 License No. C-0459



Memo

To: Mayor & Town Council

From: Morrissa Angi – Director Community Affairs & Tourism

cc: Seth Eckard – Town Manager

Date: 7/18/23

Re: Grant Administration Contract for ORS Renovation

Included for Town Council consideration is a contract from WPCOG for grant administration for the Rural Transformation Fund Grant (\$850,000) & Appalachian Regional Commission Grant (\$60,000) for the Old Rock School Renovation Project.

It is staff's recommendation that the Town of Valdese enter into this contract for assistance with this grant process. The renovation project was approved at the December 2022 meeting. The Rural Transformation Fund Grant will cover the construction costs and ARC Grant funds will be used for equipment upgrades. Both grants are focused on accessibility, transforming under-utilized spaces and creating business incubator spaces.

Renovations are tentatively scheduled to take place in early 2024.

AGREEMENT BETWEEN THE
WESTERN PIEDMONT COUNCIL OF GOVERNMENTS AND
THE TOWN OF VALDESE
FOR THE PROVISION OF
ADMINISTRATIVE ASSISTANCE
NORTH CAROLINA DEPARTMENT OF COMMERCE
RURAL TRANSFORMATION GRANT
OLD ROCK SCHOOL ENTREPRENEURAL CENTER
AUGUST 7, 2023 – DECEMBER 31, 2026

This AGREEMENT, entered into on this the 7th day of AUGUST 2023 by and between the Western Piedmont Council of Governments (hereinafter referred to as the "Planning Agency") and the Town of Valdese, North Carolina (hereinafter referred to as the "Local Government"); WITNESSETH THAT:

WHEREAS, the Planning Agency is empowered to provide technical assistance by the North Carolina General Statutes and by resolution passed by the Planning Agency on April 17, 1972. Technical assistance shall consist of the provision of services as described in Attachment A, which is herein made a part of this Contract.

WHEREAS, the Local Government has requested the Planning Agency to provide such technical assistance to the Local Government; and

WHEREAS, the Planning Agency desires to cooperate with the Local Government in every way possible to the end that the proposed activities are carried out in an efficient and professional manner;

NOW, THEREFORE, the parties hereto do mutually agree as follows:

1. **Personnel.** That during the period of this Contract, the Planning Agency will furnish the necessary trained personnel to the Local Government.
2. **Travel/Printing.** The Local Government will pay for expenses related to conferences, conventions, seminars, local travel, etc. of the personnel when the Local Government requests or approves travel related to the Local Government's planning program, or if it is beneficial to both parties, the costs will be shared on an agreed-upon ratio. The Local Government will also pay for expenses related to printing of report(s), mailings to advisory boards, and other costs not related to normal travel and staffing costs associated with personnel furnished by the Planning Agency.
3. **Compensation.** The Local Government will pay the Planning Agency an amount of \$25,000 (twenty-five thousand dollars) for the satisfactory performance of all services related to administration of the project as defined in the attached Scope of Services. It is expressly understood and agreed that total compensation shall not exceed the sum specified without prior approval of both

agencies.

4. **Termination/Modifications.** The Local Government may terminate this Contract by giving the Planning Agency a thirty-day written notice. Furthermore, if there is a need to amend the proposal outlined in Attachment A, either party may do so with the written approval of the other.
5. **Time of Performance.** The Planning Agency shall ensure that all services required herein should be completed and all required reports, maps, and documents submitted during the period beginning August 7, 2023, and ending December 31, 2026.
6. **Interest of Members, Officers, or Employees of the Planning Agency, Members of the Local Government, or Other Public Officials.** No member, officer, or employee of the Planning Agency or its agents; no member of the governing body of the locality in which the program is situated; and no other public official of such locality or localities who exercise any functions or responsibilities with respect to the program during his tenure or for one year thereafter, shall have any financial interest, either direct or indirect, in any contract or subcontract, or the proceeds thereof, for work to be performed in connection with the program assisted under this Agreement. Immediate family members of said members, officers, employees, and officials are similarly barred from having any financial interest in the program. The Planning Agency shall incorporate, or cause to be incorporated, in all such contracts or subcontracts, a provision prohibiting such interest pursuant to the purpose of this section.
7. **Nondiscrimination Clause.** No person in the United States shall on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination with any program or activity funded.
8. **Age Discrimination Act of 1975, as amended.** No qualified person shall on the basis of age be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from federal financial assistance.
9. **Section 504, Rehabilitation Act of 1973, as amended.** No qualified disabled person shall, on the basis of handicap be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from federal financial assistance.
10. **Access to Records and Record Retainage.** All official project records and documents must be maintained during the operation of this project and for a period of three years following closeout.
11. **Liquidated Damages Clause.** If the project fails to be carried out within the time

frame outlined in the administrative proposal due to activities attributed to the Planning Agency, the Local Government may assess the Planning Agency a sum in the amount of \$100 per week for any subsequent weeks until completion.

- 12. **Termination of Agreement for Cause.** If, through any cause, the Planning Agency shall fail to fulfill in a timely and proper manner its obligations under this Agreement, or violate any of the covenants, conditions, or stipulations of this Agreement, the Local Government shall thereupon have the right to terminate this Agreement by giving written notice of such termination and specifying the effective date thereof. In such event, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs, and reports prepared under this Agreement shall, at the option of the Local Government, become its property, and the Planning Agency shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents and other materials in direct proportion to the extent of services actually completed.

IN WITNESS WHEREOF, the Planning Agency and the Local Government have executed this Agreement as of the date first above written.

LOCAL GOVERNMENT:
TOWN OF VALDESE

PLANNING AGENCY:
WESTERN PIEDMONT
COUNCIL OF GOV'TS.

By: _____
Manager

By: _____
Executive Director

LOCAL GOVERNMENT:

PLANNING AGENCY:

By: _____
Mayor

By: _____
Chair

Pre-audit statement:

This instrument has been pre-audited in the manner prescribed by the Local Government Budget and Fiscal Control Act.

By: _____
Local Government Finance Officer

ATTACHMENT A
SCOPE OF SERVICES

TOWN OF VALDESE
NORTH CAROLINA DEPARTMENT OF COMMERCE
RURAL TRANSFORMATION GRANT
WORK PROGRAM/BUDGET
AUGUST 7, 2023 – DECEMBER 31, 2026

Introduction

The Western Piedmont Council of Governments (WPCOG) has worked with the Town of Valdese on the NC Department of Commerce Rural Economic Development Division Rural Transformation Grant for the revitalization of the Old Rock School into a business incubation center. The town intends to upfit the Old Rock School at 400 Main Street, Valdese, NC.

The Scope of Services proposal is intended to describe the various administrative activities the WPCOG will provide as related to the NC Department of Commerce Rural Economic Development Division Rural Transformation Grant funds.

WPCOG Services

Ben Willis will serve as Project Administrator and will provide the following specific activities:

- Assistance with development of the Town of Valdese's Award Package.
- Development and management of the overall project filing system.
- Preparation of all pay request recommendations for the Town.
- Assistance with procurement compliance.
- Requisition of the grant funds.
- Monitor project progress by the Town.
- Preparation of all reports required by the Department of Commerce.
- Update Manager on status of project.

The Town will be responsible for the following:

- Adequate office space including utilities.

- Direct payment of legal and audit services and general administrative costs.
- All administrative costs not specifically identified as WPCOG responsibilities.

Administrative Fee

The WPCOG proposes to provide the above-described services for a fee not to exceed contract of \$25,000.

Amendments and Termination

The Town of Valdese can terminate this contract by giving a one-month written notice. Should there be the need to amend this proposal during the term of the project, either party may do so with the approval of the other.

ASSURANCES OF COMPLIANCE

ATTACHMENT B

Executive Order 11246

During the performance of this Contract, the contractor agrees as follows:

- 1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, age, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, age, or national origin. Such action shall include, but not be limited to the following: recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.
- 2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, age, or national origin.
- 3) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, notice advising the labor union or workers' representative of the contractor's commitments under section 202 of Executive Order 11246 of September 24, 1965 and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- 4) The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations and relevant orders of the Secretary of Labor.
- 5) The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- 6) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies involved as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of

the Secretary of Labor, or as otherwise provided by law.

7) The contractor will include the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event the contractor becomes involved in, or threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

ATTACHMENT C

Section 3 Clause

"Section 3" Compliance in the Provision of Training, Employment, and Business Opportunities

- a. The work to be performed under this contract is on a project assisted under a program providing direct federal financial assistance from the Department of Housing and Urban Development and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u. Section 3 requires that to the greatest extent feasible opportunities for training and employment be given lower income residents of the project area and contracts for work in connection with the project be awarded to business concerns which are located in or owned in substantial part by persons residing in the area of the project.
- b. The parties to this contract will comply with the provisions of said Section 3 and the regulations issued pursuant thereto by the Secretary of Housing and Urban Development set forth in 24 CFR 135, and all applicable rules and orders of the Department issued thereunder prior to the execution of this contract. The parties to this contract certify and agree that they are under no contractual or other disability which would prevent them from complying with these requirements.
- c. The contractor will send to each labor organization or representative of workers with which he has a collective bargaining agreement or other contract or understanding, if any, a notice advising the said labor organization or workers representative of his commitments under this Section 3 clause and shall post copies of the notice in conspicuous places available to employees and applicants for employment and training.
- d. The contractor will include this Section 3 clause in every subcontract for work in connection with the project and will, at the direction of the applicant or recipient of federal financial assistance, take appropriate action pursuant to the subcontract upon a finding that the subcontractor is in violation of regulations issued by the Secretary of Housing and Urban Development, 24 CFR Part 135. The contractor will not subcontract with any subcontractor where it has notice of knowledge that the latter has been found in violation of regulations under 24 CFR Part 135 and will not let any subcontract unless the subcontractor has first provided it with a preliminary statement of ability to comply with the requirements of these regulations.
- e. Compliance with the provisions of Section 3, the regulations set forth in 24 CFR Part 135, and all applicable rules and orders of the Department issued hereunder prior to the execution of the contract, shall be a condition of the federal financial assistance provided to the project, binding upon the applicant or recipient for such assistance, its successors and assigns. Failure to fulfill these requirements shall subject the applicant or recipient, its contractors and subcontractors, its successors or assigns to those sanctions specified by the grant or loan agreement of contract through which federal assistance is provided, and to such sanctions as are specified by 24 CFR Part 135.

ATTACHMENT D

Lobbying Clause

No Federal appropriated funds have been paid or will be paid, by or on behalf of the Planning Agency or the Local Government, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative, agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

If any funds other than Federal appropriated funds have been paid or will be paid any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the Planning Agency and/or the Local Government shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

Capital Project Ordinance Amendment # 1-38

Subject: WPCOG grant administration

Description: For administration and oversight of the Rural Transformation grant and the ARC grant at the Old Rock School renovations project which was approved at the December 2022 meeting. Total project budget is \$850,000 all funded by grants. This WPCOG contract be paid using town funds.

Proposed Action:

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

Section I:

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

Account	Description	Decrease/ Debit	Increase/ Credit
38.3970.001	Transfer from General Fund Balance		25,000
Total		\$0	\$25,000

Amounts appropriated for capital projects are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
38.6250.450	Grant Administration	25,000	
Total		\$25,000	\$0

Section II:

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

Capital Project Ordinance Amendment # 1-76

Subject: Street Improvements

Description: To transfer general fund budget for street paving into the capital project for street improvements. This is in addition to the original \$350,000 transferred in June.

Proposed Action:

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

Section I:

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

Account	Description	Decrease/ Debit	Increase/ Credit
38.3970.001	Transfer from General Fund		150,000
Total		\$0	\$150,000

Amounts appropriated for capital projects are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
76.5600.040	Engineering Services	45,100	
76.5600.450	2024 Street Improvements	94,225	
76.5600.900	Contingency	10,675	
Total		\$150,000	\$0

Section II:

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