

**TOWN OF VALDESE  
TOWN COUNCIL MEETING  
JANUARY 3, 2011**

The Town of Valdese Town Council met on Monday, January 3, 2011, at 7:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The following were present: Mayor James L. Hatley, Councilman Keith Ogle, Councilman Gary L. Delp, Councilwoman Susan Stevenson, Councilwoman Vickie Oxentine, and Councilman Chip Black. Also present were Town Manager Jeffrey V. Morse, Town Attorney Marc Mitchell, Deputy Town Clerk Thelda B. Rhoney, and various department heads.

Absent: None

A quorum was present.

Mayor Hatley called the meeting to order at 7:00 p.m. He offered the Invocation and led in the Pledge of Allegiance to the Flag.

**OPEN FORUM/PUBLIC COMMENT:**

**PETITION TO DESIGNATE CUSTOMER PARKING ON MAIN STREET:** Patricia Loopen, Grace Ridge Retirement Community, 500 Lenoir Road, Morganton, presented a petition to Council requesting that customer parking be designated on both sides of Main Street between Rodoret Street and Faet Street. She is an artist at the Valdese Heritage Arts Center. Lack of parking is causing their customers to pass them by. She requested that the town post signage.

Councilman Ogle said there was two-hour parking on Main Street from 9:00 a.m., until 5:00 p.m. Ms. Loopen said it was not enforced.

Mayor Hatley asked how would you determine who was a customer and who was not a customer.

Town Manager said the police officers could make a conscious effort to patrol Main Street every two hours. He said there are residents that live above the shops on Main Street who park on the street after 5:00 p.m. He said the Police Department would patrol Main Street regarding parking issues over the next 60 days.

Ms. Loopen said they could come back to Council in 60 days. Mr. Morse recommended that she also attend the Downtown Merchants monthly meetings. She said members of the Heritage Arts Center would be attending the Downtown Merchants Meetings and Tourism Meetings.

**SANDI WALKER,** 124 Main Street West, Valdese, owner of Dolls and Designs by Sandi. She spoke about working with those who hold ABC permits on their responsibilities.

Mr. Morse said as Chairman of the Valdese ABC Board he would emphasize to merchants that sell alcohol to be on a heightened alert to anyone about their responsibilities. He said the ABC Board would work with the merchants and asked them to be extra cautious.

Ms. Walker said she agreed with merchants not parking on Main Street from 9:00 a.m. to 5:00 p.m. She also did not believe the police should have to patrol every two hours.

After a brief discussion, Mr. Morse asked Ms. Loopen about her recommendation after hearing from Ms. Walker. Ms. Loopen said most tourists coming through town that visit the shops along Main Street do not stay two hours and she did not believe chalk marks on the tire would discourage anyone. If enforcing the 2-hour limit does not work after 60 days she recommends what their petition says 'customer parking only.'

Mr. Morse said Police could enforce, write warning tickets, and do a public relations campaign for 60 days.

No one else wished to speak.

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

**APPROVED REGULAR MEETING OF DECEMBER 6 (CONTINUED DECEMBER 13, 2010) AND CLOSED SESSION MINUTES OF DECEMBER 6, 2010**

**ADOPTED RESOLUTION FOR PRIVATIZATION OF ABC STORES**

**RESOLUTION IN SUPPORT OF NORTH CAROLINA'S CURRENT  
PUBLIC ALCOHOLIC BEVERAGE CONTROL SYSTEM**

WHEREAS, Chapter 18B of the North Carolina General Statutes addresses the regulation of alcoholic beverages in our state; and

WHEREAS, current North Carolina law establishes a uniform system of control over the sale, purchase, transportation, manufacture, consumption and possession of alcoholic beverages in North Carolina; and

WHEREAS, local government control is central to the current alcoholic beverage control system; it is a local decision to establish and operate ABC stores, and local government, acting through an appointed local ABC Board, balances the control, profits and availability of spirits in its jurisdiction; and

WHEREAS, when local voters approved liquor sales for off-premises consumption, the voters did not vote to allow liquor to be sold in private retail establishments, but only through publicly controlled local ABC stores; and

WHEREAS, current law provides that profits from ABC store sales are returned to local government, and this revenue stream is a critical source of local government funding; and

WHEREAS, it is a priority to maintain current sources of revenue, especially in the current challenging economic times; and

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Valdese does hereby support the continuance of the Alcoholic Beverage Control System, and opposes any efforts to privatize the ABC system, diminish local control or to diminish the local government revenue stream afforded from local ABC store profits.

Adopted this 3<sup>rd</sup> day of January, 2010.

/s/ James L. Hatley, Mayor

Attest: /s/ John F. "Chip" Black, Jr., Town Clerk

Councilman Ogle made a motion to approve the Consent Agenda, seconded by Councilwoman Oxentine. The vote was unanimous.

**ITEMS REMOVED FROM CONSENT AGENDA** None

**AUDIT REPORT PRESENTATION - FY 09-10 – LOWDERMILK CHURCH & CO., LLP** (Copy of audit on file in the Office of Finance Director.) Mr. Phil Church of Lowdermilk Church & Co., presented the 2009-2010 audit. He said they gave a clean, unqualified opinion and the audit was submitted to the Local Government Commission which was approved. Mr. Rick Hammer reviewed the general fund, utility funds and audit highlights. He said ad valorem tax collections were \$1,537,107 which was 96.31 percent of the levy.

Town Manager Jeff Morse commended the Department Heads for the outstanding job they do managing their budgets.

After a brief discussion, Councilman Ogle made a motion to accept the 2009-2010 audit report as presented, seconded by Councilwoman Stevenson. The vote was unanimous.

**APPROVAL OF FY 10-11 AUDIT CONTRACT - LOWDERMILK CHURCH & CO., LLP** Town Manager recommended approval of the FY 10-11 Audit Contract in the amount of \$13,975.

Councilwoman Oxentine made a motion to approve the 2010-2011 Audit Contract with Lowdermilk Church & Co., seconded by Councilman Delp. The vote was unanimous.

**REPLACEMENT OF COMMUNITY CENTER GYMNASIUM LIGHTING** Mr. Morse said there was a \$3,000 remaining from a \$200,000 energy grant and ASU Intern Kyle Nowak recommended energy saving lighting at the recreation center. Recreation Director Tim Rhoney said there was approximately \$3,000 remaining on an energy grant the town received and he was asked to provide a quote for the replacement of lights in the gymnasium. A quote was received from Connelly Springs Electric Inc. in the amount of \$4,825 with the town's portion being \$1,855.

Mr. Nowak gave a brief presentation on the type of bulbs to be used (T5 florescent) and the town should see a 70.7 percent reduction in current electrical usage at a cost savings of \$1,700 - \$2,500 per year.

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

**REPLACEMENT OF METER AND VAULT - LYDIA AVENUE APARTMENTS** Public Works Director Bryan Duckworth said the existing meter and vault at Lydia Avenue Apartment Complex system is 40 years old and efforts have been made for repairs with no success. The water bill is currently being estimated monthly for billing. Informal bids were requested and a bid was received from Ronnie Franklin - F & S Contractors, LLC, in the amount of \$17,835.28. Valdese Housing Authority has agreed to pay \$7,263.19 leaving \$10,572.09 – Town’s portion.

After a brief discussion, Councilwoman Stevenson made a motion to approve the aforementioned replacement of meter and vault at Lydia Avenue Apartments, seconded by Councilman Delp. The vote was unanimous.

**NEW TOWN HALL - FINAL CHANGE ORDERS** Mr. Morse presented the following:

Change Order	Purpose of Change Order	Amount	Total
<b>Note: Award of Bid to Denver Construction on 9/21/09</b>			<b>\$1,427,000</b>
No. 1	Rip rock 3’ outside of the building envelope, rock removal and relocation of CB2, cut, remove, replace existing sidewalk, curb and gutter	\$10,610.88	\$1,437,610.88
No. 2	Change fin. hardware, change mirrors in large toilets, install approximately 125’ sub drain on eastern edge of pavement and install sub-drainage @ retaining wall	\$11,402.50	\$1,449,013.38
No. 3	Add 640 sf to top of segmental block retaining wall	\$11,164.38	\$1,460,177.76
No. 4	Vinyl to carpet on walk-off mats; add beam, lintels, rake angles; extra truss/framing for attic access; Panel B 225 a to 400 a/breakers; increase 5-hm throat/2-tlt.mirrors; add framing/drywall for beams; add ADA auto door opener; add wash stone@ found. Drain; trench rock for site plumbing; and add gutters/downspouts	\$28,788.51	\$1,488,966.27
No. 5	Remove/replace city walks @ site; add (2)“W” & (1) “M” fixture; change etched glass design; wrap steel beams front offices; revisions in multi-purpose; council chamber rev; add recept./ph.outlet; floor changes per finish schedule; cloud changes per site visits	\$49,779.11	\$1,538,745.38
No. 6	Collection Area changes; Finance/Clerk/Conf./file cabinets and cabinet changes; Community Dev/Mapping paint color	\$14,489.25 * \$ 9,489.25  * NOTE: \$5,000 credit (for additional general conditions	<u>\$1,548,234.63</u>

	change; add drywall and framing above clouds in west corridor; install river stone @ base of retaining wall; install sod within curb area inside parking area around building in lieu of seeding; change Ajuga plants to Vinca Minor plants; and install two flats of annuals to planter bows and add planting @ front walk near street	created due to stone mason) applied to Change Order No. 6.	
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Councilman Black made a motion to approve the aforementioned six Change Orders for the new town hall project, seconded by Councilman Ogle. The vote was unanimous.

**ECONOMIC DEVELOPMENT PROJECT – RESTAURANT – DOWNTOWN DELIGHTS CAFÉ & COFFEE HOUSE**

Town Manager Jeff Morse distributed copies of the Valdese Economic Development Investment Corporation Building Reuse Program. He said this was a goal of the Council. He introduced Rusty and Jonelle Davis, Owners of Downtown Delights Café & Coffeehouse who are interested in coming to Valdese.

Mr. Davis distributed revised copies of their business plan. Mr. Davis introduced his wife and father-in-law, John Henderson. They are a full service restaurant with catering and at times offer entertainment. Ms. Davis reviewed their menu and locations they cater. They offer gourmet coffee and a lot of sugar free items.

Mr. Henderson said he was a pastor and it was his personal opinion that being in business you are only as good as the quality of the people that run it.

Mr. Davis said they were looking at the old Valdese Video building on Main Street. He reviewed a drawing of what he envisioned the floor plan to look like. The kitchen would have to be in the basement area and transported upstairs and he had a list of needed items and equipment in his business plan. They want to keep the integrity and character of the building.

Mr. Morse recommended that Council provide its first building reuse grant, as the program concept was discussed at the budget retreat, in the amount of a \$25,000 deferred loan program. He said staff would work with the Town Attorney on an agreement and hold a public hearing at the February meeting. He recommended a deferred loan for 5-years and contract with the owners to create jobs over a five year period and at end of 5-years if the jobs were not met the loan would be prorated. Funding would go to VEDIC and Council would enter into a contract with VEDIC to manage and operate the program.

Town Attorney Marc Mitchell said grant would go to property owner and funds could only be used to rehabilitate the building, not to purchase equipment.

Mr. Morse said the town would follow same guidelines as The Rural Center. He said Planning Director Larry Johnson was working with the Davis' and Building Inspectors.

After a brief discussion, Councilman Ogle made a motion to call for a public hearing on a \$25,000 economic development incentives agreement, seconded by Councilwoman Oxentine. The vote was unanimous.

**MAYOR AND COUNCIL COMMENTS**

Councilman Delp said the deer signs on Gardiol were missing.

Councilwoman Oxentine said Valdese would be hosting the Western North Carolina Rail Committee Meeting on Wednesday, January 19, 2011, Noon, in the Multi Purpose Room at the New Town Hall. She invited Members of Council to attend the meeting.

Councilwoman Stevenson said she received a request to have Faet Street Extension scraped and she thanked Public Works Director Bryan Duckworth for taking care of the road.

Councilwoman Oxentine made a recommended that the Fire Department be authorized to use the former space occupied by the Planning Department at Old Town Hall for in-service training and to have a place for firemen to use if they had to stay over for inclement weather. Mr. Morse said that area was needed by the company looking to lease

the building and he said the new town hall could be used for in-service training and he was working with the Fire Department on space for training.

Councilman Ogle thanked Public Works Director Bryan Duckworth for clearing the streets of snow over the Christmas holiday.

Mayor Hatley asked about the proposed date of the New Town Hall Open House. Mr. Morse said hopefully the end of January but was waiting on furniture and a few minor repairs.

**MANAGER'S REPORT:**

**SNOW STORM** Mr. Morse thanked Public Works Staff for the excellent job removing snow during the snow storm on December 25<sup>th</sup>. He also thanked Police and Fire Staff.

**BURKE BUSINESS LOAN PROGRAM** Mr. Morse said staff was ready to implement the program. He thanked Kyle Nowak and the first drawdown was received today from the Golden LEAF. He said we had the VEDIC loan pool for Valdese businesses and \$250,000 loan pool for small business owners through out Burke County.

Mr. Nowak distributed brochures of the proposed loan program and said the board was expanded by eight board members and the first round of applications were due January 28, 2011. The program was advertised in the *Morganton News Herald* on December 16 with comments from Chairman Rick McClurd.

**RECYCLING PROGRAM** Mr. Nowak distributed draft copies of the recycling brochure. He was working with GDS to finalize the brochure. The cost to print and mail the brochures was approximately \$1,000.

Councilman Black said he thought all non corrugated cardboard could be recycled. Mr. Nowak said he would check with GDS.

Mr. Duckworth said cardboard needs to be broken down and can be recycled at the Public Works Facility or citizens can call Public Works for a scheduled pickup. GDS would pick up small amounts of cardboard.

**WESTERN PIEDMONT COUNCIL OF GOVERNMENTS ANNUAL MEETING, TUESDAY, JANUARY 25, 2011, 6:30 P.M., CROWNE PLAZA, HICKORY, NC** Mr. Morse announced this meeting.

At 8:15 p.m., there being no further business to come before the Council, Councilman Ogle made a motion to adjourn, seconded by Councilwoman Oxentine. The vote was unanimous.

The next meeting is a regularly scheduled for Monday, February 7, 2011, 7:00 p.m.

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL MEETING  
FEBRUARY 7, 2011**

The Town of Valdese Town Council met on Monday, February 7, 2011, at 7:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The following were present: Mayor James L. Hatley, Councilman Keith Ogle, Councilman Gary L. Delp, Councilwoman Susan Stevenson, Councilwoman Vickie Oxentine, and Councilman Chip Black. Also present were Town Manager Jeffrey V. Morse, Town Attorney Marc Mitchell, Deputy Town Clerk Thelda B. Rhoney, and various department heads.

Absent: None

A quorum was present.

Mayor Hatley called the meeting to order at 7:00 p.m. He offered the Invocation and led in the Pledge of Allegiance to the Flag.

**OPEN FORUM/PUBLIC COMMENT:**

**MR. WILLIAM L. "NICK" PALMER – STREET SIGNS** Mr. Palmer offered a presentation about the Waldensians and the possibility of using subtitles integrated into the present street sign design as a venue to further the description of the Waldensians Valleys (Valli Valdese) of Italy and of our Valdese History. He distributed copies of information, DVDs and posters.

Mayor Hatley thanked Mr. Palmer for his presentation. Mayor Hatley said staff would have to check to see if it was possible to add names below our street signs and possibly only the Waldensian named streets and the cost to implement. He recommended that Mr. Palmer present his ideas to clubs in Valdese such as Rotary and to our churches. He said The American Waldensian Society moved from New York to Valdese and may be interested in participating in this project. Mayor Hatley said the town would take the lead on this project and would decide what needed to be done and the costs then bring back to Council and Mr. Palmer would be contacted.

Councilman Delp believed the signs were a great idea.

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

**APPROVED MINUTES OF REGULAR COUNCIL MEETING OF JANUARY 3, 2011**

**APPROVED REQUEST FROM PIEDMONT & WESTERN RAILROAD CLUB TO TRANSFER ASSETS** Mr. Kenneth K. Humphreys, Webmaster for Piedmont & Western Railroad Club, requested that the Town of Valdese transfer the ownership of the current exhibits and any future exhibit donations back to them so they may dispose of items no longer needed and/or sell items for the purpose of obtaining new display items.

**APPROVED REQUEST FROM AMERICAN WALDENSIAN SOCIETY TO SERVE WINE WITH DINNER AT THEIR ANNUAL MEETING – MAY 20-21, 2011, VALDESE TOWN HALL MULTI-PURPOSE ROOM** Ms. Sheila Young, American Waldensian Society, reserved the Multi-Purpose Room at the New Town Hall, May 20-21, 2011, to hold their Annual Meeting and will be serving wine with dinner. Community Affairs Director Barbara Hefner contacted the ABC Commission and was told Ms. Young would not need a permit to serve wine with dinner because they are not selling tickets.

**APPROVED REQUEST FROM ROCK SCHOOL ARTS FOUNDATION TO SELL WINE AT THEIR RECEPTION ON MARCH 10, 2011 AT THE OLD ROCK SCHOOL** Ms. Elizabeth Furr, Rock School Arts Foundation Executive Director, requested to sell wine as part of their new art exhibit reception on March 10, 2011, 5:00 p.m. – 7:00 p.m. The Waldensian Heritage Wines has the off-remise permit and all guidelines would be enforced.

Councilman Ogle made a motion to approve the Consent Agenda, seconded by Councilwoman Oxentine. The vote was unanimous.

**ITEMS REMOVED FROM CONSENT AGENDA:**

**SET PUBLIC HEARING DATE OF MARCH 7, 2011 FOR PROPOSED REZONING APPLICATION 1-1-11 (MEARS/REID PROPERTY)** Planning Director Larry Johnson said a requested was received by Paul Mears to rezone

the Mears/Reid Property located on Rodoret Street South (Post Office, Insurance Agency, Parking Lot) and Faet Street SW (duplex and single family home) from B-1 Central Business to O-I Office-Institutional. Mr. Johnson said the proposed rezoning would bring more conformity to that area but not complete conformity.

Councilman Black made a motion to set the date of March 7, 2011, for the aforementioned public hearing, seconded by Councilwoman Stevenson. The vote was unanimous.

**DENIED RESOLUTION APPROVING LEASE AND SUBLEASE AGREEMENTS WITH JOHN GARDNER, JR., AND THE SETTINGS OF LAKE RHODHISS** Mr. Morse briefly described the agreements. He said in 2005 the lease was with Edith Gardner who is now deceased and her son John is an absentee landlord who lives in Colorado. The town received payment from The Settings and paid Ms. Gardner the same amount.

Town Attorney Marc Mitchell said the proposed agreement was for three years and the town would have to pay a cancellation if the lease were canceled.

**RESOLUTION  
APPROVING LEASE AND SUBLEASE AGREEMENTS**

WHEREAS, the town council has been presented with a proposed lease (the lease agreement) between the town and John T. Gardner, Jr., Trustee of the John T. Gardner, Jr. Revocable Trust dated April 4, 2005, (Gardner) pursuant to which the town would lease from Gardner the building and lot designated as Tax PIN 2733955425 by the Burke County Tax Office located at 114/130 Main Street West in Valdese, North Carolina (the building and lot); and

WHEREAS, the town council has reviewed the lease agreement and it is of the opinion that it would be in the best interest of the town to enter into this lease agreement; and

WHEREAS, the town council has also been presented with a sublease agreement (the sublease) with The Settings of Lake Rhodhiss, LLC whereby The Settings of Lake Rhodhiss, LLC would sublease the building and lot from the town upon the terms and conditions set forth in the sublease agreement; and

WHEREAS, the town council is of the opinion that it would also be in the best interest of the town to enter into this sublease agreement with The Settings of Lake Rhodhiss, LLC;

IT IS THEREFORE RESOLVED AS FOLLOWS:

1. The lease agreement and sublease are approved.
2. The town manager is authorized to execute the lease agreement and the sublease on behalf of the town.

Adopted this, the \_\_\_ day of \_\_\_\_\_.

After a brief discussion, Councilman Black said he did not believe the town should be in the middle of these agreements and he made a motion to deny approval of the resolution and agreements, seconded by Councilwoman Stevenson. The vote was unanimous.

**ECONOMIC DEVELOPMENT RESOLUTION FOR DOWNTOWN DELIGHTS RESTAURANT** Town Attorney Marc Mitchell presented the following resolution:

**RESOLUTION**

WHEREAS, G.S. 160A-456 authorizes a town to appropriate funds for community development programs and activities, including providing grants or loans for the restoration or preservation of old properties; and

WHEREAS, G.S. 160A-20.1 authorizes a town to contract with and appropriate money to a corporation in order to carry out a public purpose that the town is authorized by law to engage in; and

WHEREAS, the Town of Valdese (the Town) desires to appropriate up to \$35,000 in connection with the Town's community development programs and activities to be used for the restoration or preservation of an old property in the Town; and

WHEREAS, Valdese Economic Development Investment Corporation (VEDIC) has agreed to administer these community development funds on behalf of the Town of Valdese; and

WHEREAS, a proposed agreement between VEDIC and the Town setting forth the terms and conditions under which VEDIC is to administer and distribute these funds has been presented to and considered by the town council, and the town council is of the opinion that this agreement with VEDIC should be approved;

IT IS THEREFORE RESOLVED AS FOLLOWS:

1. The Town shall appropriate \$35,000 for the restoration or preservation, including direct repair, of the building located at 102 Main Street East.
2. The town manager is authorized to enter into the proposed contract with VEDIC which sets forth the terms and conditions under which these community development funds are to be distributed and administered.

THESE RESOLUTIONS ARE ADOPTED THIS 7<sup>TH</sup> DAY OF FEBRUARY, 2011.

ATTEST: Town Clerk  
TOWN OF VALDESE  
By: /s/ James L. Hatley, Mayor

Councilman Ogle made a motion to approve the aforementioned Resolution approving the Agreement with Downtown Delights, seconded by Councilman Delp. The vote was unanimous.

**CHRISTMAS LIGHTING – COST ESTIMATE** Public Works Director Bryan Duckworth said the sample lighting displayed on Main Street in January would cost approximately \$5,500. Council recommended a brighter, whiter light and Mr. Duckworth said the cost for brighter lights would cost approximately \$15,000 and final design with cost estimates would be included as part of Public Works budget and presented at the Budget Retreat. Staff was trying out new timers and LED lighting with hopes of improving the electrical problems they have had the past several years. Council recommended not using the stars that were used in the past. Mr. Duckworth said funds would be in next year's budget.

**WALDENSIAN ROOM PROPOSAL FOR UPGRADES** Community Affairs Director said a proposal was received from Jack D. Baird Subcontractors to update the Waldensian Room at the Old Rock School by replacing ceiling tile in entry, sitting room and dining area, remove tile in kitchen clean, and replace and install six new light lenses in kitchen at a cost of \$6,520.80; paint all rooms, chair rail, baseboard and doors - \$3,548; paint walls and ceiling in room #7 - \$900; and install 20 can lights with dimmers - \$1,694. Total cost - \$12,662.80.

Councilwoman Stevenson made a motion to approve updates to the Waldensian Room, seconded by Councilwoman Oxentine. The vote was unanimous.

**TRIPLE DISTRICT PROPOSAL FOR WORK SHOP AREA** Town Manager Jeff Morse said staff received a proposal from Triangle Contractors, Inc., in the amount of \$6,230.35 to install gas heat in the Work Shop (60-ft metal building with 4-garage doors,) adjacent to the Triple District Office. Heat is needed in order for staff to work in the building during the winter months. Since Triple District is already a customer of Piedmont Natural Gas, they will not be charged \$3,500 for the gas tap if Triple District taps on within the next six months.

Councilwoman Oxentine made a motion to approve the aforementioned request, seconded by Councilman Delp. The vote was unanimous.

**FITNESS CENTER UPGRADES** Parks & Recreation Director Tim Rhoney presented proposed upgrades at the Fitness Center. Items include Locker Room Shower & Restroom Area Matting - \$2,350; Locker Room Flooring (Carpet) - \$12,000; Fitness Room & Hallway Flooring (Carpet) - \$9,500; Spin Bikes (2) - \$1,900; Cardio Equipment – 3 New Treadmills, 2 New Ellipticals - \$22,900; and Weight Machines & Equipment - \$8,000. Total cost - \$56,650.

Mr. Morse said more TVs would be added and he mentioned the Fitness Center had been open for over 10 years.

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

**REQUEST FROM HOSPICE FOR FAÇADE IMPROVEMENT GRANT AT THE TRIFT & GIFT STORE** Town Manager Jeff Morse said several years ago the Downtown Revitalization Committee had a façade improvement program and there was not much interest in the program over the past several years. Staff received a request from Hospice for façade improvements to the building they were leasing for a Thrift Shop, the former Major Electric located



at 148 Main Street East. Mr. Morse briefly reviewed the proposed façade improvements at a total cost of \$3,520 and the town would match one-half in an amount up to \$1,760.

After a brief discussion, Councilman Black made a motion to approve the aforementioned request up to \$1,760, seconded by Councilman Ogle. The vote was unanimous.

**MAYOR AND COUNCIL COMMENTS:**

**BARUS STREET**

Councilwoman Stevenson said Barus Street was muddy again. Public Works Director Bryan Duckworth said the town spent \$4,500 in the past year. It is a town owned street and the property owners received complaints from the Postmaster. Mr. Duckworth said the property owners on Barus Street had no interest in sharing the cost to pave the street. He said there may be an option to turn the street back over the property owners.

Planning Director Larry Johnson reviewed the town’s policy on street paving. Mayor Hatley said the street needs to be paved and for staff to figure out the cost to pave Barus Street and take the offer back to the property owners.

**STATEMENT FROM MAYOR HATLEY**

Mayor Hatley made the following statement: “A person came before Council at the last meeting and said a drunken woman ran into the back of her car and complained about the ABC Store and Town of Valdese about an ABC Store being in Valdese and that these things would happen. He found out the lady had no alcohol in her system and was instead high on prescription drugs and we did not sell them to her and the ABC store did not cause that accident.”

**MAIN STREET PARKING**

Councilwoman Oxentine asked about the parking issue on Main Street. Police Chief Moss said there was a positive outcome and the issue took care of itself. He said everyone was adhering to the parking issues along Main Street.

Mr. Morse said Chief Moss made an excellent presentation at the January 27, 2011, Valdese Merchants Association Meeting and everyone was present and was receptive to the parking proposals.

Councilman Delp thanked Councilman Black for the small wooden boxes, used in the Chambers to hold pens, paper clips, etc., that were built from the trees taken down on the property of the new town hall.

**MANAGER’S REPORT:**

**CDBG – LANGUAGE ACCESS PLAN** Mr. Morse distributed copies of the following plan and said Local Municipalities obtaining CDBG funds were now required to assist those who could not speak English. He reviewed the plan and thanked Leah Martin, Western Piedmont Council of Governments for drafting the plan.

**TOWN OF VALDESE CDBG  
LANGUAGE ACCESS PLAN**

4-1

The purpose of this Policy and Plan is to ensure compliance with Title VI of the Civil Rights Act of 1964, and other applicable federal and state laws and their implementing regulations with respect to persons with limited English proficiency (LEP). Title VI of the Civil Rights Act of 1964 prohibits discrimination based on the ground of race, color or national origin by any entity receiving federal financial assistance. Administrative methods or procedures, which have the effect of subjecting individuals to discrimination or defeating the objectives of these regulations, are prohibited.

In order to avoid discrimination on the grounds of national origin, all programs or activities administered by the Town of Valdese must take adequate steps to ensure that their policies and procedures do not deny or have the effect of denying LEP individuals with equal access to benefits and services for which such persons qualify. This Policy defines the responsibilities the Town has to ensure LEP individuals can communicate effectively.

This policy and plan is effective February 7, 2011.

**I. Scope of Policy**

These requirements will apply to the Town of Valdese (herein referred to as “the agency”) including subcontractors, vendors, and subrecipients specific to CDBG funded programs.

The agency will ensure that LEP individuals are provided meaningful access to benefits and services provided through contractors or service providers receiving subgrants from the agency.

## II. Definitions

A. Limited English Proficient (LEP) individual – Any prospective, potential, or actual recipient of benefits or services from the agency who cannot speak, read, write or understand the English language at a level that permits them to interact effectively with health care providers and social service agencies.

B. Vital Documents – These forms include, but are not limited to, applications, consent forms, all compliance plans, bid documents (within reasonable notice), fair housing information, citizen participation plans, letters containing important information regarding participation in a program; notices pertaining to the reduction, denial, or termination of services or benefits, the right to appeal such actions, or that require a response from beneficiary notices advising LEP persons of the availability of free language assistance, and other outreach materials.

C. Title VI Compliance Officer: The person or persons responsible for compliance with the Title VI LEP policies.

D. Substantial number of LEP: 5% or 1,000 people, whichever is smaller, are potential applicants or recipients of the agency and speak a primary language other than English and have limited English proficiency.

## III. Providing Notice to LEP Individuals

A. The agency will take appropriate steps to inform all applicants, recipients, community organizations, and other interested persons, including those whose primary language is other than English, of the provisions of this policy. Such notification will also identify the name, office telephone number, and office address of the Title VI compliance officer(s).

List the current name, office telephone number and office address of the Title VI compliance officer:

Town Manager  
Town of Valdese  
PO Box 339  
102 Massell Avenue  
Valdese NC 28690  
828-879-2120

**(Note: The agency must notify the DCA compliance office immediately of changes in name or contact information for the Title VI compliance officer.)**

B. The agency will post and maintain signs in regularly encountered languages other than English in waiting rooms, reception areas and other initial points of contact. These signs will inform applicants and beneficiaries of their right to free language assistance services and invite them to identify themselves as persons needing such services.

These signs will be posted at the Town Administrative Offices.

C. The agency will include statements of the right to free language assistance in Spanish and other significant languages in all outreach material that is routinely disseminated to the public.

D. The agency will also disseminate information in the following manner:

Dissemination of pamphlets explaining the rights in this policy.

## IV. Provision of Services to LEP Applicants/Recipients

A. Assessing Linguistic Needs of Potential Applicants and Recipients

1. The agency will assess the language needs of the population to be served, by identifying:
  - a. the language needs of each LEP applicant/recipient

- b. the points of contact where language assistance is needed; and
- c. the resources needed to provide effective language assistance, including location, availability and arrangements necessary for timely use.

2. Determining the Language Needs of the Population to be Served

The agency is responsible for assessing the needs of the population to be served. Such assessment will include, but not be limited to the following:

- a. The non-English languages that are likely to be encountered in its program will be identified.
- b. An estimate of the number of people in the community for whom English is not the primary language used for communication will be completed and updated annually. To identify the languages and number of LEP individuals, the agency will review:
  - i. census data
  - ii. school system data
  - iii. reports from federal, state and local governments
  - iv. community agencies' information, and
  - v. data from client files.

**Assessment of Language Needs:**

The 2000 Census showed 4,056 persons over the age of 5 in Valdese.

Of that number:

369 reported that they spoke a language other than English at home. (9.0%)

127 of those reported that they did not speak English "very well" or "well." (3.1%)

92 Spanish speaking persons did not speak English "very well" or "well." (2.3%)

32 Asian/Pacific Islanders did not speak English "very well" or "well." (0.8%)

3 Other Indo-European persons reported not speaking English "very well" or "well." (0.1%)

- c. The points of contact in the program or activity where language assistance is likely to be needed will be identified.

3. Determining the Language Needs of Each Applicant/Recipient

The agency will determine the language needs of each applicant/recipient. Such assessment will include, but not be limited to the following:

- a. At the first point of contact, each applicant/recipient will be assessed to determine the individual's primary language.

Multi-language identification cards and a poster-size language list will be used for indicating preferred languages.

- b. If the LEP person does not speak or read any of these languages, the agency will use a telephone interpreting service to identify the client's primary language.

- c. Staff will not solely rely on their own assessment of the applicant or recipient's English proficiency in determining the need for an interpreter. If an individual requests an interpreter, an interpreter will be provided free of charge. A declaration of the client will be used to establish the client's primary language.

- d. When staff place or receive a telephone call and cannot determine what language the other person on the line is speaking, a telephone interpreting service will be utilized in making the determination.

e. If any applicant/recipient is assessed as LEP, they will be informed of interpreter availability and their right to have a language interpreter at no cost to them with a notice in writing in the languages identified in Section C. Provisions of Written Translations.

B. Provision of Bilingual/Interpretive Services

1. The agency will ensure that effective bilingual/interpretive services are provided to serve the needs of the non-English speaking population. The provision of bilingual/interpretive services will be prompt without undue delays. In most circumstances, this requires language services to be available during all operating hours.

The Town of Valdese will rely on the long standing system utilized by its police department. The system is a standing list of paid interpreters that are called upon when needed. This is an extensive list and is made up of competent interpreters including Spanish and Asian interpreters.

2. The agency will provide language assistance at all levels of interaction with LEP individuals, including telephone interactions.

This requirement will be met by using the Town of Valdese's long standing system utilized by its police department. The system is a standing list of paid interpreters that are called upon when needed. This is an extensive list and is made up of competent interpreters including Spanish and Asian interpreters. If an interpreter cannot be contacted in a reasonable amount of time, a telephone interpreter service will be used but will only be utilized as a back-up system or where other language assistance options are unavailable. Burke County Health Department currently contracts with an agency to provide interpretive services for the county. The agency ensures that their employees are fluent in Spanish as well as number of other languages. The Town of Valdese will rely on this service when necessary.

3. Interpreter Standards

a. Those providing bilingual/interpretive services will meet the linguistic and cultural competency standards set forth below. The agency will ensure that interpreters have first been screened to ensure that the following standards are met before being used for interpreter services:

- i. Can fluently and effectively communicate in both English and the primary language of the LEP individual.
- ii. Can accurately and impartially interpret to and from such languages and English.
- iii. Has a basic knowledge of specialized terms and concepts used frequently in the provision of the agency's services.
- iv. Demonstrates cultural competency.
- v. Understands the obligation to maintain confidentiality.
- vi. Understands the roles of interpreters and the ethics associated with being an interpreter.

b. When staff members have reason to believe that an interpreter is not qualified or properly trained to serve as an interpreter, the staff member will request another interpreter.

4. Using Family Members or Friends as Interpreters

a. Applicants/recipients may provide their own interpreter; however the agency will not require them to do so.

b. The agency will first inform an LEP person, in the primary language of the LEP person, of the right to free interpreter services and the potential problems for ineffective communication. If the LEP person declines such services and requests the use of a family member or friend, the agency may utilize the family member or friend to interpret only if the use of such person would not compromise the effectiveness of services or violate the LEP person's confidentiality. The agency will monitor these interactions and again offer interpreter services, if it appears there are problems with this arrangement.

c. The agency will indicate in the LEP individual's file that an offer of interpreter services was made and rejected; that the individual was informed of potential problems associated with using friends or family members and the name of the person serving as an interpreter at the LEP individual's request.

d. Only under extenuating circumstances shall the agency allow a minor (under the age of 18 years) to temporarily act as an interpreter. The agency will keep a written record of when it has used a minor as an interpreter, and this information will be shared with the DCA upon request.

5. The agency will **not** require the applicant/recipient to pay for bilingual/interpretive services.

C. Provision of Written Translations

1. The agency must provide written materials in languages other than English where a substantial number or percentage of the population eligible to be served or likely to be directly affected by the program needs services or information in a language other than English to communicate effectively.

2. Translation of Vital Documents

a. The agency will ensure that vital documents for locally designed programs are translated into Spanish.

b. When DCA forms and other written material contain spaces in which the local entity is to insert information, this inserted information will also be in the individual's primary language. When such forms are completed by applicants/recipients in their primary language, the information must be accepted.

c. If, as a result of the local language assessment, it appears there are a substantial number of potential applicants or recipients of the agency (defined as 5% or 1,000 people whichever is less) who are LEP and speak a language other than Spanish, the agency will translate and provide vital documents in the appropriate language. Valdese's data as of February 7, 2011 does not have a substantial number of potential applicants or recipients of the agency – less than 5% and less than 1000 people. While Spanish is less than 5% the state rule for Spanish applies.

d. The agency will keep a record of all vital documents translated, and will submit this information to DCA at their request.

3. If the primary language of an LEP applicant or recipient is a language other than Spanish AND the language does not meet the threshold for translation as defined in the preceding paragraph, the LEP individual will be informed in their own language of the right to oral translation of written notices. The notification will include, in the primary language of the applicant/recipient, the following language: **IMPORTANT: IF YOU NEED HELP IN READING THIS, ASK THE AGENCY FOR AN INTERPRETER TO HELP. AN INTERPRETER IS AVAILABLE FREE OF CHARGE.**

D. Documentation of Applicant/Recipient Case Records

1. The agency will maintain case record documentation in sufficient detail to permit a reviewer to determine the agency's compliance with this policy.

2. The agency will ensure that case record documentation, including computerized records if appropriate, identifies the applicants/recipient's ethnic origin and primary language. In those cases where the applicant/recipient is non-English speaking, the agency will:

a. Document the individual's acceptance or refusal of forms or other written materials offered in the individual's primary language.

b. Document the method used to provide bilingual services, e.g., assigned worker is bilingual, other bilingual employee acted as interpreter, volunteer interpreter was used, or client provided interpreter. When a minor is used as interpreter, the agency will document the circumstances requiring temporary use of a minor and will provide this information to DCA upon request.

3. Consent for the release of information will be obtained from applicants/recipients when individuals other than agency employees are used as interpreters and the case record will be so documented.

**E. Staff Development and Training**

1. The agency will provide staff training at new employee orientation and continuing training programs. The training will include, but not be limited to:

a. Language assistance policies and procedures, resources available to support such procedures, methods of effective use of interpreters, and familiarization with the discrimination complaint process.

b. Cultural awareness information, including specific cultural characteristics of the groups served by the agency to provide a better understanding of, and sensitivity to, the various cultural groups to ensure equal delivery of services.

2. The agency will provide or ensure training is provided for bilingual staff and interpreters employed or utilized by the agency. This includes the ethics of interpreting, including confidentiality; methods of interpreting; orientation to the organization; specialized terminology used by the agency; and cultural competency.

3. The agency will ensure that applicable grantees, contractors, cooperative agreement recipients and other entities receiving state or federal dollars are trained in the requirements of this policy.

This provision will be met by providing them with a copy of this Language Access Plan.

4. The agency will collect and maintain the following information about training provided to staff: the date(s) of such training, the content of such training, the number and types of credit hours awarded; and the names and identifying information of each attendee at the training. The agency will ensure that grantees, contractors, cooperative agreement recipients and other applicable funded entities collect and maintain such information as well.

**V. Compliance Procedures, Reporting and Monitoring**

**A. Reporting**

1. The agency will complete an annual compliance report and send this report to DCA. (Format will be supplied by DCA)

**B. Monitoring**

1. The agency will complete a self-monitoring report on a quarterly basis, using a standardized reporting system provided by the DCA. These reports will be maintained and stored by the Title VI compliance officer and will be provided to the DCA upon request.

2. The agency will cooperate, when requested, with special review by the DCA .

**VI. Applicant/Recipient Complaints of Discriminatory Treatment**

A. Complaints

1. The agency will provide assistance to LEP individuals who do not speak or write in English if they indicate that they would like to file a complaint. A complaint will be filed in writing, contain the name and address of the person filing it or his/her designee and briefly describe the alleged violation of this policy.
2. The agency will maintain records of any complaints filed, the date of filing, actions taken and resolution.
- 3, The agency will notify the appropriate agency or Division within DCA of complaints filed the date of filing, actions taken and resolution. This information will be provided within 30 days of resolution.

B. Investigation

1. The DCA Compliance Office will conduct an investigation of the allegations of the complaint. The investigation will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint.
2. The investigation will not exceed 30 days, absent a 15-day extension for extenuating circumstances.

C. Resolution of Matters

1. If the investigation indicates a failure to comply with the Act, the Town Manager or his/her designee will so inform the recipient and the matter will be resolved by informal means whenever possible within 60 days.
2. If the matter cannot be resolved by informal means, then the individual will be informed of his or her right to appeal further to DCA. This notice will be provided in the primary language of the individual with Limited English Proficiency.
3. If not resolved by DCA, then complaint will be forwarded to DOJ, HUD Field Office.

This 7<sup>th</sup> day of February, 2011.

SUBMITTED AND APPROVED BY:

/s/ James L. Hatley, Mayor

/s/ Clerk to the Board

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

**CLOSED SESSION** pursuant to NC General Statute 143-318.11 (a) (3) To consult with the Town's Attorney concerning pending litigation.

At 8:36 p.m., Councilman Ogle made a motion to recess into Closed Session Pursuant to NC General Statute 143-318.11 (a) (3) To consult with the Town's Attorney concerning pending litigation, seconded by Councilwoman Oxentine. The vote was unanimous.

**February 7, 2011, MB#30**

At 8:48 p.m., Councilman Ogle made a motion to return to Open Session, seconded by Councilman Delp. The vote was unanimous.

**THE SETTINGS OF LAKE RHODHISS - BOND**

Councilman Black made a motion to authorize staff to hire a law firm from Asheville, Campbell Shatley, PLLC, Attorneys at Law, to perform bond services if needed for the Town of Valdese regarding The Settings, seconded by Councilman Delp. The vote was unanimous.

At 8:50 p.m., there being no further business to come before the Council, Councilman Ogle made a motion to adjourn, seconded by Councilwoman Oxentine. The vote was unanimous.

The next meeting is a regularly scheduled meeting for Monday, March 7, 2011, 7:00 p.m.

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL MEETING  
MARCH 7, 2011**

The Town of Valdese Town Council met on Monday, March 7, 2011, at 7:00 p.m., in the Town Council Chambers at Town Hall, Valdese, North Carolina. The following were present: Mayor James L. Hatley, Councilman Keith Ogle, Councilman Gary L. Delp, Councilwoman Susan Stevenson, Councilwoman Vickie Oxentine, and Councilman Chip Black. Also present were Town Manager Jeffrey V. Morse, Town Attorney Marc Mitchell, Deputy Town Clerk Thelda B. Rhoney, and various department heads.

Absent: None

A quorum was present.

Mayor Hatley called the meeting to order at 7:00 p.m. He offered the Invocation and led in the Pledge of Allegiance to the Flag.

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

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

**APPROVED MINUTES** – Regular and Closed Session of February 7, 2011

**ADOPTED ARBOR DAY 2011 PROCLAMATION**

**ARBOR DAY 2011 PROCLAMATION**

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

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

WHEREAS, 2011 is the 139<sup>th</sup> Anniversary of the holiday and Arbor Day is now observed throughout the nation and the world; and

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

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

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

WHEREAS, the Town of Valdese has received the prestigious Tree City USA award for the past 23 years.

NOW, THEREFORE, I, James L. Hatley, Mayor of the Town of Valdese, North Carolina, do hereby proclaim Friday, April 8, 2011, as the 139<sup>th</sup> Anniversary celebration of

*“Arbor Day 2011”*

in the Town of Valdese and the town will hold an Arbor Day Event on the Football Field behind the Old Rock School, Friday, April 8, 2011, 1:00 p.m., regarding tree planting and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands; and

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

This 7<sup>th</sup> day of March, 2011.

/s/ James L. Hatley, Mayor

**APPROVED APRIL 8, 2011 AS TAX LIEN ADVERTISING DATE**

March 7, 2011, MB#30

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

**ITEMS REMOVED FROM CONSENT AGENDA** None

**PROCLAMATION FOR PAUL KLOTZLE** Mayor Hatley presented the following proclamation to Mr. Klotzle:

**Proclamation Honoring Paul Stephen Klotzle**

WHEREAS, Paul Klotzle began his career with the Town of Valdese on July 12, 1971, as a Grade C Water Distribution Operator and received many promotions serving as Utility Maintenance Crew Leader since July of 2008; and

WHEREAS, Paul Klotzle holds a Grade III Wastewater Collection Certification and a Water Class A Certification; and

WHEREAS, the positions held by Paul Klotzle required that he be on call day and night, seven days per week, 365 days per year to report for work during emergencies; and

WHEREAS, during Paul Klotzle's tenure he worked on several major issues in Valdese such as the Mineral Springs Mountain fire in April 1985; Hurricane Hugo in September 1989; and numerous ice storms as well as a lot of major water and sewer line breaks; and

WHEREAS, after over 39 years of dedicated service to the Town of Valdese, Paul Klotzle retired on March 1, 2011.

NOW, THEREFORE, I, James L. Hatley, by virtue of the authority vested in me as Mayor of the Town of Valdese, and on behalf of the entire Town Council that we hereby recognize and honor "Paul Klotzle" for his many contributions to the Town of Valdese, and we wish for him a long and prosperous retirement.

IN WITNESS WHEREOF, I do hereby set my hand, and cause the Seal of the Town of Valdese to be affixed, this 7th day of March, 2011.

/s James L. Hatley, Mayor

Mr. Klotzle thanked Mayor Hatley for the Proclamation. Mr. Klotzle received a standing ovation.

**PUBLIC HEARING FOR PROPOSED REZONING #1-1-11 (MEARS/REID PROPERTY)** Mayor Hatley opened the public hearing and asked if anyone wished to speak either for or against the proposed rezoning.

Planning Director Larry Johnson said Paul Mears submitted an application to rezone property he owns located at 302 Rodoret Street South. The application also included properties owned by Howard and Phyllis Reid, requesting the rezoning from B-1 Central Business District to O-I Office Institutional District. The five parcels comprise a city block and are located between Saint Germain Avenue SW and Arnaud Avenue SW and Faet Street SW and Rodoret Street South. Total acreage of the five parcels - approximately 1.69 acres.

Surrounding Land Use and Zoning: North – Property is zoned O-I Office Institutional and B-1 Central Business is used for municipal parking, the Waldensian Heritage Museum and Tron House; South – Property is zoned O-I Office Institutional and is the new location of Valdese Town Hall; East – Property is zoned R-12A Residential and is occupied by a vacant multifamily structure and single family houses; West – Property is zoned O-I Office Institutional and is occupied by the former Alba Office Building (Blue Ridge Health Care, Delta Force Security, and World Wide Logistics Trucking).

The applicant, Paul Mears, requested the rezoning of five parcels comprising a town block. Three of these parcels are under the ownership of Mr. Mears and contain a commercial use (insurance office) and two residential uses (a single family dwelling and a duplex). Mr. and Mrs. Reid own the remaining two parcels which contain an institutional use (the Valdese Post Office). The current zoning of all parcels within the block is B-1 Central Business. The parcels identified in the application are contiguous with the O-I Office Institutional Zoning District. Mr. Mears seeks this rezoning in order to bring conformity and consistency with the existing residential uses and office uses permitted in O-I Office Institutional. Mr. Johnson reviewed requirements for the O-I Office Institutional. Based upon the surrounding land use, zoning and existing uses, staff recommends approval of the zoning application from B-1 Central Business District to O-I Office Institutional District. The Planning Board voted at its January 24, 2011 meeting to approve Mr. Mears application to rezone these properties.

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

March 7, 2011, MB#30

**ORDINANCE  
AN ORDINANCE OF THE VALDESE TOWN COUNCIL  
AMENDING THE VALDESE ZONING MAP**

BE IT HEREBY ORDAINED by the Town Council of Valdese, North Carolina, that Rezoning Petition 1-1-11 for the Mears/Reid Property to rezone property located at 302 Rodoret Street South, and five parcels that comprise a city block and are located between Saint Germain Avenue SW and Arnaud Avenue SW and Faet Street SW and Rodoret Street South. Total acreage of the five parcels is approximately 1.69 acres and is hereby approved for rezoning from B-1 Central Business District to O-I Office Institutional District.

This 7<sup>th</sup> day of March, 2011.

/s/ James L. Hatley, Mayor

Councilman Black made a motion to approve the Ordinance rezoning the aforementioned request, seconded by Councilwoman Oxentine. The vote was unanimous.

**CDBG FOR KLEEN TECH - ACCEPTANCE OF GRANT AGREEMENT AND FUNDING APPROVAL** Town Manager Jeff Morse presented the Grant Agreement and Funding Approval in the amount of \$450,000 from the NC Department of Commerce, Community Development Block Program – Economic Development.

Councilman Ogle made a motion to accept the grant in the amount of \$450,000, seconded by Councilwoman Stevenson. The vote was unanimous.

**RESOLUTION CHANGING NAME FROM KLEEN TECH TO KT VALDESE, LLC** Town Attorney Marc Mitchell said he received a call from Tim Glenn's Attorney and said a new entity was created KT Valdese LLC. He said Mr. Morse did not think the change would affect the grant. Mr. Glenn was still the principal of the entity. The project would be KT Valdese. He presented the following resolution which cites the changes:

**AMENDED RESOLUTION APPROVING CONVEYANCE OF REAL PROPERTY  
FOR ECONOMIC DEVELOPMENT AND APPROVING LEASE AGREEMENT**

WHEREAS, the Town Council, after notice and after conducting a public hearing as required by law, authorized the town manager and appropriate town officials to enter into an economic development grant agreement with Kleen-Tech, Inc.; and

WHEREAS, the Town Council also authorized the appropriate town officials to execute and record a special warranty deed to Kleen-Tech, Inc. pursuant to the terms of the economic development grant agreement; and

WHEREAS, the Town Council also authorized the appropriate town officials to enter into an aerator basins lease agreement with Kleen-Tech, Inc.; and

WHEREAS, Timothy Glenn, the owner of Kleen-Tech, Inc., has formed a new limited liability company named "KT Valdese, LLC", and Timothy Glenn has asked the Town Council to substitute KT Valdese, LLC for Kleen-Tech, Inc. as the entity that will enter into the economic development grant agreement, be conveyed property pursuant to the economic development grant agreement and enter into the aerator basins lease agreement; and

WHEREAS, the Town Council has considered this request and has determined that this change will not adversely affect the interests of the Town of Valdese and that this request should therefore be approved;

IT IS THEREFORE RESOLVED that the Town of Valdese is authorized to enter into the proposed economic development grant agreement and an aerator basins lease agreement with KT Valdese, LLC, instead of Kleen-Tech, Inc. as previously approved, and that the appropriate Town officials are also authorized to execute and record a special warranty deed conveying the property to KT Valdese, LLC, instead of Kleen-Tech, Inc., pursuant to the terms of the economic development grant agreement.

THIS AMENDED RESOLUTION WAS ADOPTED THIS 7<sup>th</sup> DAY OF MARCH, 2011

TOWN OF VALDESE  
/s/ James L. Hatley, Mayor

ATTEST: /s/ Town Clerk

After a brief discussion, Councilman Black made a motion to adopt the aforementioned resolution changing the property to KT Valdese, LLC, seconded by Councilwoman Stevenson. The vote was unanimous.

**KLEEN TECH - CAPITAL BUDGET ORDINANCE** Mr. Morse presented the following Capital Project Ordinance:

**TOWN OF VALDESE KLEEN TECH, INC.  
CDBG CAPITAL PROJECT FUND  
CAPITAL PROJECT ORDINANCE**

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

Section 1. The project authorized is comprised of the rehabilitation of the aeration basins at the Hoyle Creek WWTF to be financed by CDBG-Economic Development Funds and Kleen Tech, Inc. private contributions to the City.

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

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

CDBG	\$450,000	62,3480.000
Town of Valdese Utility Fund	\$ 15,000	62,3480.001
Private Industry Contributions (Kleen Tech, Inc.)	<u>77,000</u>	62,3480.002
	<u>\$ 542,000</u>	

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

Engineering	50,000	62,8120.041
Public Sewer Improvements	462,000	62,8120.760
Administration	25,000	62,8120.420
Planning	<u>5,000</u>	62,8120.490
	<u>\$ 542,000</u>	

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

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

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

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

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

Adopted this 7<sup>th</sup> day of March, 2011.

/s/ James L. Hatley, Mayor

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

Councilman Black made a motion to adopt the aforementioned Capital Project Ordinance, seconded by Councilwoman Stevenson. The vote was unanimous.

**KLEEN TECH - ADOPTION OF SECTION 3 PLAN AND EQUAL EMPLOYMENT PLAN** Mr. Morse presented the Section 3 Plan and Equal Employment Plan.

Councilwoman Stevenson made a motion to adopt the two aforementioned plans, seconded by Councilman Ogle. The vote was unanimous.

**KLEEN TECH - APPROVAL OF ENGINEERING AGREEMENT WITH THE WOOTEN COMPANY** Mr. Morse said the agreement with The Wooten Company was for final design, bidding and negotiating, construction contract administration, construction observation, start-up services and additional services in the amount of \$47,500.

Town Attorney Marc Mitchell recommended that Item H on pg 4 pertaining to \$50,000 liability be deleted.

After a brief discussion, Councilman Ogle made a motion to approve the aforementioned agreement deleting Item H on pg 4, seconded by Councilwoman Stevenson. The vote was unanimous.

**KLEEN TECH - APPROVAL OF WPCOG AGREEMENT** Mr. Morse presented the contract in the amount of \$25,000 and said funds would come from the grant.

Councilman Delp made a motion to approve the aforementioned agreement, seconded by Councilwoman Stevenson. The vote was unanimous.

**DEW DROP IN LEASE AGREEMENT** Mr. Morse said there was a requirement in the lease with Bonnie Rhoney, former owner of Dew Drop In, that if she were to sell her business that she must receive prior approval from the Town Council regarding the lease agreement. Ms. Bonnie Rhoney had accepted payment from another couple for the business and they did not know they had to come before the Town Council to renegotiate the lease. The couple requests permission to take over Ms. Bonnie Rhoney's current lease without capital expense (due to improvements made to the town-owned building by the restaurant owner) until November 2011 after which the lease amount would be approximately \$524 per month or the amount approved by the finance director after he reviews the records.

After a brief discussion, Councilman Ogle made a motion for the Town Attorney to prepare a new lease rent free until November 1, 2011 at which time rent would be \$524 per month for an additional two years, seconded by Councilwoman Stevenson.

Councilman Ogle amended his motion to include the amount per month beginning November 1, 2011 after the finance director reviews the records for the monthly rent amount, seconded by Councilwoman Stevenson.

Mayor Hatley called for the vote.

Voting aye: Delp, Oxentine, Stevenson, and Ogle

Voting nay: Black

Mayor Hatley said the motion carried.

**AUTHORIZATION TO RECLASSIFY TO COMBINE TWO POLICE POSITIONS FROM POLICE DETECTIVE TO ASSISTANT POLICE CHIEF/DETECTIVE** Mr. Morse said the detective resigned from the Valdese Police Department and the Police Chief requested additional duties be added to the detective position reclassifying the position to Assistant Police Chief/Detective.

Chief Moss requested Council approve the reclassification to assist the Police Chief to have a second man in line at all times and during his absence since there was no available funding for two positions. He said the detective position is an on call position at all times which is the same as the Chief's position. He said this was an excellent opportunity to offer a line of supervision between the sergeants and chief to lessen the load off of him and put a second man in command when he is not available.

Chief Moss said the current pay grade for Detective was 16 and grade 19 for the new position which is the same as Assistant Fire Chief at a beginning salary of \$36,049. He said he would open applications internal and external.

Councilman Ogle made a motion to approve the reclassification from Police Detective to Assistant Police Chief/Detective, seconded by Councilman Delp. The vote was unanimous.

**APPROVAL OF PART-TIME POSITION FOR VEDIC/BBLP** Mr. Morse recommended that Chuck Moseley, retired Community Affairs Director with the town, be appointed to administer the Valdese Economic Development Investment Corporation (VEDIC) and Burke Business Loan Program (BBLP), 20 hours per week at \$12 per hour. He said there were available funds remaining in the current budget to cover Mr. Moseley's salary and next year's funding would be

March 7, 2011, MB#30

discussed at the upcoming budget retreat. Mr. Morse said this was an informational item since the funds were in the current budget.

**REAPPOINTMENT TO THE VALDESE ABC BOARD** Mayor Hatley reviewed terms on the ABC Board and said Mr. Morse served an initial one-year term and he recommended Town Manager Jeff Morse serve a second, three-year term.

Mr. Morse said there were challenges with the ABC Store which was at a crossroads and was in financial difficulty and lost \$4,000 - \$5,000 last month. Sales were averaging \$50,000 per month and needed to be at \$70,000 per month which is expected to increase in the summer months.

After a brief discussion, Councilman Ogle made a motion to reappoint Mr. Morse to the Valdese ABC Board for a three-year term, seconded by Councilwoman Stevenson. The vote was unanimous.

**APPOINTMENT OF 2011/2012 BUDGET REVIEW COMMITTEE** Mayor Hatley recommended that he and Town Manager Jeff Morse, Councilman Black, and Councilwoman Stevenson serve on the Budget Review Committee.

Councilman Ogle made a motion to approve the aforementioned recommended appointments to the 2011/2012 Budget Review Committee, seconded by Councilwoman Oxentine. The vote was unanimous.

**AUTHORIZATION TO REPLACE TWO GATE VALVES AT THE WASTEWATER TREATMENT PLANT** Mr. Morse said Wastewater staff was requesting to replace two of four influent gate valves (valve #1 and #2) at the influent building. These are 20" gate valves that allow for removal of pump #1 and #2. Currently they have one estimate (McCall Brothers, Inc. - \$53,805) and staff is waiting on two additional quotes (Hickory Sands and Ronny Turner). Contractor would be responsible for maintaining incoming flow to the plant as part of the quote. Mr. Morse said the amounts were within the state bidding requirements.

Councilman Black made a motion to authorize up to \$53,805 for the gate valves, seconded by Councilman Delp. The vote was unanimous.

**APPROVAL OF FAÇADE IMPROVEMENT - GUIGOU BROTHERS, INC.** Mr. Morse said he received a request from the Guigou Brothers, Inc., for façade improvements to the building located at 108 Main Street West occupied by Full Circle Consignment. They are requesting a matching grant from the Town up to \$414 (estimated project cost - \$828) for renovations to the front of the building and façade including electrical wiring and labor.

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

**BUILDING REUSE DEFERRED LOAN PROGRAM – DAVE’S FISH N MORE** Mr. Morse introduced David Smith. Mr. Smith said he was upgrading the Mr. Roberts building, former Habaneros, III restaurant, and he planned to open a full-service seafood restaurant with some sandwiches and a kids menu. There are 80 seats in the restaurant with two shifts and he proposes to have 20 employees. Mr. Morse said Mr. Smith received a \$25,000 loan from the Burke Business Loan Program (Golden LEAF Funds) and the \$15,000 reuse funds would be administered through the VEDIC Program.

## RESOLUTION

WHEREAS, G.S. 160A-456 authorizes a town to appropriate funds for community development programs and activities, including providing grants or loans for the restoration or preservation of older properties; and

WHEREAS, G.S. 160A-20.1 authorizes a town to contract with and appropriate money to a corporation in order to carry out a public purpose that the town is authorized by law to engage in; and

WHEREAS, the Town of Valdese (the Town) desires to appropriate up to \$15,000 in connection with the Town's community development programs and activities to be used for the restoration or preservation of an older property in the Town; and

WHEREAS, Valdese Economic Development Investment Corporation (VEDIC) has agreed to administer these community development funds on behalf of the Town of Valdese; and

March 7, 2011, MB#30

WHEREAS, a proposed agreement between VEDIC and the Town setting forth the terms and conditions under which VEDIC is to administer and distribute these funds has been presented to and considered by the town council, and the town council is of the opinion that this agreement with VEDIC should be approved;

IT IS THEREFORE RESOLVED AS FOLLOWS:

1. The Town shall appropriate \$15,000 for the restoration or preservation, including direct repair, of the building formerly occupied by Habaneros restaurant located at 825 Main Street West in Valdese.
2. The town manager is authorized to enter into the proposed contract with VEDIC which sets forth the terms and conditions under which these community development funds are to be distributed and administered.

THESE RESOLUTIONS ARE ADOPTED THIS 7<sup>TH</sup> DAY OF MARCH, 2011.

TOWN OF VALDESE  
By: /s/ James L. Hatley, Mayor

ATTEST: Town Clerk

After a brief discussion, Councilman Ogle made a motion to approve the aforementioned resolution, seconded by Councilwoman Oxentine. The vote was unanimous.

Mr. Smith said he had safety issues with blocking off the road for repairs and brush removal. Mr. Morse asked Mr. Smith to contact Police Chief Moss for assistance with the street and to contact Public Works Director Duckworth for brush pickup.

**MAYOR AND COUNCIL COMMENTS:**

Councilman Delp thanked staff for providing the hearing aid devices for the hearing impaired.

Councilwoman Oxentine said Valdese was hosting a Train Meeting on Wednesday, March 16, 2011, 12 noon and she invited Members of Council to attend.

**GARDEN SPOT – WEST END**

Councilwoman Oxentine said someone approached her about a garden spot or even garden spots to rent on town-owned property.

Mr. Morse said the request came up before but there were issues. Staff did not recommend that gardens be allow on town-owned property. Mr. Morse said staff would investigate and bring back to the April Council meeting.

Councilwoman Stevenson thanked Public Works Director Bryan Duckworth for taking care of Barus Street and she said the street looked much better.

Mayor Hatley asked about the paving of unpaved streets in Valdese. Mr. Morse said staff was working on the issue.

Councilwoman Stevenson said someone asked her about the fountain on Carolina Street. Mr. Duckworth said staff was working on that issue as well as the fountain in Centennial Park.

Councilwoman Stevenson said the old band building needed painting since more citizens were walking in that area. Mr. Morse said staff was working with Burke County REACT about leasing the building.

**MANAGER'S REPORT:**

**SEWER ISSUES – BOBO STREET**

Mr. Morse said there were sewer issues on Bobo Street that needed to be addressed. It involved a block of stores on Main Street where the sewer tap came off Main Street and there were sewer problems in all the buildings due to gravity and low flow problems. He said staff would bring back cost estimates including engineering services to install sewer lines on Bobo Street within the next few months. The businesses would have to run lines from their buildings to the Bobo Street. Dr. Reynolds said it would cost her approximately \$10,000 - \$15,000 to tap on from her building. Mr. Morse said the town may have to look at cost sharing on this project.

Mayor Hatley asked if this was the Town's problem and Mr. Duckworth said the problems are under the sidewalk and within the buildings as well.

**HOST NCLM RISK MANAGEMENT SERVICES REGIONAL MEETING**

Ms. Debbie Jones said the Town of Valdese would host the North Carolina Risk Management Services Regional Meeting, Wednesday, March 9, 2011, 9:00 a.m. until Noon, Valdese Town Hall and would be discussing changes in insurance.

**ANNUAL BUDGET RETREAT**

Mr. Morse reminded Council of the Annual Budget Retreat, Valdese Town Hall, Monday, March 21, 2011, 3:00 p.m. – 8:00 p.m.

**TRAVEL AND TOURISM UPDATE** Mr. Morse said Community Affairs Director Barbara Hefner requested that the town partner with WSVM Radio to purchase \$1,000 of advertising that would also serve the Charlotte market. He said this would bring day trips to our town. Mayor Hatley said it would cost \$60,000 to advertise in Charlotte.

**CLOSED SESSION** Mayor Hatley called for a Closed Session pursuant to NC General Statute 143-318.11 (a) (3) To consult with the Town's Attorney concerning pending litigation.

At 8:28 p.m., Councilman Ogle made a motion to recess into Closed Session Pursuant to NC General Statute 143-318.11 (a) (3) To consult with the Town's Attorney concerning pending litigation, seconded by Councilwoman Oxentine. The vote was unanimous.

Mayor Hatley called for a five minute break after which Council met in Closed Session at 8:35 p.m.

At 9:02 p.m., Councilman Ogle made a motion to return to Open Session, seconded by Councilwoman Stevenson. The vote was unanimous.

**RESOLUTION GRANTING AUTHORITY TO THE TOWN MANAGER TO CALL THE SUBDIVISION BONDS FOR THE SETTINGS OF LAKE RHODHISS**

Mayor Hatley introduced the following Resolution:

**RESOLUTION GRANTING AUTHORITY TO THE TOWN MANAGER TO CALL THE SUBDIVISION BONDS FOR THE SETTINGS OF LAKE RHODHISS**

WHEREAS, the Settings of Lake Rhodhiss, LLC (hereinafter "Developer") submitted a conditional use application requesting that the property described in the application (hereinafter "The Settings") be allowed to be developed as a Residential Planned Unit Development;

WHEREAS, the Town Council of the Town of Valdese reviewed the Developer's application and, based on the information contained therein, granted the application and issued the Developer a Conditional Use Permit for The Settings;

WHEREAS, the Developer agreed to install and complete certain infrastructure for the Settings, said infrastructure being road clearing and construction, ribbon curbs, sewer, water and storm drainage, and issued the Town of Valdese two subdivision bonds as guarantee for performance of said work;

WHEREAS, the Developer has sold approximately one hundred lots in The Settings to the general public; and

WHEREAS, as of the date of this Resolution, only a minimal amount of the aforementioned infrastructure has been started and none of the infrastructure is completed or near completion.

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

1. That the Town Manager meet with the Bonding Company and the Developer no later than Friday, March 25, 2011 for the Developer and Bonding Company to summarize the status of infrastructure construction and present a comprehensive and detailed work scheduled for the installation of the infrastructure for The Settings; and



**March 7, 2011, MB#30**

2. That, based on the information received at the aforementioned meeting, the Town Council hereby authorizes the Town Manager to take all necessary action to secure the Town's legal and financial interest including, but not limited to, officially calling the subdivision bonds and declaring a default thereunder.

I MOVE THE ADOPTION OF THE FOREGOING RESOLUTION.

Keith Ogle  
Council Member

SECONDED BY:

Susan Stevenson  
Council Member

READ, APPROVED AND ADOPTED, THIS THE 7<sup>th</sup> DAY OF MARCH, 2011.

/s/ James L. Hatley  
Council Chairperson

At 9:04 p.m., there being no further business to come before the Council, Councilman Ogle made a motion to adjourn, seconded by Councilman Black. The vote was unanimous.

The next meeting is a regularly scheduled for Monday, March 21, 2011, 3:00 p.m., Annual Budget Retreat.

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL MEETING  
MARCH 21, 2011 (ANNUAL COUNCIL AND DEPARTMENT HEAD BUDGET RETREAT)**

The Town of Valdese Town Council met on Monday, March 21, 2011, at 3:00 p.m., in the Community Room at Town Hall, Valdese, North Carolina. The following were present: Mayor James L. Hatley, Councilman Keith Ogle, Councilman Gary L. Delp, Councilwoman Susan Stevenson, Councilwoman Vickie Oxentine, and Councilman Chip Black. Also present were Town Manager Jeffrey V. Morse, Deputy Town Clerk Thelda B. Rhoney, all Department Heads, and Jerry Conley from the Water Plant.

Absent: None

A quorum was present. No action was taken.

Also present: Julie N. Chang, *Morganton News Herald*.

Mayor Hatley called the meeting to order at 3:00 p.m. He welcomed everyone. He said there were no sacred cows and everything was on the table. We need to find ways to generate income or save/cut monies as best we can. He did not intend to balance the budget on the backs of our employees.

**Manager Presentations:**

Mr. Morse briefly reviewed FY 2010-2011 Budget and he requested Department Heads reduce their proposed budget for FY 2011-2012 by 5 percent, worse case scenario. He briefly reviewed proposed revenues/expenses. There are challenges with The Settings Development. He did not anticipate any increase in property tax.

Mr. Morse said Valdese Economic Development Investment Corporation (VEDIC) had made three loans for a total of \$54,000 from a Rural Center Grant and the Burke Business Loan Pool (BBLP) had made six loans for a total of \$140,000 from a Golden LEAF Grant. Former Community Affairs Director Chuck Moseley would provide administrative services for these programs and would work 20 hours per week and \$20,000 may be budgeted for economic development in FY 2011-2012.

He recommended reducing funding for some outlaying agencies:

Burke Development, Inc., from \$48,000 to \$24,000

Burke County Library – Valdese Branch - \$10,000 reduction

No recommended change in the Drug Task Force donation of \$20,000

Old Rock School Arts Gallery – possible \$3,000 reduction

Mr. Morse briefly discussed how he planned to balance the budget with \$150,000 in budget cuts, possible loss from The Settings Development, a possible 8-10% increase in healthcare. The town currently provides 50% of dependent coverage which may be reduced to only 25%

Insurance – Dependent Coverage:

Council requested that staff provide them with a list of surrounding towns that contribute towards dependent coverage

Mr. Morse briefly reviewed staff issues. Brett Watson is still serving as a part-time aquatics director and the Recreation Director plans to retire September 2011. Doug Knight has been with the town for six years and could possibly assume the leadership role of recreation director, then not fill Mr. Knight's position and upgrade remaining positions adding more responsibility at recreation. Mr. Rhoney said staff would have to work more hours plus some part-time work.

Planning Director Larry Johnson plans to retire the end of the current fiscal year and could work part-time, 20 hours per week at a \$28,000 savings to the town.

Mr. Morse said if the economy improves the positions may have to go back to full time positions.

Mr. Morse briefly mentioned projects and said Clark Erwin was working on the Waldensian Mill Project and there would be a joint agreement with Valdese Manufacturing for parking. The New Town Hall Project was complete with a few sound issues that were being worked on.

There are moisture issues with the mural at Village Park and some of the material is cracking. The muralist and contractor are looking at the project which should not be too expensive to repair.

He said there are currently two major utility fund studies – 1) Rate Study and 2) Hydraulic Model Study at Triple District

**New Town Hall Open House:**

Mayor Hatley and Council discussed the New Town Hall Open House possibly the second Sunday in May from 2:00 p.m. – 4:00 p.m., and requested staff advise Council of the date when finalized. The event would be catered and there would be no handouts.

**Pam Walker, VanNoppen Marketing**

Ms. Walker offered an overview of a proposed plan for downtown. There could be shopping in downtown Valdese as a community, look at merchants as individuals, marketing efforts, build a website so each merchant would have a web page, E-blast, ad words campaign, social media component - possibly a blog. The plan could be reviewed after six months and tweaked, there could be a summery series of meetings on how to make the program stronger and how to fund. The plan has been presented to merchants and positive responses were received. No cost to merchants and the plan could cost \$14,000 - \$25,000.

**Department Head Presentations:**

Community Affairs Barbara Hefner:

She said she could take a furlough for 10 weeks during down times at a cost savings of \$8,400, cut \$2,500 – \$4,000 from Family Friday Nights or only provide the programs for two months, cut back contribution to Arts Foundation by \$3,000. Revenues have increased and she recommend that Morrissa Walker be hired full time

Accounting Services Manager Greg Cannon - Tax Revenue Collections/Projections

Tax revenues have been collected currently at 99 percent of the tax base levy

Human Resources Officer Debbie Jones – briefly reviewed insurance issues

Planning Director Larry Johnson

Cut 5% in professional and engineering services

Planning Department needs two map cabinets and he is looking at used options

Utilities:

◆ Water Resources Director David Cook

The water plant is a facility worth \$25 million with an annual budget of \$5 million and most of his issues are dictated by EPA, State, OSHA, and the Insurance Company

He would have to eliminate personnel to come up with a 5% budget cut and they are presently down 1.5 positions. The SCADA system is almost up and running and employees are performing maintenance. Several employees are doing several jobs. By using the SCADA system, the water plant could be shut down for four hours at night and bring the employees to the first shift but there would be a risk. Someone would be on call when the water plan is unattended and every operator would be on call one weekend per month. On call receives pay unless it is a department head. Former water plant superintendent David Rust resides on the water plant site. A laptop would be needed for coworkers to use if they don't have internet services at home.

Fluoride system being recommended by the dental system

Motor control centers need replacing which were installed in 1976 and 1995 and some parts are obsolete and the cost is \$100,000 per motor control system (motors are currently okay). Mr. Morse said Jerry Conley worked 10 years with Morganton and has been at the Town for three years and plans are for Jerry to become the water superintendent.

Mr. Morse said the town recently lost 200 lcard water customers to Hickory

◆ Distribution Superintendent – Triple Water District Archie Lowman

Triple District's portion of the Hydraulic Model is \$7,000. The work shop heating system project has been completed. Maps have been sent to WPCOG for cost estimates to GPS the Triple District water system. He reviewed current SCADA system issues as the software is antiquated and he was getting cost estimates for six new radio transmitters. Cost of \$100,000 to paint the water tank. Equipment is in good shape. They have a 1995 and 2000 truck both in bad shape. He is concerned with a possible 5% budget reduction of his \$1 million budget would be \$52,000 reduction. He has \$49,365 in total maintenance or 4.8% of total budget to maintain a water system that does \$1million in business. Triple District has capital reserve funds (from the merger) and could use \$26,000 for next budget year. One employee would have to be laid off as he has no where else to reduce his budget. NCDOT requires two men to direct traffic for water leak repairs when the road is shut down. Mr. Lowman said his position would be vacated by the end of this year. He said now is the time to do capital projects because bids are coming in low due to the downturn in the economy. He recommended that 75 cents from every water bill be set aside for repairs on the old system since the City of Hickory does this. For old and existing lines, rehabilitation needs to be started today instead of years to come.

◆ Treatment Plant Superintendent Greg Padgett

Elimination of one position would be a cost savings of \$30,000.

Possible \$20,000 energy savings in electricity

He cannot control the increases for fuel and supplies

In 2010 flow was 767 million gallons and over 800 million gallons the previous year.

Upgrades could come from capital reserve or contingency

\$200,000 energy grant was received

Wastewater Plant opened in 1981

A roof is needed on one of the buildings at an estimated cost of \$20,000

Preventive maintenance/asset management program \$10,000

Needing utility truck as they are using a 1999 truck

Sludge truck – will try to use another year

Has no control over budget with ongoing mandates without funding

New permit has not been issued – working off 2010 permit

Nitrogen/phosphorus – issues were briefly mentioned

Next two years eastern end of Burke County sewer would go to Hickory and Valdese would lose 200,000 gallons per day

Another consolidation study could be conducted regarding merging within 3-5 years

Mr. Morse called for a 30 minute dinner break catered by Myra's.

**Department Head Presentations Continued:**

Police Chief Jack Moss

Reclassifying two positions into one saved \$44,000, upgraded antiquated shotguns, purchased eight used in-car cameras from Burke County surplus, department is good on patrol vehicles until FY 2012-2013 budget year, can use the detective car one more year, and need new walkies and new mobile units inside cars - \$55,000

Fire Chief Charlie Watts

Five percent of his budget would be \$41,800 and he had the following options: Lay off an employee - \$37,000; six week furlough for all employees - \$36,000; or, 10% pay reduction - \$31,000. He gave a brief overview on the VIPER system (Voice Interoperability Plan for Emergency Responders). He said there were mandates by FCC and 20 departments in Burke County planned to jointly apply for a federal grant for the program.

Recreation Director Tim Rhoney

Mr. Rhoney will be retiring September 2011, he is expecting a \$23,000 savings in energy for turning off heat at night in the bubble and staff found it takes less than 30 minutes to heat up the area in the morning. There was a cost savings with an employee who was out six months for surgery this year and Recreation and Public Works are sharing an employee.

School closings affect recreation programs throughout Burke County

Difficulties with groups assisting with the bubble; prisoners working in parks at a cost savings of \$5,000

Still no long-range plan for the Recreation Department and the PARTF grants have been eliminated

Lighting – staff would know by July on the energy costs

Inner liner for the pool bubble would cost \$60,000 and money is available in capital reserves

Pool needs resurfacing in near future - \$60,000

Tiger Gym – programs eliminated at this facility due to budget cuts three years ago and was currently being used for storage. When reopened a new heating system would be needed - \$60,000. Mayor Hatley said perhaps school system could use and update

Public Works Director Bryan Duckworth

Briefly reviewed studies and projects. Valdese has an asset management program through the NC Rural Center – 12 Small Towns Project

Water reuse and leak detection - team meets every two months to discuss major water leaks and account for all water and they are looking at non-revenue water, municipal uses, flushing, cost of each leak, and fire hydrants

With the retirement of Paul Klotzle the Operator Responsible in Charge (ORC) duties shifted to the Public Works Director which will require more time out in the field

Briefly reviewed work order program to tract repairs/costs for utility system and citizen requests

GIS mapping – expanded to include Triple District system

Public Works - Administration – one employee short and sharing an employee with Recreation Department, and this is working well. He was concerned about rising fuel prices.

Public Works – Grounds & Maintenance - arbor beautification cuts and part-time employee pay cuts

**March 21, 2011, MB#30**

Public Works – Street Division & Powell Bill – averages 80 brush pickups per week and he has one and one-half employee designated just for brush pickup  
Utility system was installed in the 30s and there are issues but problem areas looked at every year  
Public Works has implemented a lot of new procedures such as a preventative maintenance program  
Emergency repairs are down because they are not pumping as much water which relieves stress on the system  
Briefly reviewed overtime and repairs to buildings and grounds

Mr. Duckworth briefly reviewed the following Capital Projects:

1. Carter Avenue served by 1 ½" line installed in the 30s and serves 27 homes - \$65,000
2. Bobo Street sewer line project has been permitted - \$32,000. Building owners have cast iron pipes and he believed gravity issue was only on one block and recommended cost sharing for taps to the business owners along Bobo Street
3. I & I – Cline Street pump station – heavy rains overload pumps and have to hire septic company to camera the line and smoke test the lines to find the problems. Staff has applied for technical assist and planning grant.
4. Christmas lights – \$10,000
5. Need one truck next year currently using a 20 year old pickup daily
6. Has a lot of capital projects due in five years and recommended a plan instead of asking for \$500,000 at one time

**Council Comments:**

Ward 1 – Councilman Delp

He spends a lot of time at other places and he said Valdese is a special place. We do not have to dodge garbage cans in the streets  
Having to cut budget and is amazed that department heads keeps positive attitudes  
Water to his home comes in through 70 year old pipes  
We get what we need without taking what one has earned

Ward 5 – Councilman Ogle

He has served on Council for seven years and every year there is a 5% budget reduction  
He said, tomorrow may really happen  
He was against a reduction of benefits for employees  
Work smarter and do things better – consolidation of Burke County water departments – would there be a savings  
Third year with no salary increases  
He thanked town employees for their hard work

Ward 2 – Councilwoman Stevenson

She hopes The Settings comes through  
She does not like the 5 percent options  
She said the salary study was completed and then there was a downturn in the economy  
She thanked staff for their hard work, for being safe and for the quality of services they provide our citizens

Ward 4 – Councilwoman Oxentine

She appreciated staff and thanked them for their hard work  
She recommended saving money for new vehicles in the future  
She supports the new Burke County communications system and hopes grants are received to fund

Ward 3 – Councilman Black

He said we need to look beyond to find the dollars we need  
Force us to look at consolidated services such as a municipal water system for Burke County  
May need to look at health insurance savings with Morganton and Burke County within the next several years

Mayor Hatley

He said every year staff does more with less and appreciates the great job performed by our great staff  
He does not agree with cuts in the Family Friday Nights

**March 21, 2011, MB#30**

Recommended budget cuts - Arts Council, BDI, Library

Not in favor of Community Affairs Director taking furlough to balance her budget and agreed that Morrissa Walker be hired full time

He recommended map cabinets for the Planning Department

He said if selling the water plant were an option and the county were to purchase that rates would be raised by 40%

Need to hire a consultant about consolidation of services in Burke County to save money

Recommended contracting work out if makes sense

Recreation – consolidate programs

Fuel – costing a fortune

Insurance – cost savings

Not in favor of cutting employee benefits

Recommended staff identify all unpaved streets in town for possible property owners cost sharing and assessment

Received word that a lot of soccer played by adults on the football field and staff cannot allow this as field is not open for practice

Band building needs painting and could possibly be used by Burke County REACT

Mayor Hatley was concerned about a private swim instructor using the town's swimming pool for three to four hours per day and believed the \$100 fee per month she was paying needed to be higher.

Town Manager Jeff Morse addressed capital outlay needs - \$232,000. He reported Unified Missions had issued 15 grants for assistance to pay water bills

**Adjournment** - At 8:00 p.m., there being no further business to come before the Council, Mayor Hatley adjourned the meeting.

The next meeting is a regularly scheduled for Monday, April 4, 2011, 7:00 p.m.

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL MEETING  
APRIL 4, 2011**

The Town of Valdese Town Council met on Monday, April 4, 2011, at 7:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The following were present: Mayor James L. Hatley, Councilman Keith Ogle, Councilman Gary L. Delp, Councilwoman Susan Stevenson, Councilwoman Vickie Oxentine, and Councilman Chip Black. Also present were Town Manager Jeffrey V. Morse, Town Attorney Marc Mitchell, Deputy Town Clerk Thelda B. Rhoney, and various department heads.

Absent: None

A quorum was present.

Mayor Hatley called the meeting to order at 7:00 p.m. He offered the Invocation and led in the Pledge of Allegiance to the Flag.

**OPEN FORUM/PUBLIC COMMENT:**

Ms. Rose Mueller, 610 Dixie Avenue, said she was a member of the Heritage Arts Foundation and Valdese Merchants Association. She read an article from the *Morganton News Herald* which mentioned budget cuts for downtown flowers. She said the flowers were beautiful and she recommended the flowers remain in the budget and she submitted a petition to keep the flowers in the budget.

Mayor Hatley welcomed Ms. Mueller to Valdese. Town Manager Jeff Morse said there were no proposed beautification cuts in the upcoming budget.

Mayor Hatley appointed Ms. Mueller to the Arbor Beautification Committee as a Volunteer Representative.

**SANDI WALKER**, 124 Main Street West, Valdese, owner of Dolls and Designs by Sandi. She endorsed what Ms. Mueller said and Ms. Walker volunteered for the Arbor Beautification Committee and Mayor Hatley appointed her as a Volunteer Representative.

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

**APPROVED MINUTES** Regular and Closed Session of March 7, 2011, and Annual Budget Retreat Minutes of March 21, 2011.

**TOWN ATTORNEY CONTRACT FEE** Approved an increase in the Town Attorney fees from \$150 per hour to \$175 per hour retroactive to January 1, 2011.

**ADOPTED BURKE COUNCIL ON ALCOHOLISM & CHEMICAL DEPENDENCY PROCLAMATION**

**Proclamation  
Burke Council on Alcoholism & Chemical Dependency**

WHEREAS, alcohol is a primary factor in the four leading causes of death for young persons ages 10-21 and

WHEREAS, almost 100,000 persons die each year from alcohol-related causes: drinking and driving crashes, other accidents, falls, fires, alcohol-related homicides, and suicide; and

WHEREAS, approximately 15 million current drinkers in the United States are dependent on alcohol; and

WHEREAS, adolescents use alcohol more than tobacco or illicit drugs; and

WHEREAS, young people begin drinking, on average, at 13.1 years of age; and

WHEREAS, young people who begin drinking before age 15 are four times more likely to develop alcohol dependence than those who begin drinking at age 21; and

April 4, 2011, MB#30

WHEREAS, alcohol abuse is linked to as many as two-thirds of all sexual assaults and date rapes; and

WHEREAS, alcohol abuse is a major factor in unprotected sex, increasing risk of contracting HIV or other transmitted diseases; and

WHEREAS, the typical American will see 100,000 beer commercials before he or she turns 18 (that is more than for sneakers, gum and jeans combined).

NOW, THEREFORE, I, James L. Hatley, Mayor of the Town of Valdese, North Carolina, join with the National Council on Alcoholism and Drug Dependence, Inc. (NCADD) and its local affiliate, Burke Council on Alcoholism & Chemical Dependency, Inc., in proclaiming April 2011 as NCADD Alcohol Awareness Month in Valdese, North Carolina. I also call upon all citizens, parents, governmental agencies, public and private institutions, businesses, hospitals, schools and colleges in Valdese and Burke County to support efforts that will increase community awareness and support for individuals and families coping with alcoholism in our community and join us in "ONE IS TOO MANY ... ALCOHOL AWARENESS: THE KEY TO PERSONAL CHANGE AND RECOVERY."

This 4<sup>th</sup> day of April, 2011.

/s/ James L. Hatley, Mayor

**APPROVED SPRING LITTER SWEEP BIENNIAL CLEANUP DRIVE - APRIL 16-30, 2011**

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

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

**SET PUBLIC HEARING DATE OF MAY 2, 2011 FOR PROPOSED REZONING APPLICATION 2-3-11 (REZONING OF B-3 PROPERTY)** Planning Director Larry Johnson said Council adopted the amended Zoning Ordinance in December 2010 and he reported at that time there were four properties within the corporate limits of Valdese zoned B-3 Neighborhood District and would need to be rezoned R-8 Residential District.

After a brief discussion, Councilman Delp made a motion to set the date of May 2, 2011, for the aforementioned public hearing, seconded by Councilwoman Stevenson. The vote was unanimous.

**PRESENTATION FOR SUPPORT TO SEEK GRANT FUNDING FOR EMERGENCY COMMUNICATIONS CONSOLIDATION** Fire Chief Charlie Watts distributed information about House Bill 1691 and Public Safety Answering Point (PSAP) and frequently asked questions. He introduced Mr. Stacy Austin, Seamless Mobility Company. He said staff was currently looking at consolidating the emergency communications and 911 centers in Burke County due to loss of state funding. There are four entities – Burke County, City of Morganton, Burke County Sheriff's Department, and Town of Valdese. PSAP is a public safety answering point where the 911 calls are received. There are three types of PSAPs: Primary which would include Valdese, Morganton, and Burke County; Secondary would be the Sheriff's Department; and a Backup System and currently there is no backup system in Burke County. He described the different types of PSAPs and different types of training for each type. In two to five years all entities expects to lose state funding which would cost Valdese approximately \$150,000. One piece of equipment would cost \$250,000. The State will have mandates for a backup system. The most cost effective placement for the primary PSAP would be Morganton because of all the phone lines. The best location for a backup system is Valdese and would be placed in the old town hall. Beginning in 2012 a state mandate requires two communication operators on duty at all times which would require eight more employees. There is a set of questions the operators must ask for each call. Staff is working on a grant from the 911 Board in the amount of \$3 - \$5 million and Chief Watts may present a resolution of support at the next Council meeting.

Town Manager Morse said this was another unfunded state mandate.

**MAYOR AND COUNCIL COMMENTS**

Councilwoman Oxentine asked about the **Old High School Building**.

Fire Chief Watts said he was approached by Jim Jacumin to burn the wood out of the old high school and Chief Watts contacted WPCC and they deemed it unsafe for training. A clean air permit has to be obtained which needs an



education value and there is no education value to the building. The building is unsafe and Mr. Jacumin is aware of the situation.

Town Attorney Marc Mitchell briefly reviewed the state statutes condemnation process and town ordinances which allow the town to get rid of unsafe buildings. It would cost the town a lot of money to get rid of the building and dispose of debris and a lien would be placed on the property or the court system would have to find out if the owners, Trail of Faith, had resources to remove the building.

Staff previously went through the condemnation process and Mr. Jacumin went through the Burke County building inspections department and boarded up the building to stop the condemnation process.

Mr. Morse said the town tried to obtain the building and make it a nice facility. Staff would have to begin the condemnation process again. He said Mr. Jacumin's intention was to demolish the building and place a monument and use for parking.

Mayor Hatley said he and Members of Council receives many calls every month about the old high school building.

Councilwoman Oxentine asked about the **Powell Building**.

Planning Director Larry Johnson said he contacted Tim Newton, one of the property owners, regarding the aesthetics of the building and requested he present a timetable for windows and clean up of the building. Mr. Morse said the reason no one has moved forward is someone is looking at renovating the lower level of the building for a proposed restaurant.

Councilwoman Stevenson thanked Public Works Director Bryan Duckworth for cleaning up around the back of the cemetery.

Mr. Morse said Burke County REACT was looking at the old band building and would currently be using the lower level of the old town hall.

**MANAGER'S REPORT:**

Mr. Morse reported that the Valdese Triathlon would be held on Saturday, April 16, 2011, 9:00 a.m., and there would be approximately 200 athletes from across the southeast participating.

Mr. Morse reminded Council of the Arbor Day Event on Friday, April 8, 2011, 1:00 p.m., football field behind the Old Rock School.

At 7:51 p.m., there being no further business to come before Council, Councilman Ogle made a motion to adjourn, seconded by Councilwoman Oxentine. The vote was unanimous.

The next meeting is a regularly scheduled meeting for Monday, May 2, 2011, 7:00 p.m.

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL MEETING  
MAY 2, 2011**

The Town of Valdese Town Council met on Monday, May 2, 2011, at 7:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The following were present: Mayor James L. Hatley, Councilman Keith Ogle, Councilwoman Vickie Oxentine, Councilwoman Susan Stevenson, Councilman Gary L. Delp, and Councilman Chip Black. Also present were Town Manager Jeffrey V. Morse, Town Attorney Marc Mitchell, Deputy Town Clerk Thelda B. Rhoney, and various department heads.

Absent: None

A quorum was present.

Mayor Hatley called the meeting to order at 7:00 p.m. He offered the Invocation and led in the Pledge of Allegiance to the Flag.

**OPEN FORUM/PUBLIC COMMENT:**

**MR. JEFF WELLER, CHIEF, BURKE COUNTY RESCUE SQUAD**, said there used to be two rescue squads in Burke County (Burke and Eastern Burke) which merged last year due to funding issues. They are a nonprofit and United Way no longer provides any funding and they only receive \$70,000 in county funds. He has been chief for two years and last year they had over 11,000 man hours of training and the state changes training guidelines every five years. They assist with vehicle accidents when someone is entrapped. They assist with high angle, low angle, confine space, and trench rescue. They are responsible for water rescue. They are all volunteers and do not even receive pay for mileage. He said there needs to be a contract for their assistance to the Town of Valdese. He requested annual funding in any amount.

Mayor Hatley thanked Mr. Weller and said staff would consider the request.

**MR. SCOTT DARNELL, EXECUTIVE DIRECTOR, BURKE DEVELOPMENT, INC., (BDI)** 2128 South Sterling Street located in the Foothills Higher Education Center. Mr. Darnell updated Council on BDI activities and said there had been tremendous activity with code names listed in the newspaper. They are running out of product and they are working on these challenges. Store space in the county is a problem. There are a number of new restaurants as well as small and large companies. Workforce challenges continue and the upholstery project will start back up at Western Piedmont Community College. A seminar is planned for 100 of those unemployed for six months or longer and 20 Human Resource Directors in Burke County will be presenting at the seminar. Small business growth has been phenomenal and home based companies are looking for space. The Burke Entrepreneurs & Business Owners (BEBO) continues to be well attended. Burke County has great business diversity. His board will receive information this week on the Burke Business Park and they will be looking at additional signage and roads in the park. Businesses are looking for buildings with 28 foot ceilings which do not exist in Burke County.

Mayor Hatley said the building inspectors need assistance with addressing old buildings. Mayor Hatley thanked Mr. Darnell for addressing Council.

Mayor Hatley said there was 12 percent unemployment in Burke County and there are jobs available and no one wants to work due to receiving three years of unemployment. Mr. Darnell said that was true and Blue Ridge Health Care had over 100 positions available and there were maintenance mechanic positions available paying \$50,000 per year.

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

**APPROVED MINUTES OF APRIL 4, 2011**

**ADOPTED RESOLUTION SUPPORTING THE APPLICATION FOR A GRANT FROM NORTH CAROLINA 911 BOARD**

**RESOLUTION SUPPORTING THE APPLICATION  
FOR A GRANT FROM NORTH CAROLINA 911 BOARD**

**May 2, 2011, MB#30**

WHEREAS, the current Public Safety Answering Points or PSAP's providing service and answering 911 calls for Burke County are handled through a system financed, in part, from 911 funds provided by the North Carolina 911 Board under G.S. 62A-46(c); and

WHEREAS, Burke County, the City of Morganton and the Town of Valdese currently operate PSAP's; and

WHEREAS, the Burke Homeland Security Task Force, consisting of local law enforcement agencies and other emergency response personnel within the jurisdiction of Burke County, has recommended the consolidation of 911 communication services throughout Burke County in an effort to establish an integrated management structure to better serve the Burke County population; and

WHEREAS, the North Carolina 911 Board will soon commence a grant cycle which will include the E-911 Consolidation Program intended to provide funding for those jurisdictions seeking to consolidate 911 emergency services; and

WHEREAS, the Burke County Board of Commissioners, the City Council of the City of Morganton and the Town Council of the Town of Valdese support the consolidation of the existing PSAP's into an integrated management structure and by this Resolution intend to authorize and to support an application for grant funding under the E-911 Consolidation Program adopted by the North Carolina 911 Board.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Burke County, the City Council of the City of Morganton and the Town Council of the Town of Valdese, each being a government body located in Burke County, North Carolina, that:

1. Individually and jointly each of the governmental bodies expresses its support for the consolidation of communication services (PSAP's) into a single PSAP as recommended by the Burke Homeland Security Task Force, and
2. To facilitate and finance, or partially finance, the consolidation of communication services, the application for a grant under the E-911 Consolidation Program is authorized and may be submitted to the North Carolina 911 Board when the applications for funding become available, and
3. In order to facilitate the application and granting process, the application shall be submitted and any grant funds received shall be administered with Burke County acting as the lead agency for such purposes or as a joint effort by two (2) or more of the governmental bodies, as may be required by the E-911 Consolidation Program Guidelines, and

This Resolution is adopted by each of the governmental bodies set out below, but executed in counterparts pursuant to authority duly given by official action of the governing body on the date indicated below.

BURKE COUNTY BOARD OF COMMISSIONERS  
By: /s/ Wayne Abele, Chairman

Attest: /s/ Doris Smith, Clerk

CITY COUNCIL, CITY OF MORGANTON  
By: /s/ Mel L. Cohen, Mayor

Attest: /s/ Sally W. Sandy, City Manager and Clerk

Adopted by the Town Council of the Town of Valdese this 2<sup>nd</sup> day of May, 2011.

TOWN COUNCIL, TOWN OF VALDESE  
By: /s/ James L. Hatley, Mayor

Attest: /s/ John F. "Chip" Black, Jr., Town Clerk

**APPROVED AWARD OF BID WITH CAROLINA PAVING TO RESURFACE AND REPAIR ITALY STREET SOUTH**  
Award of bid to Carolina Paving in the amount of \$10,410. Other bid received - JT Russell and Sons - \$11,000.

**ADOPTED RESOLUTION APPROVING BURKE COUNTY REACT LEASE**

**RESOLUTION**

WHEREAS, the Town of Valdese (the Town) has vacated the office space in the old town hall that was used to house the town's administrative office ("the property"); and

WHEREAS, the Town does not have a need for the property at the present time; and

WHEREAS, Burke County React Team 3420 (React) provides valuable services to the to the citizens of the Town and React is in need of office space; and

WHEREAS, Town of Valdese has agreed to lease the property to React beginning May 2, 2011; and

WHEREAS, the lease agreement shall provide that the lease may be terminated by either party upon 30-days notice and that React shall not be required to pay rent; however, React shall be required to pay all utilities and the Town shall have no responsibility to make any repairs or replacements to the property as more particularly set forth in proposed lease agreement; and

WHEREAS, the Town may decide to lease the property to another entity at fair market rent or sell the property or use the property for other purposes, and therefore React understands that this lease may be a short-term lease; and

WHEREAS, the town council have determined that at the present time it would mutually benefit the Town and React to enable React to occupy the property on the basis set forth above;

IT IS THEREFORE RESOLVED that the proposed lease between the Town and React is approved and the town manager is authorized to execute the lease agreement on behalf of the Town.

THIS, the 2<sup>nd</sup> day of May, 2011.

TOWN OF VALDESE  
By: /s/ James L. Hatley, Mayor

ATTEST: /s/ Town Clerk

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

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

**PUBLIC HEARING FOR PROPOSED REZONING OF FOUR PROPERTIES FROM B-3 NEIGHBORHOOD BUSINESS TO R-8 NEIGHBORHOOD RESIDENTIAL HIGH DENSITY (#2-3-11)** Planning Director Larry Johnson said the Planning Board recommended that Council approve the rezoning request by the Town of Valdese to rezone four properties as a result of the amended zoning ordinance of December 2010. He offered a PowerPoint presentation of each of the four properties and the surrounding property of each parcel.

**ORDINANCE  
AN ORDINANCE OF THE VALDESE TOWN COUNCIL**

BE IT HEREBY ORDAINED by the Town Council of Valdese, North Carolina, that Rezoning Petition Rezoning Case 2-3-11 was filed by the Town of Valdese rezoning of several parcels in the Town limits from B-3 Neighborhood Business to R-8 Neighborhood Residential High Density. The properties are located at the following addresses with Burke County PINs:

<u>Name</u>	<u>Address</u>	<u>PIN</u>
Vivian Erwin Life Estate	1000 Colonial Street SW	2733726624
John & Linda Mabrey	505 & 509 Fox Avenue SW	2733832140
Old Walsh Market, Effie Walsh	704 Hoyle Street SW	2733631883
William Reep & Kathy Lowman	811 Praley Street SW	2733724692

This 2<sup>nd</sup> day of May, 2011.

/s/ James L. Hatley, Mayor

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

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

After a brief discussion, Councilman Black made a motion to approve the rezoning request of the aforementioned properties to R-8 Neighborhood Residential High Density, seconded by Councilman Ogle. The vote was unanimous.

**FINAL PLAT APPROVAL, LAKE VISTAS PHASE I** Planning Director Larry Johnson presented a map of the location of Lake Vistas Subdivision. He said the developer, Oscar Vasquez, would be requesting final approval of Phase II at the June 6 Council meeting. Mr. Vasquez was working with NCDOT regarding a turn lane into the subdivision off of Malcolm Boulevard. Mr. Vasquez had to increase the lot size to allow well and septic and approval had been received from Burke County Environmental Health. Temporary cul-de-sac would not be necessary because Mr. Vasquez was moving quickly with Phase II, a grading company had been secured to address issues with grass and erosion control, and staff received the subdivision's declarations of covenants. Mr. Johnson said the Planning Board recommended approval based on three items and two items had already been addressed. He recommended that the final plat for Phase I be approved but not recorded until the grass and erosion issues had been completed. Also, the subdivision regulations require a bond and staff recommended approval based on the receipt of a \$25,000 bond provided by Mr. Vasquez to cover the grass and erosion for up to one year.

Mayor Hatley said due to an adjoining local municipality the town was restricted from offering water and sewer services to the subdivision.

Mr. Benjie Thomas, West Consultants, said storm water issues were addressed on the plat.

Mr. Vasquez said the development was 266 acres and 1,400 feet of water frontage.

Again, Mr. Johnson recommend approval of final plat of Phase I contingent on receiving a \$25,000 bond and making sure repairs were completed and Mr. Vasquez was in the process of completing the repairs. The final plat reflected that the road would be private and meets DOT standards in case the town would ever take in the roads for maintenance.

Mayor Hatley and Town Manager Morse thanked Mr. Vasquez for investing in the Valdese Community.

After a brief discussion, Councilman Ogle made a motion to approve the final plat for Lake Vistas Phase I with the stipulations presented by Planning Director Larry Johnson, seconded by Councilwoman Stevenson.

Mr. Vasquez said two bonds in the amount of \$25,000 for Phase I and \$25,000 for Phase II was too expensive. Mr. Johnson said the estimate received from the grading company was estimated at \$23,000 and it was not known to staff if the estimate was for both phases. Mr. Johnson said the bond could not be removed as it was a requirement in the Subdivision Regulations.

Mr. Vasquez said it was costing him \$22,000 to repair the banks from eroding and the bond was for future defects up to a year.

Mayor Hatley recommended since Mr. Vasquez had made a huge investment in our community that a \$12,000 bond be submitted for both phases (Phase I and Phase II) of the subdivision.

After further discussion, Councilman Ogle amended his motion to include - contingent on a \$12,000 bond be submitted for both phases (Phase I and Phase II), seconded by Councilwoman Stevenson. The vote was unanimous.

**WARD BOUNDARY REVISIONS – CALL FOR PUBLIC HEARING FOR JUNE 27, 2011** Planning Director Larry Johnson discussed with Council about redrawing the ward boundary lines. The 2010 Census revealed a population count of 4,490 for the Town of Valdese. Analysis of the Town's 2010 census data and the current ward configuration by Taylor Dellinger, Data Analyst for Western Piedmont Council of Governments, revealed that two of the Town's wards (Ward 3 - 984 persons and Ward 5 – 830 persons) are out of balance. Ward 1 - 864; Ward 2 – 910; and Ward 4 - 899. The average population count of the Town's wards is 898. All wards should have population counts within 5 percent of the average ward size. He said he would meet with each Council member separately to review their ward boundaries and ask Legal Counsel to review the revisions. He recommended Council set a public hearing date and proposed maps would be reviewed at the public hearing.

After a brief discussion, Councilman Black made a motion to set a public hearing date for Monday, June 27, 2011, for the proposed Ward Boundaries, seconded by Councilman Ogle. The vote was unanimous.

**RECREATION DEPARTMENT FITNESS ROOM/LOCKER ROOM FLOORING** Recreation Director Tim Rhoney said three bids were received to install new carpet in the fitness room/locker rooms at the Community Center. The carpet is a Olefin/Polypropylene carpet and should last 7-10 years. He recommended the bid be awarded to S & S Carpets, Hudson, NC in the amount of \$9,761.35. Other bids: Lowe's Home Centers, Hickory, NC - \$11,547.92 and Brown's Carpet & Interiors, Valdese, NC - \$17,234.80.

After a brief discussion, Councilman Ogle made a motion to award the bid to install carpet in the fitness room/men and women locker rooms, hallways and pool office at the Community Center to S & S Carpets in the amount of \$9,761.35, seconded by Councilwoman Stevenson. The vote was unanimous.

**CUBE DRIVE WATERLINE PROJECT – TRIPLE DISTRICT** Distribution Superintendent Archie Lowman said there was over \$400,000 remaining in the Triple District fund from the merger and now would be the time to install waterlines on Cube Drive due to the economy at an estimated cost of \$85,130. The estimated cost four years ago was \$96,000. Funds would come from the Triple District Capital Reserve Fund. Following is a breakdown of the proposed cost:

**Cube Drive, SR 2208 Waterline Project – Triple District**

Item	Quantity & Unit Cost	Total
1. 6" PVC, C-900, DR-18 Waterline	2,640 lf @ \$12.00/lf	\$31,680
2. Cut in 6" Tee and Valve	1 ea @ \$2,500/ea	2,500
3. 6" Gate Valve and Box	2 ea @ \$700/ea	1,400
4. 2" PVC, SDR – 13.5 Waterline	50 lf @ \$8/lf	400
5. 2" Gate Valve and Box	1 ea @ \$500/ea	500
6. 2" Blow-off Assembly	1 ea @ \$650/ea	650
7. Fire Hydrant Assembly	3 ea @ \$2,800/ea	8,400
8. 12" Bored Encasement	30 lf @ \$70/lf	2,100
9. Fittings	1,200 lb @ \$3/lb	3,600
10. New ¾" Services (short side)	2 ea @ \$500/ea	1,000
11. Re-connect Existing ¾" Services		
a. Short Side	11 ea @ \$500/ea	5,500
b. Bored Side	8 ea @ \$600/ea	4,800
12. Re-connect ex. 1" svc (long side)	1 ea @ \$700/ea	700
13. Aggregate Base Course	80 tn @ \$25/tn	2,000
14. Asphalt Repair	110 sy @ \$30/sy	3,300
15. NCDOT Bond	Lump Sum	600
16. Bonds and Mobilization	Lump Sum	<u>2,000</u>
	Subtotal	\$71,130
	Engineering (10%)	7,000
	Contingencies (10%)	<u>7,000</u>
	<b>TOTAL</b>	<b><u>\$85,130</u></b>

Councilman Delp made a motion to approve the Cube Drive Waterline Project as presented, seconded by Councilman Ogle. The vote was unanimous.

**MAYOR AND COUNCIL COMMENTS:**

Councilwoman Oxentine said she attended the April 28 Valdese Merchants Association meeting and said the time of the meeting changed from 6:30 p.m. to 5:30 p.m., to better serve the merchants. She distributed brochures from the Community Affairs Department about the Family Friday Night Schedule of Events which begins Friday, May 6, 2011. She recommended that Members of Council operate the snack shack one Friday night.

Councilwoman Stevenson asked about weather bulletins being broadcast over cell phones as her coworker from Lenoir received a weather alert at 3:00 a.m., on her cell phone. Chief Watts said Burke County only has Reverse 911 with 19 phone lines to serve 62,000 people. Chief Watts said there are several applications available to notify cell phone users. Mr. Morse requested if Chief Watts would check with the City of Lenoir regarding this issue.

Mayor Hatley requested staff report a street light out on Massel Avenue near Town Hall.

**MANAGER'S REPORT:**

**RETIREMENT OF PLANNING DIRECTOR LARRY JOHNSON**

Mr. Morse reported that Planning Director Larry Johnson would be retiring the end of May and would continue working part-time for the town.

**2011 FOUNDER'S FESTIVAL**

Mr. Morse reported that the Founder's Festival was scheduled for May 27-28, 2011.

**HIRE FOR OPEN POSITION – POLICE OFFICER**

Police Chief Jack Moss requested Council authorize him to hire for a vacant police officer due to suspension.

Councilman Ogle made a motion to authorize Chief Moss to hire for a vacant police officer position, seconded by Councilman Delp. The vote was unanimous.

**BUDGET REVIEW COMMITTEE MEETING**

Mr. Morse requested the Budget Review Committee meet on Monday, May 9, 2011, 10:30 a.m. Staff would send the committee members an e-mail to confirm.

**VEDIC UPDATE**

Mr. Morse gave a brief update on the Valdese Economic Development Investment Corporation (VEDIC). Funds in the amount of \$140,000 had been loaned creating 44 new jobs and \$800,000 in payroll. He said there were opportunities with other agencies to get additional funding.

**DEATH OF RON LASALLE, EXECUTIVE DIRECTOR OF BURKE HOSPICE AND PALLIATIVE CARE**

Mr. Morse requested that Mr. Johnson update Council on the services for Ron LaSalle. Mr. Johnson said the funeral would be held in Mr. LaSalle's home state of Pennsylvania on Wednesday, May 7, 2011. A Celebration of Life for Mr. LaSalle would be held next Monday, May 9, 2011, 2:00 p.m., Waldensian Presbyterian Church. Staff would send a memorial on behalf of the town.

**ADJOURNMENT**

At 8:42 p.m., there being no further business to come before the Council, Councilman Ogle made a motion to adjourn, seconded by Councilwoman Stevenson. The vote was unanimous.

The next meeting is a regularly scheduled meeting for Monday, June 6, 2011, 7:00 p.m.

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL MEETING  
JUNE 6, 2011**

The Town of Valdese Town Council met on Monday, June 6, 2011, at 7:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The following were present: Mayor James L. Hatley, Councilman Keith Ogle, Councilwoman Vickie Oxentine, Councilwoman Susan Stevenson, Councilman Gary L. Delp, and Councilman Chip Black. Also present were Town Manager Jeffrey V. Morse, Town Attorney Marc Mitchell, Deputy Town Clerk Thelda B. Rhoney, and various department heads.

Absent: None

A quorum was present.

Mayor Hatley called the meeting to order at 7:00 p.m. He offered the Invocation and led in the Pledge of Allegiance to the Flag.

**OPEN FORUM/PUBLIC COMMENT:**

**GIRL SCOUTS TROOP #10463 – RECYCLING UPDATE** Girl Scouts Agnes Hardenstine and Ashley Parker presented a PowerPoint presentation updating Council on the funds in the amount of \$3,455 they had obtained for the recycling project. They said the recycling bins cost \$400 each and recommended one be placed beside each trash receptacle on Main Street. They need \$4,682 to complete the project. GDS will empty the recycling bins for free. Bins need to be ordered by July 12 in order to be in place by the Waldensian Festival.

Councilman Delp recommended that trash receptacles and recycling bins be placed at other locations such as the library and post office.

After a brief discussion, Councilman Delp made a motion to fund \$4,682 to complete the recycling bin project, seconded by Councilwoman Stevenson. The vote was unanimous.

**COACH TATE FOUNDATION** Ms. Annette Robinson offered a brief presentation on the Coach Tate Foundation. She said he worked at the Drexel Recreation for 35 years and his daughter set up the foundation in his memory. They are planning a football camp for 6-12 year old children and they hoped to have 200 children register. The camp will be held on June 22-25 with four Washington Redskins to direct the camp at Draughn High School. She said a reception would be held on Monday, June 20. The Opening Ceremony was scheduled for June 21, 6:00 - 9:00 p.m., and Closing Ceremony on June 25 from 11:00 a.m. - until.

She said the foundation was offering two scholarships at \$1,000 each to be presented to an East Burke senior and a Draughn High School senior.

Mayor Hatley said he would be happy to represent the Town of Valdese. Mayor Hatley requested the Deputy Clerk send the information to Council and Department Heads.

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

**APPROVED MINUTES – MAY 2, 2011**

**AUTHORIZED STAFF TO FILL OPEN POSITION - PUBLIC WORKS DEPARTMENT** Dwayne Branch retired as a Utility Field Service Technician.

**APPROVED AWARD OF BADGE AND SERVICE SIDE ARM TO RETIRING AUXILIARY POLICE OFFICER JEFFREY V. MORSE**

**RESOLUTION AWARDING TO RETIRING POLICE AUXILIARY OFFICER  
JEFFREY V. MORSE HIS BADGE AND SERVICE SIDE ARM**

WHEREAS, G.S. 20-187.2 provides that a retiring member of a town law enforcement agency may receive, at the time of his retirement, the badge worn or carried by such retiring officer during his service with the town; and



WHEREAS, G.S. 20-187.2 further provides that the governing body of a municipal law enforcement agency may, in its discretion, award the retiring member the service side arm of such retiring member upon his securing a permit as required by G.S. 14-402 et. seq. or G.S. 14-409.1 et. seq. or without permit provided the weapon shall have rendered incapable of being fired; and

WHEREAS, Jeffrey V. Morse will be retiring as an Auxiliary Police Officer on June 1, 2011, after 30 years of service, and the town council wishes to honor and thank Mr. Morse for his service as Auxiliary Police Officer Chief of the Town of Valdese by awarding to him his badge and service side arm.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF VALDESE THAT, in consideration of the dedicated service provided to the Town of Valdese by Auxiliary Police Officer Jeffrey V. Morse and upon his securing a permit as required by G.S. 14-402, Mr. Morse is to be awarded, at no additional cost to him, his badge and the side arm assigned to him at the time of his retirement as auxiliary police officer.

ADOPTED BY THE VALDESE TOWN COUNCIL THIS 6<sup>th</sup> DAY OF JUNE, 2011.

TOWN OF VALDESE  
By: /s/ James L. Hatley, Mayor

ATTEST: /s/ Town Clerk

**BUDGET AMENDMENTS**

**BUDGET AMENDMENT NO. 9 - GOLDEN LEAF**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2011:

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

<u>Acct. No.</u>		<u>Debit</u>	<u>Credit</u>
10.4200.942	Golden Leaf Grant	<u>\$187,500</u>	
	Total	<u>\$187,500</u>	

This will result in a net increase of \$187,500 in the expenditures of the General Fund. To provide funding for the above, funds will be moved from contingency. These additional revenues have already been received.

10.3970.400	Grant Proceeds – Golden Leaf		<u>\$187,500</u>
	Total		<u>\$187,500</u>

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

**Budget Amendment No. 10 - Energy Grant - WWTP**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2011:

Section 1. To amend the Water & WW Plant Improvements Capital Project Fund, the expenditures are to be changed as follows:

<u>Acct. No.</u>		<u>Debit</u>	<u>Credit</u>
64.8200.731	Energy Grant Improvements	<u>\$200,000</u>	

June 6, 2011, MB#30

Total \$200,000

This will result in a net increase of \$200,000 in the expenditures of the Water & WW Plant Improvements Capital Project Fund. To provide funding for the above, funds will be moved from contingency. These additional revenues have already been received.

64.3970.302 Grant Proceeds – Energy \$200,000  
Total \$200,000

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

**Budget Amendment No. 11 - Fluoride Project**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2011:

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

Acct. No. Debit Credit  
30.8100.150 M&R Bldg & Grounds \$34,256  
Total \$34,256

This will result in a net increase of \$34,256 in the expenditures of the Utility Fund. To provide funding for the above, funds will be moved from contingency. These additional revenues have already been received.

30.8100.990 Contingency \$24,256  
30.3970.764 Grant Proceeds 10,000  
Total \$34,256

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

**Budget Amendment No. 12 - Rock School Plays/Festival**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2011:

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

Acct. No. Debit Credit  
10.6250.452 Cont Serv Entertainment \$ 7,000  
10.6250.922 Festival 20,000  
Total \$27,000

This will result in a net increase of \$27,000 in the expenditures of the General Fund. To provide funding for the above, funds will be moved from contingency. These additional revenues have already been received.

10.3970.026 Rock School Auditorium \$ 7,000  
10.3970.920 Waldensian Festival 20,000  
Total \$27,000

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget

Officer and the Finance Officer for their direction.

**Budget Amendment No. 13 - Waldensian Rm/ Teachers Cottage/ Park Mural**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2011:

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

<u>Acct. No.</u>		<u>Debit</u>	<u>Credit</u>
10.6250.150	M&R of B&G Waldensian Rm	\$15,500	
10.6250.150	M&R of B&G Teachers Cottage	7,600	
10.6250.150	M&R of B&G Mural Repair	<u>6,500</u>	
	Total		<u>\$29,600</u>

This will result in a net increase of \$29,600 in the expenditures of the General Fund. To provide funding for the above, funds will be moved from contingency. These additional revenues have already been received.

10.3970.300	From Utility Fund		<u>\$29,600</u>
	Total		<u>\$29,600</u>

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

**Budget Amendment No. 14 - Community Center Repairs & Equipment**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2011:

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

<u>Acct. No.</u>		<u>Debit</u>	<u>Credit</u>
10.6200.150	M&R of Building & Grounds	\$30,000	
10.6200.330	Dept Supplies	<u>10,000</u>	
	Total		<u>\$40,000</u>

This will result in a net increase of \$40,000 in the expenditures of the General Fund. To provide funding for the above, funds will be moved from contingency. These additional revenues have already been received.

10.3970.300	From Utility Fund		<u>\$40,000</u>
	Total		<u>\$40,000</u>

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

**Budget Amendment No. 15 - Economic Development Grants - VEDIC**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2011:

June 6, 2011, MB#30

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

<u>Acct. No.</u>		<u>Debit</u>	<u>Credit</u>
10.4200.763	VEDIC	\$35,000	
10.4200.763	VEDIC	15,000	
	Total	<u>\$50,000</u>	

This will result in a net increase of \$50,000 in the expenditures of the General Fund. To provide funding for the above, funds will be moved from contingency. These additional revenues have already been received.

10.3970.300	From Utility Fund		<u>\$50,000</u>
	Total		<u>\$50,000</u>

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

**Budget Amendment No. 16 - Transfer**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2011:

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

<u>Acct. No.</u>		<u>Debit</u>	<u>Credit</u>
30.8110.150	M&R Bldg & Grounds	<u>\$5,000</u>	
30.8100.990	Contingency		<u>\$5,000</u>
	Total	<u>\$5,000</u>	<u>\$5,000</u>

This will result in a net increase of \$5,000 in the expenditures of the Utility Fund. To provide funding for the above, funds will be moved from contingency. These additional revenues have already been received.

Total			<u>\$</u>
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Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget Officer and the Finance Officer for their direction.

**Budget Amendment No. 17 - Water Treatment Plant SCADA System**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2011:

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

<u>Acct. No.</u>		<u>Debit</u>	<u>Credit</u>
30.8100.150	M&R Bldg & Grounds	<u>\$61,675</u>	
	Total	<u>\$61,675</u>	

This will result in a net increase of \$34,256 in the expenditures of the Utility Fund. To provide funding for the above, funds will be moved from contingency. These additional revenues have already been received.

30.3990.001	Capital Reserve		<u>\$61,675</u>
	Total		<u>\$61,675</u>

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

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

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

**FINAL PLAT APPROVAL, LAKE VISTAS PHASE 11** WPCOG Technical Assistance Planner Laurie LoCicero said NC Lake Front Properties, LLC, Owner/Developer Oscar Vasquez, was requesting final plat approval of Phase II which was recommended by the Planning Board. She reviewed a letter from Mr. Benjie Thomas, West Consultants, who recommended approval contingent upon three items which have been satisfied: 1) \$12,000 bond received from Parkway Bank; 2) Letter received from Mr. Vasquez regarding maintenance of ditches; and 3) Three stop signs have been ordered.

Fire Chief Charlie Watts said he would need enough room for emergency vehicles and Mr. Vasquez said there was 14 ft from sidewalks and streets were 9 ft.

Councilman Black made a motion to approve Lake Vistas Phase II Final Plat, seconded by Councilman Ogle. The vote was unanimous.

**FY 2011 – 2012 BUDGET REVIEW AND SET PUBLIC HEARING DATE** Mr. Morse thanked staff for working on the budget and also the Mayor and Budget Review Committee. He said the operating cost was reduced by retirees and reduction in health care. He mentioned the following special projects in the General Fund: \$50,000 VIPER System; \$20,000 to renovate the old band building and the building would be donated to Burke County REACT; legal fees for The Settings bond; and a 1.5 percent salary increase for employees as recommended by Mayor and Budget review committee. The Utility Fund continues to lose customer base and volume sales and fuel prices continue to increase and a 5 percent rate increase is recommended.

Mayor Hatley thanked Mr. Morse and the Department Heads for preparing the budget and he said the insurance must be reviewed year by year.

Councilman Black made a motion to set the Budget Public Hearing date for Monday, June 27, 2011, 7:00 p.m., seconded by Councilwoman Oxentine. The vote was unanimous.

**APPROVAL TO TRANSFER EMPLOYEE INSURANCE FROM THE NC LEAGUE OF MUNICIPALITIES TO UNITED HEALTH CARE** Mr. Morse requested approval to transfer the employee health insurance. He said the savings was approximate \$99,000 and he asked the Finance Director to escrow at least \$70,000 to go towards next budget year employee health care insurance costs. Staff had negotiated health insurances cost for the past three months.

Mayor Hatley said he serves on the League's risk management committee regarding insurance and he informed them that we would be changing health insurance and he would resign from the board; but, they pleaded for him to stay on the board as the town will keep liability, workman's comp, eye, and dental insurance. The League currently pays 50 percent of its dependent coverage for its employees and is cutting back at 10 percent per year.

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

**BOARD AND COMMISSION REAPPOINTMENTS – VALDESE ECONOMIC DEVELOPMENT INVESTMENT CORPORATION (VEDIC)** Mayor Hatley recommended the reappointment of Bruce Hawkins and Rick McClurd to the VEDIC Board of Directors and the appointment of Pastor Kevin Frederick, Waldensian Presbyterian Church, to replace Pastor Brett Howell as the Clergy Representative.

Councilman Ogle made a motion approve the aforementioned appointments to the VEDIC Board of Directors, seconded by Councilwoman Stevenson. The vote was unanimous.

**MAYOR AND COUNCIL COMMENTS:**

**PARK AT CROW HILL**

Councilwoman Oxentine said the park at Crow Hill is grown up and asked if a Scout Troop could clean up the park.

Mr. Morse said staff would clean up the park this week.

Mayor Hatley said the park would be a great Eagle Scout Project and there were three Scout Troops that could be contacted.

**FIBER OPTIC CABLE PROJECT**

Councilman Ogle was concerned about mud on the streets from the fiber optic cable being installed through town. Public Works Director Bryan Duckworth said he was working closely with the contractors on the project. This is a statewide project and this portion is from Hickory to Marion.

**BOBO AVENUE SEWERLINE**

Councilman Ogle asked about the sewer line on Bobo Avenue. Mr. Morse said this project would not be started until after the festival.

**WALDENSIAN MILL PROJECT**

Councilwoman Oxentine asked about the Waldensian Mill Project. Mr. Morse said Olive Hill Computer Center had a showcase this past Saturday and staff is working with Meridian regarding public parking. The town will provide decorative fencing which is including in next year's budget.

**DOWNTOWN DELIGHTS CAFÉ & COFFEHOUSE**

Councilwoman Stevenson asked about Downtown Delights Restaurant. Mr. Morse said they were working on the building.

Councilwoman Oxentine said she heard a new deli was coming to Jack B Quick and would serve homemade desserts.

**AMERICAN WALDENSIAN SOCIETY**

Mayor Hatley said the American Waldensian Society, which moved its headquarters from New York to Valdese last year, held its spring meeting at the New Town Hall and plans to hold their meeting here next May as well.

**AMENDMENT TO SMOKING ORDINANCE**

Mayor Hatley said he was approached by Joey Lindsay, Recreation Department, and parents about smoking being limited to the parking lot in all of our parks. After a brief discussion, Staff will work with Attorney Mitchell to prepare an amendment for the June 27, 2011 agenda.

**MANAGER'S REPORT:**

**REPORT ON GRANT APPLICATION – NC DEPARTMENT OF COMMERCE – COMMUNITY DEVELOPMENT DIVISION FOR VEDIC FUNDS**

Mr. Morse said the Town applied for a special recognition competition award for the VEDIC Program and creating jobs and should receive word within several months.

**APPOINT CHAIRMAN – ABC BOARD**

Mr. Morse requested that Council appoint the chairman of the Valdese ABC Board.

Councilman Ogle made a motion to reappoint Jeff Morse as Chairman of the Valdese ABC Board, seconded by Councilwoman Stevenson. The vote was unanimous.

Mr. Morse said the Valdese ABC Board serves without any compensation and all other boards in North Carolina receive compensation, and the board members do not expect any compensation until there was a profit. Mr. Morse commended Jenny Hudson and Mark Rostan for the outstanding job they do. He also commended Karen Caruso, Valdese ABC General Manager.

**RECREATION DEPARTMENT – UPDATE OF SHOWER AREA AND FITNESS ROOM**

Recreation Director Tim Rhoney offered a brief update on the project and said it would be completed soon and everything was looking nice.

**SATURDAY, JUNE 25 RESCHEDULED DATE FOR THE TRIATHLON (rescheduled from April 16 due to bad weather)**

**FRIDAY, JULY 1 – FIREWORKS IN VALDESE** Community Affairs Director Barbara Hefner said the music would begin at 7:00 p.m., and there would be a beer garden this year. She said the fireworks would begin at approximately 9:30 p.m. The band would play another set after the fireworks.

She said Family Friday Nights were going very well.

**INTRODUCTION OF ALEXANDRIA “ALEX” MOORMAN – REPORTER FOR “THE NEWS HERALD”** Mr. Morse introduced and welcomed Ms. Moorman who replaces Julie Chang.

At 8:02 p.m., there being no further business to come before the Council, Councilman Ogle made a motion to adjourn, seconded by Councilwoman Stevenson. The vote was unanimous.

The next meeting is a regularly scheduled meeting for Monday, June 27, 2011, 7:00 p.m., for the Budget Public Hearing. This meeting would also serve as the July 2011 Council meeting.

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL MEETING  
JUNE 6, 2011**

The Town of Valdese Town Council met on Monday, June 6, 2011, at 7:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The following were present: Mayor James L. Hatley, Councilman Keith Ogle, Councilwoman Vickie Oxentine, Councilwoman Susan Stevenson, Councilman Gary L. Delp, and Councilman Chip Black. Also present were Town Manager Jeffrey V. Morse, Town Attorney Marc Mitchell, Deputy Town Clerk Thelda B. Rhoney, and various department heads.

Absent: None

A quorum was present.

Mayor Hatley called the meeting to order at 7:00 p.m. He offered the Invocation and led in the Pledge of Allegiance to the Flag.

**OPEN FORUM/PUBLIC COMMENT:**

**GIRL SCOUTS TROOP #10463 – RECYCLING UPDATE** Girl Scouts Agnes Hardenstine and Ashley Parker presented a PowerPoint presentation updating Council on the funds in the amount of \$3,455 they had obtained for the recycling project. They said the recycling bins cost \$400 each and recommended one be placed beside each trash receptacle on Main Street. They need \$4,682 to complete the project. GDS will empty the recycling bins for free. Bins need to be ordered by July 12 in order to be in place by the Waldensian Festival.

Councilman Delp recommended that trash receptacles and recycling bins be placed at other locations such as the library and post office.

After a brief discussion, Councilman Delp made a motion to fund \$4,682 to complete the recycling bin project, seconded by Councilwoman Stevenson. The vote was unanimous.

**COACH TATE FOUNDATION** Ms. Annette Robinson offered a brief presentation on the Coach Tate Foundation. She said he worked at the Drexel Recreation for 35 years and his daughter set up the foundation in his memory. They are planning a football camp for 6-12 year old children and they hoped to have 200 children register. The camp will be held on June 22-25 with four Washington Redskins to direct the camp at Draughn High School. She said a reception would be held on Monday, June 20. The Opening Ceremony was scheduled for June 21, 6:00 - 9:00 p.m., and Closing Ceremony on June 25 from 11:00 a.m. - until.

She said the foundation was offering two scholarships at \$1,000 each to be presented to an East Burke senior and a Draughn High School senior.

Mayor Hatley said he would be happy to represent the Town of Valdese. Mayor Hatley requested the Deputy Clerk send the information to Council and Department Heads.

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

**APPROVED MINUTES – MAY 2, 2011**

**AUTHORIZED STAFF TO FILL OPEN POSITION - PUBLIC WORKS DEPARTMENT** Dwayne Branch retired as a Utility Field Service Technician.

**APPROVED AWARD OF BADGE AND SERVICE SIDE ARM TO RETIRING AUXILIARY POLICE OFFICER JEFFREY V. MORSE**

**RESOLUTION AWARDING TO RETIRING POLICE AUXILIARY OFFICER  
JEFFREY V. MORSE HIS BADGE AND SERVICE SIDE ARM**

WHEREAS, G.S. 20-187.2 provides that a retiring member of a town law enforcement agency may receive, at the time of his retirement, the badge worn or carried by such retiring officer during his service with the town; and



WHEREAS, G.S. 20-187.2 further provides that the governing body of a municipal law enforcement agency may, in its discretion, award the retiring member the service side arm of such retiring member upon his securing a permit as required by G.S. 14-402 et. seq. or G.S. 14-409.1 et. seq. or without permit provided the weapon shall have rendered incapable of being fired; and

WHEREAS, Jeffrey V. Morse will be retiring as an Auxiliary Police Officer on June 1, 2011, after 30 years of service, and the town council wishes to honor and thank Mr. Morse for his service as Auxiliary Police Officer Chief of the Town of Valdese by awarding to him his badge and service side arm.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF VALDESE THAT, in consideration of the dedicated service provided to the Town of Valdese by Auxiliary Police Officer Jeffrey V. Morse and upon his securing a permit as required by G.S. 14-402, Mr. Morse is to be awarded, at no additional cost to him, his badge and the side arm assigned to him at the time of his retirement as auxiliary police officer.

ADOPTED BY THE VALDESE TOWN COUNCIL THIS 6<sup>th</sup> DAY OF JUNE, 2011.

TOWN OF VALDESE  
By: /s/ James L. Hatley, Mayor

ATTEST: /s/ Town Clerk

**BUDGET AMENDMENTS**

**BUDGET AMENDMENT NO. 9 - GOLDEN LEAF**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2011:

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

<u>Acct. No.</u>		<u>Debit</u>	<u>Credit</u>
10.4200.942	Golden Leaf Grant	<u>\$187,500</u>	
	Total	<u>\$187,500</u>	

This will result in a net increase of \$187,500 in the expenditures of the General Fund. To provide funding for the above, funds will be moved from contingency. These additional revenues have already been received.

10.3970.400	Grant Proceeds – Golden Leaf		<u>\$187,500</u>
	Total		<u>\$187,500</u>

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

**Budget Amendment No. 10 - Energy Grant - WWTP**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2011:

Section 1. To amend the Water & WW Plant Improvements Capital Project Fund, the expenditures are to be changed as follows:

<u>Acct. No.</u>		<u>Debit</u>	<u>Credit</u>
64.8200.731	Energy Grant Improvements	<u>\$200,000</u>	

June 6, 2011, MB#30

Total \$200,000

This will result in a net increase of \$200,000 in the expenditures of the Water & WW Plant Improvements Capital Project Fund. To provide funding for the above, funds will be moved from contingency. These additional revenues have already been received.

64.3970.302 Grant Proceeds – Energy \$200,000  
Total \$200,000

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

**Budget Amendment No. 11 - Fluoride Project**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2011:

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

Acct. No. Debit Credit  
30.8100.150 M&R Bldg & Grounds \$34,256  
Total \$34,256

This will result in a net increase of \$34,256 in the expenditures of the Utility Fund. To provide funding for the above, funds will be moved from contingency. These additional revenues have already been received.

30.8100.990 Contingency \$24,256  
30.3970.764 Grant Proceeds 10,000  
Total \$34,256

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

**Budget Amendment No. 12 - Rock School Plays/Festival**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2011:

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

Acct. No. Debit Credit  
10.6250.452 Cont Serv Entertainment \$ 7,000  
10.6250.922 Festival 20,000  
Total \$27,000

This will result in a net increase of \$27,000 in the expenditures of the General Fund. To provide funding for the above, funds will be moved from contingency. These additional revenues have already been received.

10.3970.026 Rock School Auditorium \$ 7,000  
10.3970.920 Waldensian Festival 20,000  
Total \$27,000

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget

Officer and the Finance Officer for their direction.

**Budget Amendment No. 13 - Waldensian Rm/ Teachers Cottage/ Park Mural**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2011:

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

<u>Acct. No.</u>		<u>Debit</u>	<u>Credit</u>
10.6250.150	M&R of B&G Waldensian Rm	\$15,500	
10.6250.150	M&R of B&G Teachers Cottage	7,600	
10.6250.150	M&R of B&G Mural Repair	<u>6,500</u>	
	Total		<u>\$29,600</u>

This will result in a net increase of \$29,600 in the expenditures of the General Fund. To provide funding for the above, funds will be moved from contingency. These additional revenues have already been received.

10.3970.300	From Utility Fund		<u>\$29,600</u>
	Total		<u>\$29,600</u>

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

**Budget Amendment No. 14 - Community Center Repairs & Equipment**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2011:

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

<u>Acct. No.</u>		<u>Debit</u>	<u>Credit</u>
10.6200.150	M&R of Building & Grounds	\$30,000	
10.6200.330	Dept Supplies	<u>10,000</u>	
	Total		<u>\$40,000</u>

This will result in a net increase of \$40,000 in the expenditures of the General Fund. To provide funding for the above, funds will be moved from contingency. These additional revenues have already been received.

10.3970.300	From Utility Fund		<u>\$40,000</u>
	Total		<u>\$40,000</u>

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

**Budget Amendment No. 15 - Economic Development Grants - VEDIC**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2011:

June 6, 2011, MB#30

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

<u>Acct. No.</u>		<u>Debit</u>	<u>Credit</u>
10.4200.763	VEDIC	\$35,000	
10.4200.763	VEDIC	15,000	
	Total	<u>\$50,000</u>	

This will result in a net increase of \$50,000 in the expenditures of the General Fund. To provide funding for the above, funds will be moved from contingency. These additional revenues have already been received.

10.3970.300	From Utility Fund		<u>\$50,000</u>
	Total		<u>\$50,000</u>

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<u>Acct. No.</u>		<u>Debit</u>	<u>Credit</u>
30.8110.150	M&R Bldg & Grounds	<u>\$5,000</u>	
30.8100.990	Contingency		<u>\$5,000</u>
	Total	<u>\$5,000</u>	<u>\$5,000</u>

This will result in a net increase of \$5,000 in the expenditures of the Utility Fund. To provide funding for the above, funds will be moved from contingency. These additional revenues have already been received.

Total			<u>\$</u>
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Section 1. To amend the Utility Fund, the expenditures are to be changed as follows:

<u>Acct. No.</u>		<u>Debit</u>	<u>Credit</u>
30.8100.150	M&R Bldg & Grounds	<u>\$61,675</u>	
	Total	<u>\$61,675</u>	

This will result in a net increase of \$34,256 in the expenditures of the Utility Fund. To provide funding for the above, funds will be moved from contingency. These additional revenues have already been received.

30.3990.001	Capital Reserve		<u>\$61,675</u>
	Total		<u>\$61,675</u>

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

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

**FINAL PLAT APPROVAL, LAKE VISTAS PHASE 11** WPCOG Technical Assistance Planner Laurie LoCicero said NC Lake Front Properties, LLC, Owner/Developer Oscar Vasquez, was requesting final plat approval of Phase II which was recommended by the Planning Board. She reviewed a letter from Mr. Benjie Thomas, West Consultants, who recommended approval contingent upon three items which have been satisfied: 1) \$12,000 bond received from Parkway Bank; 2) Letter received from Mr. Vasquez regarding maintenance of ditches; and 3) Three stop signs have been ordered.

Fire Chief Charlie Watts said he would need enough room for emergency vehicles and Mr. Vasquez said there was 14 ft from sidewalks and streets were 9 ft.

Councilman Black made a motion to approve Lake Vistas Phase II Final Plat, seconded by Councilman Ogle. The vote was unanimous.

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Councilman Black made a motion to set the Budget Public Hearing date for Monday, June 27, 2011, 7:00 p.m., seconded by Councilwoman Oxentine. The vote was unanimous.

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Mayor Hatley said he serves on the League's risk management committee regarding insurance and he informed them that we would be changing health insurance and he would resign from the board; but, they pleaded for him to stay on the board as the town will keep liability, workman's comp, eye, and dental insurance. The League currently pays 50 percent of its dependent coverage for its employees and is cutting back at 10 percent per year.

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

**BOARD AND COMMISSION REAPPOINTMENTS – VALDESE ECONOMIC DEVELOPMENT INVESTMENT CORPORATION (VEDIC)** Mayor Hatley recommended the reappointment of Bruce Hawkins and Rick McClurd to the VEDIC Board of Directors and the appointment of Pastor Kevin Frederick, Waldensian Presbyterian Church, to replace Pastor Brett Howell as the Clergy Representative.

Councilman Ogle made a motion approve the aforementioned appointments to the VEDIC Board of Directors, seconded by Councilwoman Stevenson. The vote was unanimous.

**MAYOR AND COUNCIL COMMENTS:**

**PARK AT CROW HILL**

Councilwoman Oxentine said the park at Crow Hill is grown up and asked if a Scout Troop could clean up the park.

Mr. Morse said staff would clean up the park this week.

Mayor Hatley said the park would be a great Eagle Scout Project and there were three Scout Troops that could be contacted.

**FIBER OPTIC CABLE PROJECT**

Councilman Ogle was concerned about mud on the streets from the fiber optic cable being installed through town. Public Works Director Bryan Duckworth said he was working closely with the contractors on the project. This is a statewide project and this portion is from Hickory to Marion.

**BOBO AVENUE SEWERLINE**

Councilman Ogle asked about the sewer line on Bobo Avenue. Mr. Morse said this project would not be started until after the festival.

**WALDENSIAN MILL PROJECT**

Councilwoman Oxentine asked about the Waldensian Mill Project. Mr. Morse said Olive Hill Computer Center had a showcase this past Saturday and staff is working with Meridian regarding public parking. The town will provide decorative fencing which is including in next year's budget.

**DOWNTOWN DELIGHTS CAFÉ & COFFEHOUSE**

Councilwoman Stevenson asked about Downtown Delights Restaurant. Mr. Morse said they were working on the building.

Councilwoman Oxentine said she heard a new deli was coming to Jack B Quick and would serve homemade desserts.

**AMERICAN WALDENSIAN SOCIETY**

Mayor Hatley said the American Waldensian Society, which moved its headquarters from New York to Valdese last year, held its spring meeting at the New Town Hall and plans to hold their meeting here next May as well.

**AMENDMENT TO SMOKING ORDINANCE**

Mayor Hatley said he was approached by Joey Lindsay, Recreation Department, and parents about smoking being limited to the parking lot in all of our parks. After a brief discussion, Staff will work with Attorney Mitchell to prepare an amendment for the June 27, 2011 agenda.

**MANAGER'S REPORT:**

**REPORT ON GRANT APPLICATION – NC DEPARTMENT OF COMMERCE – COMMUNITY DEVELOPMENT DIVISION FOR VEDIC FUNDS**

Mr. Morse said the Town applied for a special recognition competition award for the VEDIC Program and creating jobs and should receive word within several months.

**APPOINT CHAIRMAN – ABC BOARD**

Mr. Morse requested that Council appoint the chairman of the Valdese ABC Board.

Councilman Ogle made a motion to reappoint Jeff Morse as Chairman of the Valdese ABC Board, seconded by Councilwoman Stevenson. The vote was unanimous.

Mr. Morse said the Valdese ABC Board serves without any compensation and all other boards in North Carolina receive compensation, and the board members do not expect any compensation until there was a profit. Mr. Morse commended Jenny Hudson and Mark Rostan for the outstanding job they do. He also commended Karen Caruso, Valdese ABC General Manager.

**RECREATION DEPARTMENT – UPDATE OF SHOWER AREA AND FITNESS ROOM**

Recreation Director Tim Rhoney offered a brief update on the project and said it would be completed soon and everything was looking nice.

**SATURDAY, JUNE 25 RESCHEDULED DATE FOR THE TRIATHLON (rescheduled from April 16 due to bad weather)**

**FRIDAY, JULY 1 – FIREWORKS IN VALDESE**

Community Affairs Director Barbara Hefner said the music would begin at 7:00 p.m., and there would be a beer garden this year. She said the fireworks would begin at approximately 9:30 p.m. The band would play another set after the fireworks.

She said Family Friday Nights were going very well.

**INTRODUCTION OF ALEXANDRIA “ALEX” MOORMAN – REPORTER FOR “THE NEWS HERALD”** Mr. Morse introduced and welcomed Ms. Moorman who replaces Julie Chang.

At 8:02 p.m., there being no further business to come before the Council, Councilman Ogle made a motion to adjourn, seconded by Councilwoman Stevenson. The vote was unanimous.

The next meeting is a regularly scheduled meeting for Monday, June 27, 2011, 7:00 p.m., for the Budget Public Hearing. This meeting would also serve as the July 2011 Council meeting.

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL MEETING  
JUNE 27, 2011**

The Town of Valdese Town Council met on Monday, June 27, 2011, (this meeting also served as the July Council Meeting) at 7:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The following were present: Mayor James L. Hatley, Councilwoman Vickie Oxentine, Councilwoman Susan Stevenson, Councilman Gary L. Delp, and Councilman Chip Black. Also present were Town Manager Jeffrey V. Morse, Town Attorney Marc Mitchell, Deputy Town Clerk Thelda B. Rhoney, and various department heads.

Absent: Councilman Keith Ogle

A quorum was present.

Mayor Hatley called the meeting to order at 7:00 p.m. He offered the Invocation and led in the Pledge of Allegiance to the Flag.

**OPEN FORUM/PUBLIC COMMENT:**

**ANIMAL CONTROL ORDINANCE – (VALDESE SIX DOGS)** Patricia Diane Wright, 816 Faet Street, SW, said she was concerned about a maximum of two dogs per household in Valdese. Her dogs are well cared for, well fed, current on all vaccinations, and she cleans up after them. Her friend lives with her and had two dogs and his son had two dogs and her two dogs made a total of six dogs in her home. Her friend called animal control because the neighbor's dog was not being cared for and she and her friend were feeding and watering the neighbor's dog. That is when animal control informed Ms. Wright the ordinance only allowed two dogs per household and she was not in compliance. She said she was aware of some homes in Valdese that have more than two dogs.

Ms. Debra O'Quinn said she lived in Burke County but not in the Town of Valdese. She spoke on behalf of the 'Valdese Six' dogs because they do not have any representation. She recommended that Council review the ordinance that was adopted in the 70s.

Mr. Rico Code, 404 Garrou Avenue, SE, said he had been around dogs all his life and he wanted to keep his pit bull dogs.

Ms. Cynthia Code, 404 Garrou Avenue, SE, said they keep their dogs vaccinated and their dog's pen is clean.

Mr. Rick McClurd, 408 Garrou Avenue SE, said he was Rico's neighbor and he said more than two dogs create problems and his neighbor now does a good job with his dogs. He said the issue is the lots in Valdese are small.

Mayor Hatley asked Town Attorney Marc Mitchell and Ms. LoCicero to review the issue. Town Attorney Marc Mitchell briefly reviewed the ordinance as well as the ordinance for kennels. He said they could start by looking at other cities/towns animal control ordinances and review with Council at the August meeting.

Mayor Hatley invited everyone to attend the August meeting for the review.

Town Manager Jeff Morse requested that Animal Control Officer Darren Ervin update Council about the complaint process. Mr. Ervin reported that he gets anonymous calls all day long about dog issues and no one wants to report their neighbors; however, Animal Control does check on complaints.

**WESTERN PIEDMONT AND RAILROAD MUSEUM**

Dr. Ben Garrou, Mr. Mike Outen, and Mr. Tim Skidmore requested authorization to place steps with a handrail over the back steps at the Old Rock School which would be safer because the steps are cracked and uneven. He said if the town would donate the supplies at an estimated cost of \$200 - \$250, they would build the steps of nine treads and nine risers plus the handrail.

Councilwoman Stevenson made a motion to approve the proposed steps and handrail and the Town paying for building supplies in an amount up to \$250, seconded by Councilman Delp. The vote was unanimous.



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

**APPROVED MINUTES** Regular Meeting of June 6, 2011.

**FY 2010-2011 YEAR END BUDGET AMENDMENT** Removed from consent and placed under Items Removed From Consent Agenda.

**APPROVED RESOLUTION APPROVING FINANCING TERMS FOR VIPER RADIOS**

**RESOLUTION APPROVING FINANCING TERMS**

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

BE IT THEREFORE RESOLVED, as follows:

1. The Town hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated June 7, 2011. The amount financed shall not exceed \$65,755.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 2.29%, and the financing term shall not exceed three (3) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Town are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and a Project Fund Agreement as BB&T may request.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Town officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The Town shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Town hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).
5. The Town intends that the adoption of this resolution will be a declaration of the Town's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The Town intends that funds that have been advanced, or that may be advanced, from the Town's general fund, or any other Town fund related to the project, for project costs may be reimbursed from the financing proceeds.
6. All prior actions of Town officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 27<sup>th</sup> day of June, 2011.

By: /s/ Town Clerk

By: /s/ James L. Hatley, Mayor

**REVIEW ONLY - VALDESE ABC BOARD FY 2011-2012 BUDGET** Total budget - \$803,500.

**APPROVED VALDESE ABC BOARD TRAVEL POLICY**

**VALDESE ABC BOARD TRAVEL POLICY**

The following guidelines will be used as a travel policy for all employees traveling on Valdese ABC Board business:

1. Reimbursement of travel expenses-

Meals will be covered on a per day rate. (Based on the current Federal Per Diem Rate) The Federal Per Diem Rates listing (found online at www.gsa.gov) is updated on an annual basis in October. If the traveler's destination is not listed on the website, the standard rate, \$46 currently, is used.

When traveling to attend a conference, where some meals are provided by the conference, remaining meals not provided by the conference will be eligible for reimbursement on a reasonable and actual basis (receipts required).

When on a trip not involving an over nights stay, expenses (i.e. mileage, meals) will be eligible for reimbursement on a reasonable and actual basis (receipts required).

Lodging will be covered for reasonable and actual cost (receipt required). Unless attending a conference, the Federal Per Diem Listing should be used as a guideline in determining reasonable cost.

Board credit cards may be used to reserve lodging. Travel related cost however, should not be charged to the credit cards. All travel expenses will be covered through travel advances and / or reimbursements.

3. It is the responsibility of the General Manager to determine which meal allowances are eligible for reimbursement to employees for partial day travel. Reimbursement will be for reasonable and actual cost (receipt required).

4. All requests for travel expense reimbursement (i.e. meals, lodging, mileage, etc. must be accompanied by a travel expense report.

5. Other issues-

- Transportation: As a general rule, it is the Board's policy that an employee is authorized to use a private vehicle and be reimbursed at current standard IRS Mileage Rate.

- Telephone: Any employee traveling out of town and staying overnight, will be allowed a personal telephone call up to \$4 per night. Board business related calls will be paid by the Board.

- Registration: Registration fees are generally paid in advance directly to the vendor, not from travel advance.

- Advances: The Board does permit employees to request advances whenever an estimated trip cost exceed \$25. If the cost is less than \$25, employee must seek reimbursement when the trip is completed.

Adopted this the 14<sup>th</sup> day of June, 2011.

/s/ Valdese ABC Board Chairman

Attest: /s/ Valdese ABC Board Secretary/Treasurer

**APPROVED LEASE AGREEMENTS – OLD ROCK SCHOOL**

1. Carolina Financial Group - \$252 month
2. Faith Community Church - \$602
3. Piedmont & Western Railroad Museum - \$210

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

**End Consent Agenda**

**ITEMS REMOVED FROM CONSENT AGENDA:**

**FY 2010-2011 YEAR END BUDGET AMENDMENT**

**SUPPLEMENTAL YEAR END BUDGET AMENDMENT**

<b><u>GENERAL FUND</u></b>		<b>Increase (Decrease)</b>
Total Revenue:		<u>121,000</u>
Occupancy Tax	10.3200.000	4,000
Rents	10.3310.000	10,000
Other	10.3350.030	10,000
Hold Harmless	10.3450.020	5,000
Sales Tax Refund	10.3670.000	75,000
Community Affairs	10.3970.025	7,000
Rock School - Auditorium	10.3970.026	7,000
Rock School - Other	10.3970.027	3,000
From TCW	10.3970.310	
Expenditures:		
Administration		64,500
Professional Services	10.4200.040	11,000
Telephone	10.4200.110	5,000
Postage	10.4200.111	5,000
Utilities – Elect	10.4200.130	3,500
Dept Supplies	10.4200.330	8,000
NC Sales Tax	10.4200.370	14,000
County Sales Tax	10.4200.390	3,000
Contract Services	10.4200.450	4,000
Rent	10.4200.575	(2,000)
Econ Development	10.4200.960	16,500
Industrial Development	10.4200.961	(3,500)
Public Works Admin		11,500
Salaries	10.4250.020	14,500
Utility - Gas	10.4250.131	(3,000)
Maintenance & Grounds		4,500
Salaries	10.4350.020	1,500
Auto Supplies - Gas	10.4350.160	1,000
Dept Supplies	10.4350.330	1,000
Insurance & Bonds	10.4350.540	1,000
Planning		7,700
Salaries	10.4900.020	2,600
Professional Services	10.4900.040	3,000
Contract Services	10.4900.450	2,100
Police		24,000
Extra Duty Hours	10.5100.024	1,000
Professional Services	10.5100.040	4,000
Maint & Repair Bldg	10.5100.150	19,000

June 27, 2011, MB#30

Fire			23,500
Salaries	10.5300.020	9,000	
Part Time Pay	10.5300.022	(4,000)	
Extra Duty Hours	10.5300.024	(5,000)	
Maint & Repair Bldg	10.5300.150	21,000	
M&R Vehicle	10.5300.170	1,000	
Auto Supplies Tires	10.5300.313	1,500	
Street			8,000
Maint & Repair Buildings	10.5600.150	3,000	
Maint & Repair Equipment	10.5600.160	5,000	
Sanitation			3,500
Salaries	10.5800.020	200	
Overtime	10.5800.021	(200)	
Maint & Repair Equipment	10.5800.160	5,000	
Maint & Repair Auto	10.5800.170	1,500	
Contract Services	10.5800.451	(3,000)	
Recreation			(34,000)
Salaries	10.6200.020	(8,000)	
Over Time	10.6200.021	500	
Part-Time	10.6200.022	(5,000)	
FICA Tax	10.6200.050	(1,500)	
Utility Exp - Gas	10.6200.131	(20,000)	
Community Affairs			7,800
Salaries	10.6250.020	19,500	
Extra Duty	10.6250.024	(18,700)	
Utilities - Elec	10.6250.130	(1,500)	
Utilities - Gas	10.6250.131	(1,500)	
Contract Services	10.6250.450	3,000	
Contract Services - Entertainment	10.6250.452	7,000	
Total Expenditures			<u>121,000</u>

0

**SUPPLEMENTAL BUDGET AMENDMENT**

<u>UTILITY FUND</u>		<u>Increase (Decrease)</u>
Total Revenue:		<u>6,000</u>
RC Water Corp	30.3810.030	6,000
Expenditures:		
Water Dept. Salaries	30.8100.020	10,000 (57,418)

**June 27, 2011, MB#30**

Over Time	30.8100.021	1,500	
Part Time Pay	30.8100.022	(5,000)	
Professional Services	30.8100.040	(1,500)	
W&S Rate Study	30.8100.043	17,000	
Unemployment	30.8100.080	3,000	
Postage	30.8100.111	2,000	
Utilities – Elec	30.8100.130	(45,000)	
M&R Auto	30.8100.170	5,000	
Chemicals	30.8100.332	(18,000)	
Insurance & Bonds	30.8100.540	(5,000)	
Capital Outlay	30.8100.740	(21,253)	
Contingency	30.8100.990	(165)	
<b>Waste Water Dept.</b>			<b>30,418</b>
Salaries & Wages	30.8110.020	(39,000)	
Part Time Pay	30.8110.022	109,000	
Professional Services	30.8110.040	40,000	
W&S Rate Study	30.8110.043	16,500	
Group Insurance	30.8110.060	(5,000)	
Utility Expense – Elect	30.8110.130	(4,000)	
Travel	30.8110.140	2,000	
M&R Bldgs & Grounds	30.8110.150	15,000	
M&R Cline St Pump Station	30.8110.152	(10,000)	
M&R Equip	30.8110.160	3,000	
Chemicals	30.8110.332	(66,000)	
Wood Chips	30.8110.336		
Dues & Subscriptions	30.8110.530		
County Pump Stations	30.8110.701	(5,000)	
Capital Outlay Equipment	30.8110.740	(26,000)	
Contribution to CRF	30.8110.961		
Contingency	30.8110.990	(82)	
<b>Water &amp; Sewer Const. Dept.</b>			<b>33,000</b>
Salaries	30.8120.020	8,500	
Over Time	30.8120.021	(8,000)	
Professional Services	30.8120.040	(4,500)	
Professional Services-Legal	30.8120.043	25,000	
M&R Buildings & Grounds	30.8120.150	12,000	
Dept Supplies	30.8120.330		
<b>Total Expenditures</b>			<b><u>6,000</u></b>
			<b>0</b>

**SUPPLEMENTAL BUDGET AMENDMENT**

<u>TCW FUND</u>		<b>Increase (Decrease)</b>
Total Revenue:		<u><u>-15,000</u></u>
Water Charges	31.3710.010	(10,000)
Reconnection Fees	31.3750.000	(5,000)
Expenditures:		

Water Dept.		(15,000)
W&S Rate Study	31-8130-043	13,000
Supplies	31.8130.330	
Contract Services	31-8130-450	
Misc	31-8130-570	6,000
Contribution To Gen Fund	31.8130.920	50,000
Contribution To Util Fund	31.8130.921	
Contribution To CRF	31.8130.961	(84,000)
Total Expenditures		<u>(15,000)</u>
		0

Councilman Black had questions about several line-items, especially the \$109,000 in part-time pay from Wastewater Department. Finance Director Jerry LaMaster would research and inform Council.

Councilman Black made a motion to approve the FY 2010- 2011 Supplemental Year End Budget Amendment and staff would submit to Council the information on the \$109,000 part-time pay from Wastewater Department, seconded by Councilman Delp. The vote was unanimous.

**FY 2011 – 2012 BUDGET PUBLIC HEARING** Mayor Hatley opened the public hearing.

Town Manager Jeff Morse said he offered a brief summary at the June 6<sup>th</sup> Council meeting. He said Council authorized a 1.5 percent salary increase for full-time employees, and staff recommended a 1.5 percent salary increase for part-time employees (included in the budget) who had worked for the town over one year, such as summer help and public works.

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

**FY 2011 – 2012 ADOPTION OF ORDINANCE**

**TOWN OF VALDESE BUDGET  
FISCAL YEAR 2011 - 2012**

**BUDGET ORDINANCE**

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

Section I: The following amounts are hereby appropriated to the fund set forth for the operation of the town government and its activities for the fiscal year beginning July 1, 2011 and ending June 30, 2012 in accordance with the chart of accounts heretofore established for this town:

GENERAL FUND		\$ 4,530,607
Governing Body	\$ 65,227	
Administration	994,247	
Public Works	225,054	
Maintenance & Grounds	174,916	
Planning	70,724	
Police	792,915	
Fire	591,121	
Street	145,713	
Powell Bill	151,204	
Sanitation	218,010	
Recreation	718,614	
Tourism/Community Affairs	382,862	
UTILITY FUND		<u>\$ 4,923,045</u>

**June 27, 2011, MB#30**

Water	1,556,471
Wastewater	1,772,601
Water/Sewer Const.	492,097
Triple District	1,101,876

TOTAL EXPENDITURES \$ 9,453,652

Section II: It is estimated, and therefore appropriated, that the following revenues will be made available to the respective funds for the fiscal year beginning July 1, 2011 as follows:

GENERAL FUND	\$ 4,530,607
UTILITY FUND	\$ 4,923,045
TOTAL REVENUES	<u>\$ 9,453,652</u>

Section III: There is hereby levied an ad valorem tax at the rate of forty cents (\$0.40) per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2011 for the purpose of raising a portion of the revenue listed in the General Fund appropriation in Section II of this ordinance. This rate, based upon an estimated total valuation of \$383,713,057 will generate a levy of \$1,489,679 with an estimated collection rate of 98% less \$12,000 reserved for discounts.

Section IV: As set forth in the Utility Fund Non-Departmental Section of the FY 2011-2012 budget document, the amount of \$445,482 is appropriated for the purpose of debt service and that this amount is sufficient for the complete and proper payment of all bond principal, bond interest and commissions on the outstanding debt of the town relating thereto for the fiscal year beginning July 1, 2011, and ending June 30, 2012.

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

Program Cost: \$15,500

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

<p align="center"><u>Inside Water</u> (Consumption /1000 gal.)</p> <p>0 – 3    \$10.56 4 – 5     2.06 6         4.42 7 - 300   2.06 30l - 3000 1.97 300l - Plus .98</p>	<p align="center"><u>Inside Wastewater</u> (Discharge/1000 gal.)</p> <p>Admin. Billing Charge \$5.73</p> <p>User Charge            1.91</p>
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<p align="center"><u>Outside Water - Town System</u> (Consumption /1000 gal.)</p> <p>0 - 3     \$22.59 4 - 300   4.13 30l - 3000 3.90 300l - Plus 1.97</p>	<p align="center"><u>Outside Wastewater - Town System</u> (Discharge /1000 gal.)</p> <p>Double Inside Rate</p>
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The fee schedule for utility service for COMMERCIAL CUSTOMERS is as follows:

<p align="center"><u>Inside Water</u> (consumption / 1000 gal.)</p> <p>Fixed Meter Charge--\$11.55 0 – 3 _____ 10.71</p>	<p align="center"><u>Inside Wastewater</u> (discharge / 1000 gal.)</p>
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June 27, 2011, MB#30

4 – 5 _____	2.08
6 _____	4.49
7 – 300 _____	2.08
301 – 3000 _____	2.01
3000 – Plus _____	1.00

Minimum charge	
up to 3000 gals. _____	\$5.80
Cost per 1000 gal. _____	1.93

Outside Water – Town System  
(consumption / 1000 gal.)

Fixed Meter Charge--	\$11.55
0 – 3 _____	22.93
4 – 300 _____	4.20
301 – 3000 _____	3.95
3001- Plus _____	2.01

Outside Wastewater-  
Town System  
(discharge / 1000 gal.)

Double Inside Rate

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

Inside Water  
(consumption / 1000 gal.)

Fixed Meter Charge--	\$11.55
0 – 3 _____	11.69
4 – 5 _____	2.49
6 _____	4.76
7 – 300 _____	2.49
301 – 3000 _____	2.39
3001 – Plus _____	1.44

Inside Wastewater  
(discharge / 1000 gal.)

Minimum charge	
up to 3000 gals. _____	\$5.51
Cost per 1000 _____	1.84

Outside Water – Town System  
(consumption / 1000 gal.)

Fixed Meter Charge--	\$11.55
0 – 3 _____	24.80
4 – 300 _____	4.98
301 – 3000 _____	4.75
3001- Plus _____	2.88

Outside Wastewater-  
Town System  
(discharge / 1000 gal.)

Double Inside Rate

The fee schedule for utility service for TRIPLE COMMUNITY is as follows:

Inside Water  
(consumption / 1000 gal.)

0 – 3 _____	\$23.31
4 – 10 _____	4.18
Over 10 _____	3.26

Utility Deposits

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

Reconnect - \$25.00

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

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

A. He may transfer amounts between objects of expenditures within a department without limitation and without a report being required.



B. He may transfer amounts of \$1,000.00 between departments of the same fund with an official report on such transfer at the next regular meeting of the Town Council.

C. He may not transfer any amounts between funds or from any contingency appropriation within any fund without approval of the Town Council.

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

Upon introduction by Town Manager Jeffrey V. Morse, motion to adopt by Councilman Black, and seconded by Councilwoman Stevenson, this ordinance is adopted on this the 27<sup>th</sup> day June, 2011, with the following vote: Ayes: 4, Noes: 0.

/s/ James L. Hatley, Mayor

Attest: /s/ Town Clerk

**PUBLIC HEARING ON PROPOSED WARD BOUNDARIES REVISIONS** Mayor Hatley opened the public hearing.

Ms. Locicero introduced Mr. Tom Bell who assisted with the ward maps due to the 2010 census. The wards would be more even with the revisions.

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

Councilman Black made a motion to approve the ward boundaries, seconded by Councilwoman Stevenson. The vote was unanimous.

**PROPOSED AMENDMENTS TO THE SMOKING ORDINANCE** Town Attorney Marc Mitchell reviewed the amended proposed Smoking Ordinance. **NOTE: Amended Smoking Ordinance may be found in Ordinance Book No. 9, pg. 1.**

Councilwoman Oxentine made a motion to adopt the aforementioned ordinance, seconded by Councilwoman Stevenson. The vote was unanimous.

**RESOLUTION REQUESTING THE SERVICES OF THE NC DEPARTMENT OF COMMERCE, DIVISION OF COMMUNITY PLANNING FOR TECHNICAL ASSISTANCE FOR THE PREPARATION OF A LAND DEVELOPMENT PLAN** Ms. LoCicero said the current land development plan was adopted in 1968 and needed to be updated.

**RESOLUTION REQUESTING THE SERVICES OF  
THE NORTH CAROLINA DEPARTMENT OF COMMERCE,  
DIVISION OF COMMUNITY PLANNING**

WHEREAS, the Town Council of Valdese, North Carolina ("Council"), would like to have a Land Development Plan produced; and

WHEREAS, the Council would like the North Carolina Department of Commerce, Division of Community Planning (DCP), to assist Valdese, North Carolina ("Town") with the Project;

NOW, THEREFORE, BE IT RESOLVED, that the Council hereby:

1. Requests that DCP assist the Town with the preparation of the Project;
2. Agrees to reimburse DCP for DCP staff travel expenses (mileage, meals and/or lodging) incurred in relation to the Project in accordance with DCP reimbursement rates in effect at the time any such travel occurs;
3. Agrees to reimburse DCP for maps produced by DCP staff in relation to the Project in accordance with the attached *Memorandum of Understanding for GIS Services*; and

4. Requests that the Valdese Town Planner and Planning Board work with DCP staff to develop a mutually agreeable scope of work for the Project outlining the tasks to be performed by DCP staff as well as the timeframes within which such tasks should be completed.

Adopted this 27<sup>th</sup> day of August, 2011.

/s/ James L. Hatley, Mayor

ATTEST: /s/ Town Clerk

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

**AGREEMENT WITH WESTERN PIEDMONT COUNCIL OF GOVERNMENTS 2011-2012 TECHNICAL PLANNING ASSISTANCE**

Ms. LoCicero requested that Council approve a contract in the amount of \$20,000 for assistance to the Town Manager, Planning Department, and Planning Commission. The contract was from July 1, 2011 to June 30, 2012.

Councilman Black made a motion to approve the aforementioned Technical Assistant Agreement with the Western Piedmont Council of Governments, seconded by Councilwoman Stevenson. The vote was unanimous.

**AGREEMENT WITH WESTERN PIEDMONT COUNCIL OF GOVERNMENTS FOR TECHNICAL ASSISTANCE SERVICES FOR DEVELOPMENT OF SPATIAL DATABASES – TRIPLE DISTRICT**

Ms. LoCicero said this agreement was to GPS waterlines, water tower, fire hydrants, etc, in Triple District for GIS.

Councilman Delp made a motion to approve the aforementioned Technical Assistant Agreement for Triple District with the Western Piedmont Council of Governments, seconded by Councilwoman Oxentine. The vote was unanimous.

**APPOINTMENTS TO VALDESE TOURISM COMMISSION** Mayor Hatley recommend Ms. Nancy Lynn Sharpless (Heritage Arts Center representative) and Ms. Heleen Wilder (Trail of Faith representative) be appointed to the Valdese Tourism Board.

Councilwoman Stevenson made a motion to approve the aforementioned appointments, seconded by Councilwoman Oxentine. The vote was unanimous.

**MAYOR AND COUNCIL COMMENTS:**

Councilwoman Stevenson asked about REACT. Mr. Morse said he spoke with Terry Houston this date and the REACT Agreement would be prepared by Attorney Marc Mitchell and would be on the next agenda for approval.

**NEW TOWN HALL OPEN HOUSE, SATURDAY, AUGUST 13, 2011** Mayor Hatley said the open house will coincide with the Annual Waldensian Festival and town hall would be open from 10:00 a.m. until 5:00 p.m. The open house reception hours are 3:00 p.m. until 5:00 p.m., and dedication at 4:00 p.m. He said Myra's would cater the event and there would be Soutisso, grapes and hard bread served on plates and white linens.

Mayor Hatley said Larry Earp may again this year provide transportation from downtown to town hall and Mr. Morse said the town van would be available as well.

**MANAGER'S REPORT** N/A

**CLOSED SESSION**

Mayor Hatley called for a Closed Session Pursuant to NC General Statute 143-318.11 (a) (3) To consult with an attorney employed or retained by the public body; and (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee.

At 8:21 p.m., Councilwoman Stevenson made a motion to recess into Closed Session pursuant to NC General Statute 143-318.11 (a) (3) To consult with an attorney employed or retained by the public body; and (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or

**June 27, 2011, MB#30**

conditions of initial employment of an individual public officer or employee. The motion was seconded by Councilman Black and unanimously carried.

Mayor Hatley called for a five minute break before recessing into closed session. Council entered Closed Session at 8:30 p.m.

At 9:30 p.m., Councilman Black made a motion to return to open session, seconded by Councilman Delp. The vote was unanimous.

**ADJOURNMENT**

At 9:30 p.m., there being no further business to come before the Council, Mayor Hatley adjourned the meeting.

The next meeting is a regularly scheduled meeting for Monday, August 1, 2011, 7:00 p.m.

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL MEETING  
AUGUST 1, 2011**

The Town of Valdese Town Council met on Monday, August 1, 2011, at 7:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The following were present: Mayor James L. Hatley, Councilman Keith Ogle, Councilwoman Vickie Oxentine, Councilwoman Susan Stevenson, Councilman Gary L. Delp, and Councilman Chip Black. Also present were Town Manager Jeffrey V. Morse, Town Attorney Marc Mitchell, Deputy Town Clerk Thelda B. Rhoney, and various department heads.

Absent: None

A quorum was present.

Mayor Hatley called the meeting to order at 7:00 p.m. He offered the Invocation and led in the Pledge of Allegiance to the Flag.

**OPEN FORUM/PUBLIC COMMENT:**

**MR. MIKE FULENWIDER, FULENWIDER ENTERPRISES** Mr. Fulenwider complimented Council and Staff for its efforts in economic development and being proactive since there had been a downturn in the economy. He said Mr. Morse asked him to speak on behalf of Downtown Delights Restaurant and he offered a lot of tips for restaurant owners. He said 80 to 90 percent of new restaurants fail and as a restaurant owner, he was willing to be a mentor to the owners of Downtown Delights. He said small restaurants drive retail and the winter season can be difficult for restaurants plus the rent and fixed costs keep running. He said you have got to be in the food service business to know that type of business. He invited Members of Council to visit him or Carl Bartlett in Black Mountain. He said Black Mountain officials go out and find restaurant owners and invites them to their town and ask if they need assistance. He said the more restaurants there are in a town the more business they all will have.

Mayor Hatley thanked Mr. Fulenwider. Mr. Morse said it was a good idea to upgrade buildings that create assets that never go away. If a tenant leaves you can get another tenant.

**BOY SCOUT TROOP 192 – WALDENSIAN PRESBYTERIAN CHURCH** Mayor Hatley recognized the Boy Scouts under the direction of Assistant Scoutmasters Paul and Tammy Severt and Jeremy Abee. The Scouts were working on their Citizenship in the Community Badges.

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

**APPROVED MINUTES** Regular and Closed Session of June 27, 2011.

**APPROVAL OF REQUESTS TO SELL BEER & WINE AT THE WALDENSIAN FESTIVAL - BEER AND WINE GARDEN - AUGUST 12 AND 13, 2011** Requests were received from Waldensian Heritage Wines; Waldensian Style Wines; Raintree Cellars; and American Legion Post 234 to sell beer and wine at the Waldensian Festival. Hours for Friday, August 12 from 6:00 p.m. until 10:30 p.m., and on Saturday, August 13, from noon until 9:30 p.m.

**AWARD OF BID TO BEAM GRADING & CONSTRUCTION, INC., FOR CUBE CIRCLE WATERLINE EXTENSION – TRIPLE DISTRICT** West Consultants recommended the lowest bidder, Beam Grading and Construction, Inc., of Morganton in the amount of \$67,271.40. (Other bidders: Neill Grading & Construction Co., Inc., of Hickory - \$71,041; F & S Contractors of Drexel - \$72,587.19; Max Prestwood Water & Sewer, Inc., of Lenoir - \$77,650; C & W Utilities, Inc., of Shelby - \$79,888.50; and Ronny Turner Construction Co., Inc., of Hickory - \$81,780.)

**AUTHORIZED SURPLUS EQUIPMENT – RECREATION DEPARTMENT** Recreation Director Tim Rhoney requested the following equipment be surplus (one each): Precor Elliptical; Hip Flexor; Ab Extension; and Seated Chest Press. Also, he requests that Council declare as junk one Precor Elliptical which was damaged as it was being removed from the fitness room.

**APPROVAL OF LYME DISEASE AWARENESS PROCLAMATION** Removed from Consent Agenda and placed under Items Removed From Consent.

August 1, 2011, MB#30

**APPROVAL OF APPOINTMENT – VEDIC PROVISIONAL MEMBER** Approval of BDI's recommendation of Ms. Jenny Cook (Hildebran Council Member) to replace Emily Williamson, who resigned, as a VEDIC – Provisional Board Member.

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

**End Consent Agenda**

**ITEMS REMOVED FROM CONSENT AGENDA:**

**APPROVAL OF LYME DISEASE AWARENESS PROCLAMATION** Councilwoman Stevenson said this was an important issue for our citizens. Mayor Hatley agreed and he read the following Proclamation into the record:

**LYME DISEASE AWARENESS MONTH**

WHEREAS, infected ticks carrying the bacteria *Borrelia burgdorferi* which causes Lyme Borreliosis, commonly known as Lyme disease, continues to spread throughout North Carolina; and

WHEREAS, the total numbers of both suspected and confirmed Lyme disease cases reported to our state health department, continues to rise each year with over nearly 900 cases reported in 2010. Additionally, the Center for Disease Control estimates that Lyme disease may be under-reported by a factor 10 to 1 over actual cases; and

WHEREAS, the North Carolina Division of Public Health now encourages physicians and health care professionals to consider the clinical diagnosis of Lyme disease in patients who present the symptoms of infection, even if the patient has no travel history outside of North Carolina; and

WHEREAS, Lyme disease is difficult to diagnoses because it imitates other conditions and no reliable laboratory test can prove who is infected or bacterial-free, which often leads to under-diagnosis or misdiagnosis; and

WHEREAS, early indicators of infection include flu-like symptoms, characterized by chills, headache, fatigue, muscle and joint aches, and swollen lymph nodes; and

WHEREAS, weeks or months later, patients with untreated or under-treated Lyme disease can suffer from serious, permanent and sometimes life-threatening damage to the brain, joints, heart, eyes, liver, spleen, blood vessels, and kidneys. For this reason it is imperative that all who may be exposed to Lyme disease receive immediate treatment; and

WHEREAS, the best solution to reduce the risk of contracting Lyme disease is awareness and education about the seriousness of the illness and the need for residents, especially children, to practice personal preventive techniques when engaging in outdoor activities - such as frequent tick checks, use of tick repellent and proper tick removal; and

WHEREAS, the warm summer months are considered the most active time for ticks and when the majority of residents are exposed to ticks during outdoor activities.

NOW, THEREFORE, I, James L. Hatley, Mayor of the Town of Valdese, do hereby proclaim the month of August 2011 as "LYME DISEASE AWARENESS MONTH" and urge all citizens to learn about Lyme disease and how to protect themselves and prevent this illness so they "Don't get sick from the bite of a tick."

Adopted this the 1<sup>st</sup> day of August, 2011.

/s/ James L. Hatley, Mayor

**ADOPTION OF AMENDMENTS TO THE ANIMAL CONTROL ORDINANCE** Planning Director Larry Johnson and Town Attorney Marc Mitchell reviewed the proposed amendments.

**NOTE: Amendments may be found in Ordinance Book No. 9, pg. 2.**

Mr. Johnson said citizens could apply for permits after September or October allowing staff time to prepared a form. Mayor Hatley recommended that the form be posted on the Internet and a notice placed on the water bills and he recommended that the press be notified.

August 1, 2011, MB#30

After a brief discussion, Councilman Black made a motion to adopt the amendments to the Animal Control Ordinance, seconded by Councilman Ogle. The vote was unanimous.

**DISCUSSION/DIRECTION OF OLD BAND BUILDING - BURKE COUNTY REACT** Mr. Morse said REACT needed to be relocated because an industry was moving into their current facility and they are proposed to renovate the old band building and he reviewed financing for asbestos removal, etc. He briefly mentioned financing options and said staff and Attorney Mitchell could work out an agreement with REACT for a long-term lease. The property would remain as part of the town's campus.

Mr. Terry Houston thanked staff for the support. He said the downstairs would be totally renovated at a cost of approximately \$90,000 and new windows upstairs. There would be landscaping facing the football field. He said they had \$55,000 committed to the project. They would try to preserve the light fixtures. They enjoyed the Lovelady site and were looking for a long-term, permanent home for REACT.

Mayor Hatley commended the REACT staff/volunteers.

After a brief discussion, Councilman Ogle made a motion to authorize staff to work with Attorney Mitchell on a lease or agreement and bring back to Council for approval, seconded by Councilwoman Stevenson. The vote was unanimous.

**FOUR WAY STOP – MASSEL AVENUE/RODORET STREET** Mayor Hatley tabled this agenda item.

**MAYOR AND COUNCIL COMMENTS:**

Councilwoman Oxentine said she received a complaint that the town did not provide sun protection for spectators and mothers at the Recreation Department swimming pool. Mr. Morse said he did not know of any public pools that provided sunscreen but private pools may provide.

Councilman Delp asked if there was a maximum age that citizens were not charged to use the pool. Mr. Morse said senior citizen discounts were offered.

Councilman Black said several citizens made comments that the police were patrolling their neighborhoods and it was noticed and appreciated.

Mr. Morse said he received comments from downtown storekeepers that the police officers were stopping by and they are known on a first name basis. He said Burke County and the town had experienced several breaking and entering cases (B&Es) and there would be a public service announcement soon about solving the case.

Councilwoman Stevenson said written notices to our citizens or flyers would be nice about breaking the B&E cases. She reported the light was out at the "Three Graces" artwork.

Mayor Hatley said on Bleynt Street there was a street light that stays on 24 hours a day.

**MANAGER'S REPORT:**

**DISCUSSION OF RESTAURANT PROJECT – DOWNTOWN DELIGHTS** Mr. Morse said staff would be applying for a CDBG grant to assist with renovation expenses. The restaurant owners were doing some catering at a temporary location.

**36<sup>TH</sup> ANNUAL WALDENSIAN FESTIVAL** Community Affairs Director Barbara Hefner said the festival would be held on Saturday, August 13, 2011, and the "Fantastic Shakers" would provide entertainment in the evening and there would be fireworks at approximately 9:45 p.m.

**UPDATED CLASSROOMS – OLD ROCK SCHOOL** Ms. Hefner said the classrooms had been updated and she invited everyone to stop by and look at the classrooms, which were beautiful.

**RECREATION EQUIPMENT** Athletic Programs Supervisor Doug Knight invited Members of Council to stop by the Recreation Department to see the new exercise equipment. He said the equipment cost \$900 over budget. He briefly reported on the use of bracelets (pay for bracelet to enter) and he said there was a cost savings.

**NEW TOWN HALL OPEN HOUSE** Saturday, August 13, 2011, 10:00 a.m. – 5:00 p.m., Reception from 3:00 p.m. – 5:00 p.m., and Dedication Ceremony at 4:00 p.m.

**FINANCING FOR VIPER RADIOS** Mr. Morse reported Finance Director Jerry LaMaster obtained excellent financing rates from BB&T for \$65,000 to purchase VIPER Radios for the Police Department. There would be three annual payments in the amount of \$22,929.77 from the town's capital reserves.

**WASTEWATER TREATMENT PLANT - MAINTENANCE REPORTING SYSTEM - \$9,400** Mr. Morse reported that the Waste Treatment Plant staff budgeted funds for a preventive maintenance program and Public Works Department would assist with asset management through a grant from the Rural Center.

**GOVERNOR'S INNOVATIVE SMALL BUSINESS COMMUNITY AWARD** Mr. Morse said Mayor Hatley nominated the Valdese Economic Development Investment Corporation (VEDIC) program for the award and he learned that Valdese was one of ten finalists.

**COMMERCIAL SIGN AND ZONING INFORMATION PAMPHLETS** Planning Director Larry Johnson said the Planning Board initiated an informational pamphlet on business signs in Valdese. The pamphlets were distributed to the downtown merchants.

**UPDATE ON FY 2010- 2011 SUPPLEMENTAL YEAR END BUDGET AMENDMENT - \$109,000 PART-TIME PAY FROM WASTEWATER DEPARTMENT** Mr. Morse requested that Finance Director Jerry LaMaster update Council on this item was brought up at the June 27, 2011 meeting by Councilman Black. Mr. LaMaster said the funds were mischarged to part-time instead of full time labor. He said the full time labor line-item was under budget and there was no budget for part-time labor. Mr. Morse thanked Councilman Black for asking about this item.

**CLOSED SESSION** Mayor Hatley requested to recess into Closed Session pursuant to NC General Statute 143-318.11 (a) (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee.

At 8:44 p.m., Councilman Delp made a motion to recess into Closed Session pursuant to NC General Statute 143-318.11 (a) (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee. The motion was seconded by Councilwoman Stevenson and unanimously carried.

At 8:50 p.m., Councilwoman Stevenson made a motion to return to Open Session, seconded by Councilman Delp. The vote was unanimous.

Councilman Ogle made a motion to approve a 1.5 percent increase to Town Manager Jeff Morse's base salary, the same amount received by Town employees, retroactive from July 1, 2011, with an additional 1.5 percent in January 2012 if possible for all employees. The motion was seconded by Councilwoman Stevenson and carried unanimously.

**ADJOURNMENT**

At 8:50 p.m., there being no further business to come before the Council, Councilman Ogle made a motion to adjourn, seconded by Councilwoman Stevenson. The vote was unanimous.

The next meeting is a regularly scheduled meeting for Monday, September 12, 2011, 7:00 p.m., due to Labor Day Holiday

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL MEETING  
SEPTEMBER 12, 2011**

The Town of Valdese Town Council met on Monday, September 12, 2011, (due to Labor Day Holiday) at 7:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The following were present: Mayor James L. Hatley, Councilman Keith Ogle, Councilwoman Vickie Oxentine, Councilwoman Susan Stevenson, Councilman Gary L. Delp, and Councilman Chip Black. Also present were Town Manager Jeffrey V. Morse, Town Attorney Marc Mitchell, Deputy Town Clerk Thelda B. Rhoney, and various department heads.

Absent: None

A quorum was present.

Mayor Hatley called the meeting to order at 7:00 p.m. Councilman Black offered the Invocation and Mayor Hatley led in the Pledge of Allegiance to the Flag.

**OPEN FORUM/PUBLIC COMMENT:**

**BOY SCOUT WITH TROOP 192 – WALDENSIAN PRESBYTERIAN CHURCH** Mayor Hatley recognized a young Boy Scout working on his Citizenship in the Community Badge. Mayor Hatley challenged the young man to become an Eagle Scout.

**PETITION TO REMOVE TREES ON MAIN STREET SIDEWALK AREAS OF BUSINESS DISTRICT** Mr. David Thompson, Thompson Realty, said the businesses along East Main Street, 100 Block, were experiencing issues with leaves from the trees. The fallen leaves create issues with guttering and rain water coming into the buildings. The tree roots are causing the brick pavers to come up and creating sewer problems. They would like the trees removed and replaced with smaller trees or bushes.

After a brief discussion, Town Manager Jeff Morse said staff would move forward to receive bids to replace the sewer to the back of the buildings (Bobo Avenue) and contact an arborist to recommend a tree that would offer shade with a small root ball, possibly a holly tree as used by other towns.

Mayor Hatley said Valdese was a Tree City USA and he was opposed to cutting trees but staff would explore the best option and bring back to Council. Mr. Thompson thanked Council.

**NEW RECREATION DIRECTOR** Mayor Hatley recognized and welcomed the newly appointed Recreation Director Doug Knight, effective September 16, 2011.

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

**APPROVED MINUTES – REGULAR AND CLOSED SESSION OF AUGUST 1, 2011**

**APPROVED LEASE AGREEMENT – OLD ROCK SCHOOL** The lease agreement was with Sherry Barrier d/b/a Sherry's Dance Studio in the amount of \$264 per month.

**APPROVED AGREEMENT WITH BEAM GRADING AND CONSTRUCTION, INC., FOR CUBE DRIVE WATERLINE – TRIPLE DISTRICT** Waterline construction on Cube Drive in the Triple District in the amount of \$67,271.40 (Bid awarded at the August 1, 2011 Council meeting.)

**ADOPTED RESOLUTION FOR INTENT TO ANNEX TOWN-OWNED PROPERTY – WASTEWATER TREATMENT PLANT**

**RESOLUTION OF INTENT TO ANNEX TOWN OWNED PROPERTY  
(Wastewater Treatment Plant)**

WHEREAS, G.S. 160A-31(g) provides that the town council may initiate annexation of contiguous property owned by the town by adopting a resolution stating its intent to annex the property, in lieu of filing a petition; and

WHEREAS, the town council of the Town of Valdese desires to annex into the corporate limits of the Town of Valdese the Valdese Wastewater Treatment Plant property as hereinafter described; and



WHEREAS, the property to be annexed is contiguous to the corporate limits of the Town of Valdese; and

WHEREAS, G.S. 160A-31(g) provides that the resolution stating the intent of the town council to annex this property must fix a date for a public hearing on the question of annexation and that notice of the public hearing shall be published at least 10 days prior to the date of the public hearing; and

WHEREAS, the Wastewater Treatment Plant property the town council desires to annex (the Wastewater Treatment Plant property) is described as follows:

BEGINNING at a point located in the northeast corner of Carolina Centers, LLC property as described in that deed recorded in Book 1556, page 86, Burke County Registry, and as shown in Plat Book 37, page 189, Burke County Registry, and running thence with the Catawba River (Lake Rhodhiss) the following courses and distances: North 84° 41' 00" East 67.30 feet, South 84° 29' 00" East 60.30 feet, North 65° 03' 00" East 16.70 feet, North 50° 03' 00" East 58.10 feet, North 17° 43' 00" East 63.80 feet, North 27° 47' 00" East 65.00 feet, North 49° 42' 00" East 38.10 feet, North 72° 58' 00" East 28.10 feet, South 82° 39' 00" East 70.70 feet, North 61° 27' 00" East 11.70 feet, South 87° 02' 00" East 105.50 feet, North 57° 21' 00" East 97.30 feet, North 41° 55' 00" East 13.60 feet, North 63° 18' 00" East 40.10 feet, North 75° 48' 00" East 30.30 feet, North 54° 22' 00" East 56.30 feet, North 71° 07' 00" East 16.30, North 43° 12' 00" East 99.40 feet, North 54° 48' 00" East 73.00 feet, North 71° 39' 00" East 78.60 feet, North 77° 39' 00" East 33.80 feet, South 82° 08' 00" East 100.50, North 86° 36' 00" East 61.90 feet, North 84° 41' 00" East 123.00 feet, North 77° 49' 00" East 46.60 feet, South 84° 41' 00" East 193.10 feet, South 67° 43' 00" East 43.20 feet, South 42° 27' 00" East 40.10 feet, South 26° 38' 00" East 24.50 feet, South 09° 58' 00" East 81.10 feet, South 14° 50' 00" East 56.30 feet, South 23° 08' 00" West 32.30 feet, South 08° 03' 00" West 93.20 feet, South 36° 24' 00" East 77.70 feet, South 18° 23' 00" East 10.90 feet, North 27° 44' 00" East 29.60 feet, North 85° 52' 00" East 53.80, North 33° 11' 00" East 100.20 feet, North 48° 04' 00" East 37.10 feet, North 21° 51' 00" East 82.90 feet, South 87° 06' 00" East 43.30 feet, South 59° 02' 00" East 95.40 feet, North 89° 53' 00" East 167.00 feet, South 82° 36' 00" East 85.80 feet, South 27° 42' 00" East 53.20 feet, South 11° 24' 00" West 49.40 feet, South 31° 03' 00" West 100.10 feet, South 32° 28' 00" West 65.90 feet, South 24° 56' 00" West 159.30 feet, South 30° 17' 00" West 69.10 feet, South 30° 36' 00" West 101.60 feet, South 41° 19' 00" West 153.40 feet, South 45° 08' 00" West 107.70 feet, South 60° 10' 00" West 102.10 feet, South 46° 12' 00" West 53.40 feet, South 55° 36' 00" West 55.00 feet, North 79° 18' 00" West 39.70 feet, South 70° 55' 00" West 31.10 feet, South 19° 25' 00" West 33.50 feet, South 21° 40' 00" West 70.50 feet, South 31° 05' 00" West 79.10 feet, South 14° 52' 00" East 187.60 feet, South 48° 32' 00" West 55.30 feet, South 73° 26' 00" West 76.50 feet, South 62° 07' 00" West 64.40 feet, South 46° 11' 00" West 100.00 feet, South 38° 43' 00" West 61.50 feet, South 49° 07' 00" West 39.10 feet, South 46° 11' 00" West 14.50 feet, South 74° 55' 00" West 40.90 feet, North 88° 47' 00" West 31.70 feet, North 66° 08' 00" West 109.10 feet, North 54° 42' 00" West 82.70 feet, North 66° 55' 00" West 141.80 feet, North 60° 03' 00" West 49.00 feet, North 50° 15' 00" West 28.40 feet, North 35° 00' 00" West 118.60 feet, North 51° 52' 00" West 121.70 feet, North 53° 54' 00" West 99.90 feet, North 55° 03' 00" West 74.10 feet, North 49° 09' 00" West 100.10 feet, North 47° 26' 00" West 54.30 feet, North 55° 48' 00" West 87.00 feet, North 72° 55' 00" West 97.90 feet, North 81° 53' 00" West 93.30 feet, South 52° 05' 00" West 149.20 feet, South 59° 38' 00" West 82.90 feet to a point; thence with the Carolina Centers, LLC line North 11° 10' East 737.9 feet to the point of BEGINNING and containing 52.97 acres more or less. This description was taken from plat of survey prepared by West Consultants, PLLC dated August 8, 2011, entitled, "Town of Valdese Annexation – 52.97 acres – WWTP Property." This parcel has been assigned Parcel I.D. No. 2744666827 by the Burke County Tax Office.

BACK REFERENCE: Book 579, page 875, Burke County Registry.

NOW, THEREFORE, IT IS RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF VALDESE AS FOLLOWS:

The Town of Valdese intends to annex the Wastewater Treatment Plant property into the corporate limits of the Town of Valdese.

1. The Wastewater Treatment Plant property is contiguous to the Valdese corporate limits.
2. A public hearing on the question of this annexation shall be held on Monday, October 3, 2011, at 7:00 p.m.
3. Notice of the public hearing shall be published once in a newspaper having general circulation in the Town of Valdese at least 10 days prior to the date of the public hearing.

THIS the 12<sup>th</sup> day of September, 2011.

/s/ JAMES L. HATLEY, MAYOR

ATTEST: /s/ TOWN CLERK

**ADOPT RESOLUTION FOR REPLACEMENT OF EXISTING WATER METERS** Councilman Black requested this item be placed under "Items Removed From Consent Agenda."

**APPROVED VALDESE HOUSING AUTHORITY REAPPOINTMENT** The Valdese Housing Authority recommended the reappointment of Ms. Miriam Vaught for a five-year term to the Valdese Housing Authority, term would expire October 31, 2016.

**APPROVED NCLM DELEGATE AND ALTERNATE DELEGATE** Mayor Hatley serves on the NC League of Municipalities Nominating Committee and would be attending the NCLM Conference along with Town Manager Jeff Morse. The Conference date being October 22-25, 2011, Raleigh, NC. Town Manager Jeff Morse – voting delegate and Mayor Hatley – alternate voting delegate.

Councilman Ogle made a motion to approve all items on the Consent Agenda except Adopt Resolution for Replacement of Existing Water Meters, seconded by Councilwoman Stevenson. The vote was unanimous.

### **End Consent Agenda**

### **ITEMS REMOVED FROM CONSENT AGENDA:**

**ADOPTED RESOLUTION FOR REPLACEMENT OF EXISTING WATER METERS** Councilman Black asked what Council was obligating itself to. Mr. Morse said the town was eligible for a 50 percent grant and this is the first time Valdese has been eligible due to its water rates being too low. Mr. Morse said the grant announcement would be December or January and if Valdese did not receive a grant the project would not go forward unless the state would offer a revolving loan for the full amount. The town's meters are over 25 years old and it was recommended that they be replaced. If we get the grant, the remaining funds would be added to debt service in the Utility Fund.

### **RESOLUTION BY GOVERNING BODY OF APPLICANT**

WHEREAS, The Federal Safe Drinking Water Act Amendments of 1996 and the North Carolina Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of drinking water system improvements, and

WHEREAS, The Town of Valdese has need for and intends to construct a drinking water system project described as replacement of existing water meters with meters having remote read capabilities, and

WHEREAS, The Town of Valdese intends to request state loan assistance for the project,

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

That Town of Valdese, the Applicant, will arrange financing for all remaining costs of the project, if approved for a State loan award.

That the Applicant will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the Applicant agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the Town of Valdese to make scheduled repayment of the loan, to withhold from the Town of Valdese any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.

September 12, 2011, MB#30

That Jeffrey V. Morse, Town Manager, the Authorized Official, and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a loan to aid in the construction of the project described above.

That the Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 12<sup>th</sup> day of September, 2011, (date adopted) at Valdese Town Hall, North Carolina.

/s/ James L. Hatley, Mayor

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

**BURKE COUNTY REACT AGREEMENT** Town Attorney Marc Mitchell reviewed the proposed agreement. Payments on the 40-year agreement would start after they receive a certificate of occupancy or January 1, 2012, whichever comes first. He said the statutes require that a notice be placed in the newspaper about the 40-year lease and the agreement can be executed after 10 days of the published notice.

Mr. Terry Houston briefly reviewed the funding they had received for the project. Mayor Hatley thanked Mr. Houston and REACT for the work they do.

Councilwoman Oxentine said there were traffic issues in the area with the elementary school. Chief Moss reviewed the traffic issues. Mr. Morse said staff would notify the school about the REACT location.

**RESOLUTION AUTHORIZING LEASE OF PROPERTY TO BURKE COUNTY  
REACT TEAM 3420 AND APPROPRIATIONS TO RENOVATE THAT PROPERTY**

WHEREAS, G.S. 160A-20.1 provides that a town may contract with and appropriate money to a corporation in order to carry out any public purpose that the town is authorized to engage in; and

WHEREAS, Burke County React Team 3420 (React) is a nonprofit corporation that assists the Town of Valdese (the Town) with traffic control in the event of fire, police emergencies or special events that take place within the Town; and

WHEREAS, React also from time to time assists the Town in connection with searches and in other ways as requested by the Town; and

WHEREAS, the service and assistance provided by React has significantly helped the Town maintain public safety; and

WHEREAS, the Town is the owner of a building that at one time housed the Valdese High School band and industrial arts programs (the building); and

WHEREAS, the building is in a state of disrepair and it is not being used by the Town; and

WHEREAS, React has been renting office space from the Town on a short-term basis, and React desires to move its operations to a more permanent facility; and

WHEREAS, G.S. 160A-279 provides that whenever the Town is authorized to appropriate funds to an entity that carries out a public purpose, the Town, in lieu of or in addition to the appropriation of funds may convey by private sale to such entity any real property it owns, provided that the Town shall attach to any such conveyance covenants or conditions which assure that the property will be put to a public use by the recipient entity; and

WHEREAS, React desires to lease the building from the Town of a period of forty (40) years; and

WHEREAS, the property will be put to a public use in that it will be used as offices and a base of operations for React so that React can continue to assist with traffic control and provide other services to the Town; and

WHEREAS, the Town has agreed to contribute up to \$40,000 toward the repair and renovation of the building to assist in bringing the building up to appropriate standards; and

WHEREAS, React has agreed to contribute at least \$20,000 toward the renovation of the building; and

WHEREAS, the town council has reviewed the proposed lease agreement between the Town and React, and it is the opinion of the town council that appropriating the sum of \$40,000 to help renovate the building and leasing the building to React pursuant to the terms and conditions set forth in the proposed lease is in the best interest of the Town and that these actions should be approved; and

WHEREAS, pursuant to G.S. 160A-267 this lease shall not be consummated until 10 days after publication of a notice summarizing the contents of the lease.

NOW, THEREFORE, IT IS RESOLVED BY THE TOWN COUNCIL AS FOLLOWS:

1. The proposed lease agreement between the Town and React as presented to the town council is hereby approved. The town manager is authorized to execute this lease on behalf of the Town.
2. The sum of \$40,000 is hereby appropriated to be used to renovate the building as provided in the lease agreement.
3. A notice summarizing the contents of this resolution shall be published once after its adoption, and the lease shall not be consummated until at least ten (10) days after its publication.

ADOPTED THIS, THE 12<sup>th</sup> DAY OF SEPTEMBER, 2011.

/s/ JAMES L. HATLEY, MAYOR

ATTEST: /s/ TOWN CLERK

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

**PROPOSAL AND AGREEMENT – SCADA SYSTEM – TRIPLE DISTRICT AND VALDESE WATER PLANT** Mr. David Cook and Mr. Jerry Conley presented the proposal and agreement. They recommended the control system proposal with Instrumentation Services, Inc., (ISI) for system engineering services to upgrade our hardware and software to allow future expansion and integrate with our existing graphics package and platform of our Supervisory Control and Data Acquisition (SCADA) Instrumentation System at Triple District and Valdese Water Plant, in the amount of \$41,995, with one year of preventative maintenance offered at no cost and they also included an additional year at a cost savings to the town in the amount of \$4,896. (Other bid: R.L. Hines & Co., Inc., Winston-Salem, NC in the amount of \$38,650.) Staff recommended the bid be awarded to Instrumentation Services, Inc. (ISI) because of continuity with the current system. Beginning with the third year, the cost of the SCADA Preventive Maintenance Program would be \$2,448 annually for each the Triple District and Valdese Water Plant.

After a brief discussion, Councilman Delp made a motion to approve the proposal and agreement with ISI, seconded by Councilman Black. The vote was unanimous.

**TAX STATEMENT ANNUAL SETTLEMENT FOR 2010 - PROPERTY AND MOTOR VEHICLE** Greg Cannon presented the following:

Tax Statement Annual Settlement for 2010:

Property Valuations

Real Estate	\$309,401,208
Personal Property	58,838,285
Age Exemption	-3,544,419

Total Prop. Valuation Subject to Tax  
 Tax Rate per \$100 Valuation (.40/100) \$364,695,074

Gross Levy

**September 12, 2011, MB#30**

Levy	\$1,458,780
Discoveries	36,134
Late List Penalties	2,128
Total Levy	\$1,497,042
 Less Collected as of 6/30/2011	 \$1,414,852
 Uncollected 2010 Taxes	 82,190
Settings - 68,494 (4.57%)	
All Other - 13,696 (0.92%)	
Ratio of Taxes Collected to Total Levy	94.51%

Annual Settlement of the Classified Motor Vehicle Property Taxes for 2010:

Levy	\$110,000
2010 Collection by Burke Co. Tax Office	\$107,858
 Less Collection Cost (1.5% Levy)	 1,650

After a brief discussion, Councilman Black commended Mr. Cannon on the collection rate and he made a motion to accept the aforementioned Tax Statement Annual Settlement for 2010, seconded by Councilwoman Stevenson. The vote was unanimous.

**CHARGE TO COLLECT TAXES FOR 2011** Mayor Hatley read the charge for Tax Collector Gregory Cannon to collect taxes for 2011 and administered the oath.

**AWARD OF BID FOR LIGHTING PROJECT – COMMUNITY CENTER** Assistant Recreation Director Doug Knight presented the bids for the fluorescent lighting project at the Valdese Community Center gymnasium. The bids include: Removing all existing light fixtures and disposal; installing 12 new 6-lamp T-5 hi-bay fluorescent fixtures with metal guards; and installing motion sensor to operate lights. Staff recommended the lowest bidder - Connelly Springs Electric - \$5,085. Other bids: Southern Lighting Services - \$7,475; Hoilman Electric Company - \$10,345; and Smart Electric Company - \$10,944.51. Funds in the amount of \$3,000 to \$4,000 remain from the Classroom Project at the Old Rock School that could be transferred to the lighting project. In January 2011 Council approved \$1,855 for the lighting project. Staff contacted Bryant Supply and was told there would be a \$2,700 per year cost savings with lights being on 12 hours per day.

Councilman Ogle made a motion to approve the bid with Connelly Springs Electric - \$5,085, plus tax, seconded by Councilwoman Oxentine. The vote was unanimous.

**APPROVAL OF BUILDING REUSE FOR WATER AND SEWER TAP FEES – WALDENSIAN MILL PROJECT** Mr. Morse offered a brief history of the project. The facility is beautiful and he recommended that everyone stop by to see the facility. Public Works Director Bryan Duckworth said there would be 15 water taps on two sides of the building. The taps would require a 2-inch waterline extension off an existing 6-inch line on the north side of the property. Taps could be installed by public works staff pending work load within department or could be contracted out. Following are cost estimates for material and labor:

Quantity	Description	Unit Cost	Total
150 ft	1-inch SDR 13.5 PVC waterline	\$ 14.07	\$2,110.50
15	Meter boxes plastic square w/lid	25.67	385.05
15	¾ Sensus SR11 water meters	98.17	1,472.55
15	¾ horizontal meter setter	128.27	1,924.05
300 ft	¾ copper service tubing	4.12	1,236.00
8	6" x ¾ tapping saddles DS	56.00	448.00
7	2" x ¾ tapping saddle brass	35.84	250.88
2	Harco restrain joint 90's	24.00	48.00
1	6" x 2" tapping saddle	54.90	54.90
2	2" gate valves	214.08	428.16
2	Valve box risers and lids	52.78	105.56

Labor estimate	<u>3,500.00</u>
Total estimate	<u>\$11,963.65</u>

After a brief discussion, Councilman Delp made a motion to approve the aforementioned taps for the Waldensian Mill Project, seconded by Councilman Ogle. The vote was unanimous.

**MAYOR AND COUNCIL COMMENTS:**

**ANIMAL CONTROL – DOGS** Councilman Delp asked if anyone had applied for a permit to house more dogs. Mr. Morse said as soon as the application process is ready to be administered, staff would post on the internet and advertise in the newspaper. Mr. Morse said the document would be brought before Council for approval at the October meeting.

**DOWNTOWN DELIGHTS RESTAURANT** Councilwoman Stevenson asked if the restaurant would be opened this year. Mr. Morse said the restaurant owners had challenges with building inspections which exceeded the funding capabilities. The town would apply for grant funding and the process does not begin until November with awards announced in January or February 2012. They are still in business with catering and they are looking for temporary kitchen space. VEDIC and the landlords are working with the restaurant owners. Fifty percent of the renovations have been completed.

**CLOSED SESSION**

Mayor Hatley called for a Closed Session pursuant to NC General Statute 143-318.11 (a) (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney/client privilege between the attorney and public body which privilege is hereby acknowledged - The Town of Valdese, Surety Bond Company, and The Settings of Lake Rhodhiss.

At 8:02 p.m., Councilman Ogle made a motion to recess into Closed Session pursuant to NC General Statute 143-318.11 (a) (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney/client privilege between the attorney and public body which privilege is hereby acknowledged - The Town of Valdese, Surety Bond Company, and The Settings of Lake Rhodhiss. The motion was seconded by Councilwoman Oxentine and unanimously carried.

At 8:31 p.m., Councilman Delp made a motion to return to open session, seconded by Councilwoman Stevenson. The vote was unanimous.

At 8:32 p.m., there being no further business to come before the Council, Councilwoman Stevenson made a motion to adjourn, seconded by Councilwoman Oxentine. The vote was unanimous.

The next meeting is a regularly scheduled meeting for Monday, October 3, 2011, 7:00 p.m.

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL MEETING  
SEPTEMBER 12, 2011**

The Town of Valdese Town Council met on Monday, September 12, 2011, (due to Labor Day Holiday) at 7:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The following were present: Mayor James L. Hatley, Councilman Keith Ogle, Councilwoman Vickie Oxentine, Councilwoman Susan Stevenson, Councilman Gary L. Delp, and Councilman Chip Black. Also present were Town Manager Jeffrey V. Morse, Town Attorney Marc Mitchell, Deputy Town Clerk Thelda B. Rhoney, and various department heads.

Absent: None

A quorum was present.

Mayor Hatley called the meeting to order at 7:00 p.m. Councilman Black offered the Invocation and Mayor Hatley led in the Pledge of Allegiance to the Flag.

**OPEN FORUM/PUBLIC COMMENT:**

**BOY SCOUT WITH TROOP 192 – WALDENSIAN PRESBYTERIAN CHURCH** Mayor Hatley recognized a young Boy Scout working on his Citizenship in the Community Badge. Mayor Hatley challenged the young man to become an Eagle Scout.

**PETITION TO REMOVE TREES ON MAIN STREET SIDEWALK AREAS OF BUSINESS DISTRICT** Mr. David Thompson, Thompson Realty, said the businesses along East Main Street, 100 Block, were experiencing issues with leaves from the trees. The fallen leaves create issues with guttering and rain water coming into the buildings. The tree roots are causing the brick pavers to come up and creating sewer problems. They would like the trees removed and replaced with smaller trees or bushes.

After a brief discussion, Town Manager Jeff Morse said staff would move forward to receive bids to replace the sewer to the back of the buildings (Bobo Avenue) and contact an arborist to recommend a tree that would offer shade with a small root ball, possibly a holly tree as used by other towns.

Mayor Hatley said Valdese was a Tree City USA and he was opposed to cutting trees but staff would explore the best option and bring back to Council. Mr. Thompson thanked Council.

**NEW RECREATION DIRECTOR** Mayor Hatley recognized and welcomed the newly appointed Recreation Director Doug Knight, effective September 16, 2011.

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

**APPROVED MINUTES – REGULAR AND CLOSED SESSION OF AUGUST 1, 2011**

**APPROVED LEASE AGREEMENT – OLD ROCK SCHOOL** The lease agreement was with Sherry Barrier d/b/a Sherry's Dance Studio in the amount of \$264 per month.

**APPROVED AGREEMENT WITH BEAM GRADING AND CONSTRUCTION, INC., FOR CUBE DRIVE WATERLINE – TRIPLE DISTRICT** Waterline construction on Cube Drive in the Triple District in the amount of \$67,271.40 (Bid awarded at the August 1, 2011 Council meeting.)

**ADOPTED RESOLUTION FOR INTENT TO ANNEX TOWN-OWNED PROPERTY – WASTEWATER TREATMENT PLANT**

**RESOLUTION OF INTENT TO ANNEX TOWN OWNED PROPERTY  
(Wastewater Treatment Plant)**

WHEREAS, G.S. 160A-31(g) provides that the town council may initiate annexation of contiguous property owned by the town by adopting a resolution stating its intent to annex the property, in lieu of filing a petition; and

WHEREAS, the town council of the Town of Valdese desires to annex into the corporate limits of the Town of Valdese the Valdese Wastewater Treatment Plant property as hereinafter described; and

WHEREAS, the property to be annexed is contiguous to the corporate limits of the Town of Valdese; and

WHEREAS, G.S. 160A-31(g) provides that the resolution stating the intent of the town council to annex this property must fix a date for a public hearing on the question of annexation and that notice of the public hearing shall be published at least 10 days prior to the date of the public hearing; and

WHEREAS, the Wastewater Treatment Plant property the town council desires to annex (the Wastewater Treatment Plant property) is described as follows:

BEGINNING at a point located in the northeast corner of Carolina Centers, LLC property as described in that deed recorded in Book 1556, page 86, Burke County Registry, and as shown in Plat Book 37, page 189, Burke County Registry, and running thence with the Catawba River (Lake Rhodhiss) the following courses and distances: North 84° 41' 00" East 67.30 feet, South 84° 29' 00" East 60.30 feet, North 65° 03' 00" East 16.70 feet, North 50° 03' 00" East 58.10 feet, North 17° 43' 00" East 63.80 feet, North 27° 47' 00" East 65.00 feet, North 49° 42' 00" East 38.10 feet, North 72° 58' 00" East 28.10 feet, South 82° 39' 00" East 70.70 feet, North 61° 27' 00" East 11.70 feet, South 87° 02' 00" East 105.50 feet, North 57° 21' 00" East 97.30 feet, North 41° 55' 00" East 13.60 feet, North 63° 18' 00" East 40.10 feet, North 75° 48' 00" East 30.30 feet, North 54° 22' 00" East 56.30 feet, North 71° 07' 00" East 16.30, North 43° 12' 00" East 99.40 feet, North 54° 48' 00" East 73.00 feet, North 71° 39' 00" East 78.60 feet, North 77° 39' 00" East 33.80 feet, South 82° 08' 00" East 100.50, North 86° 36' 00" East 61.90 feet, North 84° 41' 00" East 123.00 feet, North 77° 49' 00" East 46.60 feet, South 84° 41' 00" East 193.10 feet, South 67° 43' 00" East 43.20 feet, South 42° 27' 00" East 40.10 feet, South 26° 38' 00" East 24.50 feet, South 09° 58' 00" East 81.10 feet, South 14° 50' 00" East 56.30 feet, South 23° 08' 00" West 32.30 feet, South 08° 03' 00" West 93.20 feet, South 36° 24' 00" East 77.70 feet, South 18° 23' 00" East 10.90 feet, North 27° 44' 00" East 29.60 feet, North 85° 52' 00" East 53.80, North 33° 11' 00" East 100.20 feet, North 48° 04' 00" East 37.10 feet, North 21° 51' 00" East 82.90 feet, South 87° 06' 00" East 43.30 feet, South 59° 02' 00" East 95.40 feet, North 89° 53' 00" East 167.00 feet, South 82° 36' 00" East 85.80 feet, South 27° 42' 00" East 53.20 feet, South 11° 24' 00" West 49.40 feet, South 31° 03' 00" West 100.10 feet, South 32° 28' 00" West 65.90 feet, South 24° 56' 00" West 159.30 feet, South 30° 17' 00" West 69.10 feet, South 30° 36' 00" West 101.60 feet, South 41° 19' 00" West 153.40 feet, South 45° 08' 00" West 107.70 feet, South 60° 10' 00" West 102.10 feet, South 46° 12' 00" West 53.40 feet, South 55° 36' 00" West 55.00 feet, North 79° 18' 00" West 39.70 feet, South 70° 55' 00" West 31.10 feet, South 19° 25' 00" West 33.50 feet, South 21° 40' 00" West 70.50 feet, South 31° 05' 00" West 79.10 feet, South 14° 52' 00" East 187.60 feet, South 48° 32' 00" West 55.30 feet, South 73° 26' 00" West 76.50 feet, South 62° 07' 00" West 64.40 feet, South 46° 11' 00" West 100.00 feet, South 38° 43' 00" West 61.50 feet, South 49° 07' 00" West 39.10 feet, South 46° 11' 00" West 14.50 feet, South 74° 55' 00" West 40.90 feet, North 88° 47' 00" West 31.70 feet, North 66° 08' 00" West 109.10 feet, North 54° 42' 00" West 82.70 feet, North 66° 55' 00" West 141.80 feet, North 60° 03' 00" West 49.00 feet, North 50° 15' 00" West 28.40 feet, North 35° 00' 00" West 118.60 feet, North 51° 52' 00" West 121.70 feet, North 53° 54' 00" West 99.90 feet, North 55° 03' 00" West 74.10 feet, North 49° 09' 00" West 100.10 feet, North 47° 26' 00" West 54.30 feet, North 55° 48' 00" West 87.00 feet, North 72° 55' 00" West 97.90 feet, North 81° 53' 00" West 93.30 feet, South 52° 05' 00" West 149.20 feet, South 59° 38' 00" West 82.90 feet to a point; thence with the Carolina Centers, LLC line North 11° 10' East 737.9 feet to the point of BEGINNING and containing 52.97 acres more or less. This description was taken from plat of survey prepared by West Consultants, PLLC dated August 8, 2011, entitled, "Town of Valdese Annexation – 52.97 acres – WWTP Property." This parcel has been assigned Parcel I.D. No. 2744666827 by the Burke County Tax Office.

BACK REFERENCE: Book 579, page 875, Burke County Registry.

NOW, THEREFORE, IT IS RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF VALDESE AS FOLLOWS:

The Town of Valdese intends to annex the Wastewater Treatment Plant property into the corporate limits of the Town of Valdese.

1. The Wastewater Treatment Plant property is contiguous to the Valdese corporate limits.
2. A public hearing on the question of this annexation shall be held on Monday, October 3, 2011, at 7:00 p.m.
3. Notice of the public hearing shall be published once in a newspaper having general circulation in the Town of Valdese at least 10 days prior to the date of the public hearing.



THIS the 12<sup>th</sup> day of September, 2011.

/s/ JAMES L. HATLEY, MAYOR

ATTEST: /s/ TOWN CLERK

**ADOPT RESOLUTION FOR REPLACEMENT OF EXISTING WATER METERS** Councilman Black requested this item be placed under "Items Removed From Consent Agenda."

**APPROVED VALDESE HOUSING AUTHORITY REAPPOINTMENT** The Valdese Housing Authority recommended the reappointment of Ms. Miriam Vaught for a five-year term to the Valdese Housing Authority, term would expire October 31, 2016.

**APPROVED NCLM DELEGATE AND ALTERNATE DELEGATE** Mayor Hatley serves on the NC League of Municipalities Nominating Committee and would be attending the NCLM Conference along with Town Manager Jeff Morse. The Conference date being October 22-25, 2011, Raleigh, NC. Town Manager Jeff Morse – voting delegate and Mayor Hatley – alternate voting delegate.

Councilman Ogle made a motion to approve all items on the Consent Agenda except Adopt Resolution for Replacement of Existing Water Meters, seconded by Councilwoman Stevenson. The vote was unanimous.

### **End Consent Agenda**

### **ITEMS REMOVED FROM CONSENT AGENDA:**

**ADOPTED RESOLUTION FOR REPLACEMENT OF EXISTING WATER METERS** Councilman Black asked what Council was obligating itself to. Mr. Morse said the town was eligible for a 50 percent grant and this is the first time Valdese has been eligible due to its water rates being too low. Mr. Morse said the grant announcement would be December or January and if Valdese did not receive a grant the project would not go forward unless the state would offer a revolving loan for the full amount. The town's meters are over 25 years old and it was recommended that they be replaced. If we get the grant, the remaining funds would be added to debt service in the Utility Fund.

### **RESOLUTION BY GOVERNING BODY OF APPLICANT**

WHEREAS, The Federal Safe Drinking Water Act Amendments of 1996 and the North Carolina Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of drinking water system improvements, and

WHEREAS, The Town of Valdese has need for and intends to construct a drinking water system project described as replacement of existing water meters with meters having remote read capabilities, and

WHEREAS, The Town of Valdese intends to request state loan assistance for the project,

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

That Town of Valdese, the Applicant, will arrange financing for all remaining costs of the project, if approved for a State loan award.

That the Applicant will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the Applicant agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the Town of Valdese to make scheduled repayment of the loan, to withhold from the Town of Valdese any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.

September 12, 2011, MB#30

That Jeffrey V. Morse, Town Manager, the Authorized Official, and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a loan to aid in the construction of the project described above.

That the Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 12<sup>th</sup> day of September, 2011, (date adopted) at Valdese Town Hall, North Carolina.

/s/ James L. Hatley, Mayor

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

**BURKE COUNTY REACT AGREEMENT** Town Attorney Marc Mitchell reviewed the proposed agreement. Payments on the 40-year agreement would start after they receive a certificate of occupancy or January 1, 2012, whichever comes first. He said the statutes require that a notice be placed in the newspaper about the 40-year lease and the agreement can be executed after 10 days of the published notice.

Mr. Terry Houston briefly reviewed the funding they had received for the project. Mayor Hatley thanked Mr. Houston and REACT for the work they do.

Councilwoman Oxentine said there were traffic issues in the area with the elementary school. Chief Moss reviewed the traffic issues. Mr. Morse said staff would notify the school about the REACT location.

**RESOLUTION AUTHORIZING LEASE OF PROPERTY TO BURKE COUNTY  
REACT TEAM 3420 AND APPROPRIATIONS TO RENOVATE THAT PROPERTY**

WHEREAS, G.S. 160A-20.1 provides that a town may contract with and appropriate money to a corporation in order to carry out any public purpose that the town is authorized to engage in; and

WHEREAS, Burke County React Team 3420 (React) is a nonprofit corporation that assists the Town of Valdese (the Town) with traffic control in the event of fire, police emergencies or special events that take place within the Town; and

WHEREAS, React also from time to time assists the Town in connection with searches and in other ways as requested by the Town; and

WHEREAS, the service and assistance provided by React has significantly helped the Town maintain public safety; and

WHEREAS, the Town is the owner of a building that at one time housed the Valdese High School band and industrial arts programs (the building); and

WHEREAS, the building is in a state of disrepair and it is not being used by the Town; and

WHEREAS, React has been renting office space from the Town on a short-term basis, and React desires to move its operations to a more permanent facility; and

WHEREAS, G.S. 160A-279 provides that whenever the Town is authorized to appropriate funds to an entity that carries out a public purpose, the Town, in lieu of or in addition to the appropriation of funds may convey by private sale to such entity any real property it owns, provided that the Town shall attach to any such conveyance covenants or conditions which assure that the property will be put to a public use by the recipient entity; and

WHEREAS, React desires to lease the building from the Town of a period of forty (40) years; and

WHEREAS, the property will be put to a public use in that it will be used as offices and a base of operations for React so that React can continue to assist with traffic control and provide other services to the Town; and

WHEREAS, the Town has agreed to contribute up to \$40,000 toward the repair and renovation of the building to assist in bringing the building up to appropriate standards; and

WHEREAS, React has agreed to contribute at least \$20,000 toward the renovation of the building; and

WHEREAS, the town council has reviewed the proposed lease agreement between the Town and React, and it is the opinion of the town council that appropriating the sum of \$40,000 to help renovate the building and leasing the building to React pursuant to the terms and conditions set forth in the proposed lease is in the best interest of the Town and that these actions should be approved; and

WHEREAS, pursuant to G.S. 160A-267 this lease shall not be consummated until 10 days after publication of a notice summarizing the contents of the lease.

NOW, THEREFORE, IT IS RESOLVED BY THE TOWN COUNCIL AS FOLLOWS:

1. The proposed lease agreement between the Town and React as presented to the town council is hereby approved. The town manager is authorized to execute this lease on behalf of the Town.
2. The sum of \$40,000 is hereby appropriated to be used to renovate the building as provided in the lease agreement.
3. A notice summarizing the contents of this resolution shall be published once after its adoption, and the lease shall not be consummated until at least ten (10) days after its publication.

ADOPTED THIS, THE 12<sup>th</sup> DAY OF SEPTEMBER, 2011.

/s/ JAMES L. HATLEY, MAYOR

ATTEST: /s/ TOWN CLERK

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

**PROPOSAL AND AGREEMENT – SCADA SYSTEM – TRIPLE DISTRICT AND VALDESE WATER PLANT** Mr. David Cook and Mr. Jerry Conley presented the proposal and agreement. They recommended the control system proposal with Instrumentation Services, Inc., (ISI) for system engineering services to upgrade our hardware and software to allow future expansion and integrate with our existing graphics package and platform of our Supervisory Control and Data Acquisition (SCADA) Instrumentation System at Triple District and Valdese Water Plant, in the amount of \$41,995, with one year of preventative maintenance offered at no cost and they also included an additional year at a cost savings to the town in the amount of \$4,896. (Other bid: R.L. Hines & Co., Inc., Winston-Salem, NC in the amount of \$38,650.) Staff recommended the bid be awarded to Instrumentation Services, Inc. (ISI) because of continuity with the current system. Beginning with the third year, the cost of the SCADA Preventive Maintenance Program would be \$2,448 annually for each the Triple District and Valdese Water Plant.

After a brief discussion, Councilman Delp made a motion to approve the proposal and agreement with ISI, seconded by Councilman Black. The vote was unanimous.

**TAX STATEMENT ANNUAL SETTLEMENT FOR 2010 - PROPERTY AND MOTOR VEHICLE** Greg Cannon presented the following:

Tax Statement Annual Settlement for 2010:

Property Valuations

Real Estate	\$309,401,208
Personal Property	58,838,285
Age Exemption	-3,544,419

Total Prop. Valuation Subject to Tax  
 Tax Rate per \$100 Valuation (.40/100) \$364,695,074

Gross Levy

**September 12, 2011, MB#30**

Levy	\$1,458,780
Discoveries	36,134
Late List Penalties	2,128
Total Levy	\$1,497,042
 Less Collected as of 6/30/2011	 \$1,414,852
 Uncollected 2010 Taxes	 82,190
Settings - 68,494 (4.57%)	
All Other - 13,696 (0.92%)	
Ratio of Taxes Collected to Total Levy	94.51%

Annual Settlement of the Classified Motor Vehicle Property Taxes for 2010:

Levy	\$110,000
2010 Collection by Burke Co. Tax Office	\$107,858
 Less Collection Cost (1.5% Levy)	 1,650

After a brief discussion, Councilman Black commended Mr. Cannon on the collection rate and he made a motion to accept the aforementioned Tax Statement Annual Settlement for 2010, seconded by Councilwoman Stevenson. The vote was unanimous.

**CHARGE TO COLLECT TAXES FOR 2011** Mayor Hatley read the charge for Tax Collector Gregory Cannon to collect taxes for 2011 and administered the oath.

**AWARD OF BID FOR LIGHTING PROJECT – COMMUNITY CENTER** Assistant Recreation Director Doug Knight presented the bids for the fluorescent lighting project at the Valdese Community Center gymnasium. The bids include: Removing all existing light fixtures and disposal; installing 12 new 6-lamp T-5 hi-bay fluorescent fixtures with metal guards; and installing motion sensor to operate lights. Staff recommended the lowest bidder - Connelly Springs Electric - \$5,085. Other bids: Southern Lighting Services - \$7,475; Hoilman Electric Company - \$10,345; and Smart Electric Company - \$10,944.51. Funds in the amount of \$3,000 to \$4,000 remain from the Classroom Project at the Old Rock School that could be transferred to the lighting project. In January 2011 Council approved \$1,855 for the lighting project. Staff contacted Bryant Supply and was told there would be a \$2,700 per year cost savings with lights being on 12 hours per day.

Councilman Ogle made a motion to approve the bid with Connelly Springs Electric - \$5,085, plus tax, seconded by Councilwoman Oxentine. The vote was unanimous.

**APPROVAL OF BUILDING REUSE FOR WATER AND SEWER TAP FEES – WALDENSIAN MILL PROJECT** Mr. Morse offered a brief history of the project. The facility is beautiful and he recommended that everyone stop by to see the facility. Public Works Director Bryan Duckworth said there would be 15 water taps on two sides of the building. The taps would require a 2-inch waterline extension off an existing 6-inch line on the north side of the property. Taps could be installed by public works staff pending work load within department or could be contracted out. Following are cost estimates for material and labor:

Quantity	Description	Unit Cost	Total
150 ft	1-inch SDR 13.5 PVC waterline	\$ 14.07	\$2,110.50
15	Meter boxes plastic square w/lid	25.67	385.05
15	¾ Sensus SR11 water meters	98.17	1,472.55
15	¾ horizontal meter setter	128.27	1,924.05
300 ft	¾ copper service tubing	4.12	1,236.00
8	6" x ¾ tapping saddles DS	56.00	448.00
7	2" x ¾ tapping saddle brass	35.84	250.88
2	Harco restrain joint 90's	24.00	48.00
1	6" x 2" tapping saddle	54.90	54.90
2	2" gate valves	214.08	428.16
2	Valve box risers and lids	52.78	105.56

Labor estimate	<u>3,500.00</u>
Total estimate	<u>\$11,963.65</u>

After a brief discussion, Councilman Delp made a motion to approve the aforementioned taps for the Waldensian Mill Project, seconded by Councilman Ogle. The vote was unanimous.

**MAYOR AND COUNCIL COMMENTS:**

**ANIMAL CONTROL – DOGS** Councilman Delp asked if anyone had applied for a permit to house more dogs. Mr. Morse said as soon as the application process is ready to be administered, staff would post on the internet and advertise in the newspaper. Mr. Morse said the document would be brought before Council for approval at the October meeting.

**DOWNTOWN DELIGHTS RESTAURANT** Councilwoman Stevenson asked if the restaurant would be opened this year. Mr. Morse said the restaurant owners had challenges with building inspections which exceeded the funding capabilities. The town would apply for grant funding and the process does not begin until November with awards announced in January or February 2012. They are still in business with catering and they are looking for temporary kitchen space. VEDIC and the landlords are working with the restaurant owners. Fifty percent of the renovations have been completed.

**CLOSED SESSION**

Mayor Hatley called for a Closed Session pursuant to NC General Statute 143-318.11 (a) (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney/client privilege between the attorney and public body which privilege is hereby acknowledged - The Town of Valdese, Surety Bond Company, and The Settings of Lake Rhodhiss.

At 8:02 p.m., Councilman Ogle made a motion to recess into Closed Session pursuant to NC General Statute 143-318.11 (a) (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney/client privilege between the attorney and public body which privilege is hereby acknowledged - The Town of Valdese, Surety Bond Company, and The Settings of Lake Rhodhiss. The motion was seconded by Councilwoman Oxentine and unanimously carried.

At 8:31 p.m., Councilman Delp made a motion to return to open session, seconded by Councilwoman Stevenson. The vote was unanimous.

At 8:32 p.m., there being no further business to come before the Council, Councilwoman Stevenson made a motion to adjourn, seconded by Councilwoman Oxentine. The vote was unanimous.

The next meeting is a regularly scheduled meeting for Monday, October 3, 2011, 7:00 p.m.

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL MEETING  
OCTOBER 3, 2011**

The Town of Valdese Town Council met on Monday, October 3, 2011, at 7:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The following were present: Mayor Pro Tem Susan Stevenson, Councilman Keith Ogle, Councilwoman Vickie Oxentine, Councilman Gary L. Delp, and Councilman Chip Black. Also present were Town Manager Jeffrey V. Morse, Town Attorney Marc Mitchell, Deputy Town Clerk Thelda B. Rhoney, and various department heads.

Absent: Mayor James L. Hatley

A quorum was present.

Mayor Pro Tem Stevenson called the meeting to order at 7:00 p.m. She offered the Invocation and led in the Pledge of Allegiance to the Flag.

**OPEN FORUM/PUBLIC COMMENT:**

**PRESENTATION OF PROCLAMATION FOR HUNGER AND HOMELESS AWARENESS WEEK – ACCEPTED BY TEENA WILLIS FOR BURKE CONTINUUM OF CARE** Mayor Pro Tem Stevenson presented the following Proclamation to Ms. Willis and Ms. Beverly Carleton, Olive Hill Community Economic Development Corporation, Inc. They thanked Council for supporting the awareness of the homeless and hunger in Burke County.

**NATIONAL HUNGER AND HOMELESSNESS AWARENESS WEEK IN  
VALDESE, NORTH CAROLINA  
NOVEMBER 12-20, 2011**

WHEREAS, for the past several years the National Coalition for the Homeless and National Student Campaign Against Hunger and Homelessness have sponsored National Hunger and Homelessness Awareness Week; and

WHEREAS, the purpose of the proclamation is to educate the public about the many reasons people are hungry and homeless including the shortage of affordable housing in Valdese and Burke County for very low income residents; and to encourage support for homeless assistance service providers as well as community service opportunities for students and school service organizations; and

WHEREAS, there are many organizations committed to sheltering, providing supportive services as well as meals and food supplies to the homeless including, Burke County Public Schools, Burke United Christian Ministries, Flynn Christian Homes, House of Refuge, Mental Health Partners, The Meeting Place Mission, Dept. of Social Services, ALFA, Options Inc., and many more community partners, and

WHEREAS, the theme of National Hunger and Homelessness Awareness Week 2011 is “Bringing America Home,” and

WHEREAS, the Valdese Town Council recognizes that hunger and homelessness continues to be a serious problem for many individuals and families in Valdese; and

WHEREAS, the intent of National Hunger and Homelessness Awareness Week is consistent with the activities of the Burke County Continuum of Care.

NOW, THEREFORE, BE IT RESOLVED that the Town of Valdese hereby proclaims November 12-20, 2011, as National Hunger and Homelessness Awareness Week.

BE IT FURTHER RESOLVED that the Mayor and Town Council encourages all citizens to recognize that many people do not have housing and need support from citizens, and private/public nonprofit service entities.

This 3<sup>rd</sup> day of October, 2011.

/s/ James L. Hatley, Mayor

Town Manager Jeff Morse commended Ms. Carleton for her initiative of the Computer Center at the Waldensian Mill facility. She said it would be a business incubator for new businesses.

**VALDESE ECONOMIC DEVELOPMENT INVESTMENT CORPORATION UPDATE (VEDIC) – CHUCK MOSELEY**

Mr. Moseley introduced Mr. Rick McClurd, Chairman of VEDIC. Mr. Moseley offered a brief update about the program and said 17 applicants had received loans totaling \$350,000. Three applicants received loans from the VEDIC Revolving Loan Fund (grant funds through The Rural Center); 12 from the Burke Business Loan Program (through the Golden LEAF Grant of \$250,000); and 2 Valdese Building Reuse Loan - \$50,000 already allocated by the town. Funds in the amount of \$5,148 had been collected from principal and interest. He said a grant application had been submitted to the Z Smith Reynolds Foundation and staff should receive notification by November. All loans are current.

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

**APPROVED MINUTES – REGULAR AND CLOSED SESSION OF SEPTEMBER 12, 2011**

**APPROVED PURCHASE OF FLAGS FOR DOWNTOWN - BOY SCOUTS** Removed from Consent and placed under Items Removed From Consent Agenda.

**ADOPTED RESOLUTION TO APPOINT A PLANNING ADVISORY COMMITTEE**

**Resolution to Appoint a Planning Advisory Committee**

WHEREAS, the North Carolina General Statutes (GS 160A-383) provide that zoning regulations be made in accordance with a comprehensive plan; and

WHEREAS, the Town of Valdese has hired the NC Division of Community Assistance, Western Regional Office to create a Land Development Plan for the Town (Plan); and

WHEREAS, the North Carolina General Statutes (GS 160A-361) permit the Town of Valdese to designate one or more boards or commissions to:

- 1) Make studies of the area within its jurisdiction and surrounding areas;
- 2) Determine objectives to be sought in the development of the study area;
- 3) Prepare and adopt plans for achieving these objectives;
- 4) Develop and recommend policies, ordinances, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner;
- 5) Advise the town council concerning the use and amendment of means for carrying out plans;
- 6) Exercise any functions in the administration and enforcement of various means for carrying out plans that the council may direct;
- 7) Perform any other related duties that the council may direct.

NOW, THEREFORE BE IT RESOLVED that the Town of Valdese does hereby appoint a Planning Advisory Committee to advise and assist the Town's Planning Board during preparation of the Plan. Upon completion of the Plan, the Advisory Committee shall be dissolved.

DULY adopted this 3rd day of October 2011.

/s/ James L. Hatley, Mayor

Attest: Town Clerk

**APPROVED APPOINTMENTS TO THE LAND DEVELOPMENT PLANNING ADVISORY COMMITTEE**

1. Ronnie Pruitt (Business Owner)
2. Gene Tucker (Retired)
3. Sue Skolochenko (Homemaker/RN)
4. Jeanene Burris (Teacher)
5. James Rostan (Self-Employed)
6. Marc Mitchell (Attorney)
7. Larry Earp (Business Owner)
8. Glenn Harvey (Retired)
9. Dan Boggs (Accountant)
10. Elizabeth "Libby" Braswell (Medical Supply Sales)

11. Travis Jones (Healthcare Social Worker)

**ADOPTED RESOLUTION DECLARING VEHICLES SURPLUS**

**RESOLUTION DECLARING VEHICLE SURPLUS**

BE IT RESOLVED THAT Council declares the following described Police vehicles surplus as requested by Public Works Director Bryan Duckworth:

- 1 – Police - 2001 Ford Crown Vic – VIN# 2FAFP71W43X181313
- 1 – Police - 2004 Ford Crown Vic - VIN# 2FAFP71W04X159437
- 1 – Police - 2005 Ford Crown Vic – VIN # 2FAFP71W15X115254 NOTE: Car has bad transmission –  
Replaced in fleet w/2010 Ford Crown Vic
- 1 – Wastewater Treatment Plant - 1983 International Truck – VIN 1HTDF2276DHA25908

WHEREAS, the vehicles will be auctioned on Gov Deals with beginning bid of \$400 each and if no bids are received, the vehicles will be sold as scrape metal.

This 3<sup>rd</sup> day of October, 2011.

/s/ James L. Hatley, Mayor

**APPROVED REQUEST FROM OLD HICKORY BREWERY** Request to sell beer on December 17, 2011, from 7:30 p.m., until 10:00 p.m., during the “Blue Christmas Benefit Concert” located at the Old Rock School, in the hallway area near the Art Galleries. It was noted that food and drink are not allowed on the carpeted areas of the facility.

**APPROVED REQUEST FROM WALDENSIAN STYLE WINES** Request to conduct a wine tasting and sell wine by the bottle at the “Christmas in November” event on Saturday, November 12, 2011, 9:00 a.m., until 4:00 p.m., located in the Waldensian Room at the Old Rock School.

Councilman Black made a motion to approve all items on the Consent Agenda except Purchase of Flags for Downtown, seconded by Councilwoman Ogle. The vote was unanimous.

**End Consent Agenda**

**ITEMS REMOVED FROM CONSENT AGENDA:**

**APPROVAL OF PURCHASE OF FLAGS FOR DOWNTOWN - BOY SCOUTS** Councilman Black asked if the Boy Scouts had raised funds for the project. Mr. Morse said several years ago Mr. Bill Brinkley asked that the town provide the flags and the Scouts would be responsible for displaying them during our patriotic holidays. Mr. Morse said staff would have to research the minutes.

After a brief discussion, Councilman Black made a motion to table this item for further review, seconded by Councilman Delp.

Voting aye: Oxentine, Delp and Black

Voting nay: Ogle

Mayor Pro Tem Stevenson said the motion carried.

**PUBLIC HEARING – ANNEXATION OF CONTIGUOUS TOWN-OWNED PROPERTY – WASTEWATER TREATMENT PLANT** Mayor Pro Tem Stevenson opened the public hearing.

Planning Director Larry Johnson said the location was the Town’s Wastewater Treatment Plant and because of insurance purposes it was recommended that the property be annexed into the corporate limits. All surrounding property was in the corporate limits of Valdese.

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS  
OF THE TOWN OF VALDESE, NORTH CAROLINA  
(Wastewater Treatment Plant)**



October 3, 2011, MB#30

WHEREAS, the Town Council of the Town of Valdese has adopted a resolution under G.S. 160A-31(g) stating its intent to annex the area described below; and

WHEREAS, a public hearing on the question of this annexation was held at the Town of Valdese, Council Chambers at 7:00 p.m., on Monday, October 3, 2011, after due notice; and

WHEREAS, the Town Council of the Town of Valdese finds that the proposed annexation meets the requirements of G.S. 160A-31 (g).

NOW, THEREFORE, BE IT ORDINANED by the Town Council of the Town of Valdese, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31 (g), the following described contiguous property owned by the Town of Valdese is hereby annexed and made part of the Town of Valdese effective upon adoption of this annexation ordinance.

BEGINNING at a point located in the northeast corner of Carolina Centers, LLC property as described in that deed recorded in Book 1556, page 86, Burke County Registry, and as shown in Plat Book 37, page 189, Burke County Registry, and running thence with the Catawba River (Lake Rhodhiss) the following courses and distances: North 84° 41' 00" East 67.30 feet, South 84° 29' 00" East 60.30 feet, North 65° 03' 00" East 16.70 feet, North 50° 03' 00" East 58.10 feet, North 17° 43' 00" East 63.80 feet, North 27° 47' 00" East 65.00 feet, North 49° 42' 00" East 38.10 feet, North 72° 58' 00" East 28.10 feet, South 82° 39' 00" East 70.70 feet, North 61° 27' 00" East 11.70 feet, South 87° 02' 00" East 105.50 feet, North 57° 21' 00" East 97.30 feet, North 41° 55' 00" East 13.60 feet, North 63° 18' 00" East 40.10 feet, North 75° 48' 00" East 30.30 feet, North 54° 22' 00" East 56.30 feet, North 71° 07' 00" East 16.30, North 43° 12' 00" East 99.40 feet, North 54° 48' 00" East 73.00 feet, North 71° 39' 00" East 78.60 feet, North 77° 39' 00" East 33.80 feet, South 82° 08' 00" East 100.50, North 86° 36' 00" East 61.90 feet, North 84° 41' 00" East 123.00 feet, North 77° 49' 00" East 46.60 feet, South 84° 41' 00" East 193.10 feet, South 67° 43' 00" East 43.20 feet, South 42° 27' 00" East 40.10 feet, South 26° 38' 00" East 24.50 feet, South 09° 58' 00" East 81.10 feet, South 14° 50' 00" East 56.30 feet, South 23° 08' 00" West 32.30 feet, South 08° 03' 00" West 93.20 feet, South 36° 24' 00" East 77.70 feet, South 18° 23' 00" East 10.90 feet, North 27° 44' 00" East 29.60 feet, North 85° 52' 00" East 53.80, North 33° 11' 00" East 100.20 feet, North 48° 04' 00" East 37.10 feet, North 21° 51' 00" East 82.90 feet, South 87° 06' 00" East 43.30 feet, South 59° 02' 00" East 95.40 feet, North 89° 53' 00" East 167.00 feet, South 82° 36' 00" East 85.80 feet, South 27° 42' 00" East 53.20 feet, South 11° 24' 00" West 49.40 feet, South 31° 03' 00" West 100.10 feet, South 32° 28' 00" West 65.90 feet, South 24° 56' 00" West 159.30 feet, South 30° 17' 00" West 69.10 feet, South 30° 36' 00" West 101.60 feet, South 41° 19' 00" West 153.40 feet, South 45° 08' 00" West 107.70 feet, South 60° 10' 00" West 102.10 feet, South 46° 12' 00" West 53.40 feet, South 55° 36' 00" West 55.00 feet, North 79° 18' 00" West 39.70 feet, South 70° 55' 00" West 31.10 feet, South 19° 25' 00" West 33.50 feet, South 21° 40' 00" West 70.50 feet, South 31° 05' 00" West 79.10 feet, South 14° 52' 00" East 187.60 feet, South 48° 32' 00" West 55.30 feet, South 73° 26' 00" West 76.50 feet, South 62° 07' 00" West 64.40 feet, South 46° 11' 00" West 100.00 feet, South 38° 43' 00" West 61.50 feet, South 49° 07' 00" West 39.10 feet, South 46° 11' 00" West 14.50 feet, South 74° 55' 00" West 40.90 feet, North 88° 47' 00" West 31.70 feet, North 66° 08' 00" West 109.10 feet, North 54° 42' 00" West 82.70 feet, North 66° 55' 00" West 141.80 feet, North 60° 03' 00" West 49.00 feet, North 50° 15' 00" West 28.40 feet, North 35° 00' 00" West 118.60 feet, North 51° 52' 00" West 121.70 feet, North 53° 54' 00" West 99.90 feet, North 55° 03' 00" West 74.10 feet, North 49° 09' 00" West 100.10 feet, North 47° 26' 00" West 54.30 feet, North 55° 48' 00" West 87.00 feet, North 72° 55' 00" West 97.90 feet, North 81° 53' 00" West 93.30 feet, South 52° 05' 00" West 149.20 feet, South 59° 38' 00" West 82.90 feet to a point; thence with the Carolina Centers, LLC line North 11° 10' East 737.9 feet to the point of BEGINNING and containing 52.97 acres more or less. This description was taken from plat of survey prepared by West Consultants, PLLC dated August 8, 2011, entitled, "Town of Valdese Annexation – 52.97 acres – WWTP Property." This parcel has been assigned Parcel I.D. No. 2744666827 by the Burke County Tax Office.

BACK REFERENCE: Book 579, page 875, Burke County Registry.

Section 2. The Mayor of the Town of Valdese shall cause to be recorded in the Office of the Register of Deeds of Burke County, and in the Office of Secretary of the State in Raleigh, North Carolina, an accurate map of the annexed property, along with a certified copy of this ordinance. Such a map shall also be delivered to the Burke County Board of Elections, as required by G.S. 163-288.1.

Adopted this the 3<sup>rd</sup> day of October, 2011.

/s/James L. Hatley, Mayor

Attest:  
/s/ Town Clerk

Approved as to Form:  
/s/ Town Attorney

There being no one else wishing to speak, Mayor Pro Tem Stevenson closed the public hearing.

Councilman Ogle made a motion to adopt the aforementioned Ordinance to Annex the Wastewater Treatment Plant property into the corporate limits of Valdese, seconded by Councilwoman Oxentine. The vote was unanimous.

**AWARD CONTRACT NO. 1 - KLEEN TECH - PRETREATMENT SYSTEM IMPROVEMENTS** Town Manager Jeff Morse briefly described the project. He said the consulting engineer, The Wooten Company, recommended the lowest bidder for Contract 1 for modifications to existing wastewater treatment basin for the Kleen Tech Project. The lowest bidder was Turner Murphy Company, Inc., Rock Hill, SC - \$307,896, subject to final bid modifications. (Other bidders: Hickory Construction Company, Hickory, NC - \$328,535; Laughlin-Sutton Construction Co., Browns Summit, NC - \$307,950; Eagle Wood, Inc., Denver, NC - \$342,000; and Gilbert Engineering, Statesville, NC - \$397,338.)

Mr. Morse said bids came in higher than expected for Contract 2 and staff worked with the Western Piedmont Council of Governments to apply for a \$150,000 grant from The Rural Center. The Rural Center Board of Directors next meeting would be on November 15 and if the town receives the grant, Council would have to call a Special Meeting on November 17 to award Contract 2. Note: Council meets with the Downtown Merchants on November 17, 2011, at 6:30 p.m., for the annual, joint dinner meeting.

Councilman Delp made a motion to approve the bid with Turner Murphy Company for Contract 1 and to call a special meeting on Thursday, November 17, 2011, 6:00 p.m., at the Old Rock School, Waldensian Room, to award the bid for Contract 2. The motion was seconded by Councilman Black and unanimously carried.

**DISCUSSION ON PURCHASE OF NEW CHRISTMAS DECORATIONS** Public Works Director Bryan Duckworth reviewed the current setup and the problems staff had encountered with downtown Christmas lighting over the years. He said after Christmas last year, staff came up with a design and displayed on Main Street East from Rodoret Street to Italy Street for Council to view. Staff wrapped the poles with garland, added LED lights, bow on top, and re-wired the timers so the lights would come on at dusk and go off at dawn, along with the street lights. He requested Council choose the lights and bows. Staff budgeted \$10,200 and used \$5,082 for re-wiring. Mr. Morse said staff would find the remaining funds (\$2,000) to complete the project.

After a brief discussion, Councilman Black made a motion for the larger LED, wide angle, cool white lights and the four loop bows, seconded by Councilman Ogle.

Voting aye: Ogle, Oxentine and Black  
Voting nay: Delp

Mayor Pro Tem Stevenson said the motion carried.

Councilman Delp recommended declaring the 110 stars as surplus and selling them to the public for \$20 each, as is. Mr. Duckworth said the sale of the stars would be posted on the town's website, and advertised in the newspaper and WSVM radio.

**RESOLUTION DECLARING CHRISTMAS STARS SURPLUS**

BE IT RESOLVED THAT the Valdese Town Council declared the following described Christmas Decorations surplus:

110 Christmas Stars – to be sold at \$20 each, as is

WHEREAS, the sale of the stars would be posted on the town's website and advertised in *The Morganton News Herald* and *WSVM Radio*.

This 3<sup>rd</sup> day of October, 2011.

/s/ James L. Hatley, Mayor

Councilman Ogle made a motion to adopt the aforementioned resolution declaring the 110 stars previously used on the downtown street lights as surplus and sold at \$20, as is, seconded by Councilman Delp. The motion carried unanimously.

**APPROVAL OF EASEMENT AGREEMENT WITH VALDESE REAL ESTATE (MERIDIAN) - PUBLIC ACCESS AND PARKING** (Note: Copy of agreement on file in the Office of Town Manager.) Town Manager Jeff Morse distributed maps of the proposed parking areas and briefly updated Council on the Waldensian Mill Project. Parking for the project was a major concern and staff worked with Meridian on an easement agreement for public parking. There would be three areas of public parking to serve the Waldensian Mill. Meridian wanted to have the right that after three years they could rescind the use of the parking and if so they would reimburse the town for all expenses. Mr. Erwin is negotiating the purchase of the Meridian administration building. There was an existing fence which would be replaced with a decorative fence, replacement of three metal doors, and installation of metal bars over some of the windows at an estimated cost of \$25,000. Staff recommended that Council enter into a three party easement agreement.

Town Attorney Marc Mitchell said Valdese Real Estate could terminate the agreement upon a 30 day notice or any time after three years or any time thereafter. If they terminated the agreement and if someone buys part of the parking lot they would not have to reimburse the town. He said they would only have to reimburse the town for the part that was dedicated. He said it was unlikely to happen but he wanted to make Council aware.

After a brief discussion, Councilman Black made a motion to approve the aforementioned easement agreement for public access and parking, seconded by Councilwoman Oxentine. The vote was unanimous.

**MAYOR AND COUNCIL COMMENTS:**

Councilwoman Oxentine announced that a Men's Health Fair would be held in Morganton on Saturday, October 22, 2011, 7:00 a.m. – 1:00 p.m., at the Foothills Higher Education Center.

Mayor Pro Tem Stevenson recognized Travis Jones and thanked him for agreeing to serve on the Land Development Plan Advisory Committee.

**MANAGER'S REPORT:**

**DRAUGHN HIGH SCHOOL HOMECOMING PARADE – TUESDAY, OCTOBER 11, 2011, 6:30 P.M., MAIN STREET – VALDESE**

**UPDATE ON TREE PROPOSAL/SEWER ISSUE - EAST MAIN STREET** Town Manager Jeff Morse said staff received an estimate to remove the trees and staff believed it could get it done for less. An arborist recommended different types of replacement trees. Staff received a recommendation to thin and raise canopies at a cost of \$450. Staff recommended the trees be trimmed because the town receives a lot of compliments about the beauty of the trees. He said to remove the trees and slip-line the sewer line would be a short term fix. He recommended Council authorize staff to trim the trees and look at the cost of providing grants for the affected businesses for gutter guards for the leaves. A landscape architect could make recommendations.

After a brief discussion, Councilman Ogle made a motion to authorize staff to have the trees trimmed as soon as possible and replace sidewalks back to their original state, seconded by Councilman Delp. The vote was unanimous.

**UPDATE ON 911 GRANT – FIRE CHIEF CHARLIE WATTS** Chief Watts announced that Burke County received a \$7.3 million grant to consolidate the 911 communications centers. He said it would be 18 months before calls would be answered in the new center to be located on Kirksey Drive (across from the Burke County Animal Shelter).

Mr. Morse commended Chief Watts for working on this grant.

**UPDATE ON "TREATS IN THE STREETS" – COMMUNITY AFFAIRS DIRECTOR BARBARA HEFNER** The Halloween event would be held Monday, October 31, 2011, 3:00 p.m. – 5:00 p.m., immediately following with a costume judging contest.

**WEBSITE – OLD ROCK SCHOOL** Ms. Hefner said staff has worked hard on marketing the Visit Valdese web page. They also have a Facebook page to get information out to the public about Valdese, the Old Rock School and the Bluegrass Bands (seven or eight bands) that will perform at no cost to the town.

October 3, 2011, MB#30

**CHRISTMAS IN NOVEMBER** The event is scheduled for Saturday, November 12, 2011, 9:00 a.m. until 4:00 p.m., Waldensian Room, with 30 handmade crafters. The vendors pay \$30 per space. Staff is looking for a church to sell baked goods. The Youth Council will be assisting staff during the event.

**OUTDOOR DRAMA – OLD COLONY PLAYERS** Mr. Morse said in Council’s agenda packets was a summary of the success they had this summer and he commended Ms. Vickie Hyde for her work with the Old Colony Players.

**CLASSROOMS AT OLD ROCK SCHOOL** Ms. Hefner said the work was completed at the Old Rock School and there is now sound system in the Waldensian Room and she invited everyone to stop by to see the rooms. The rentals are going up as well. She commended her staff Morrissa Walker and Robert Heilman who designed the sound panels (instead of dropped ceilings) for the classrooms. Gardner-Webb staff was very pleased with the updates. Burke on Site is available if there are issues with wireless connections.

**TRIATHLON** Mr. Morse said a profit was realized at the last Triathlon.

**ADJOURNMENT** At 8:25 p.m., there being no further business to come before the Council, Councilman Ogle made a motion to adjourn, seconded by Councilwoman Oxentine. The vote was unanimous.

The next meeting is a regularly scheduled meeting for Monday, November 7, 2011, 7:00 p.m.

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL MEETING  
NOVEMBER 7, 2011**

The Town of Valdese Town Council met on Monday, November 7, 2011, at 7:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The following were present: Mayor Pro Tem Susan Stevenson, Councilman Keith Ogle, Councilwoman Vickie Oxentine, Councilman Gary L. Delp, and Councilman Chip Black. Also present were Town Manager Jeffrey V. Morse, Town Attorney Marc Mitchell, Deputy Town Clerk Thelda B. Rhoney, and various department heads.

Absent: Mayor James L. Hatley

A quorum was present.

Mayor Pro Tem Stevenson called the meeting to order at 7:00 p.m. She offered the Invocation and led in the Pledge of Allegiance to the Flag.

**OPEN FORUM/PUBLIC COMMENT:**

**HOSPICE PROCLAMATION - DARYL BROWN, ACTING CEO FOR HOSPICE**

Mayor Pro Tem presented the following proclamation to Mr. Brown:

**NATIONAL HOSPICE/PALLIATIVE CARE MONTH - NOVEMBER 2011**

WHEREAS, Hospice and Palliative Care offers the highest quality services and support to patients and family caregivers facing serious and life-limiting illness; and

WHEREAS, Hospice and Palliative Care providers take the time to ask what is important to those they are caring for – and listen to what their patients and families say; and

WHEREAS, skilled and compassionate Hospice and Palliative Care Professionals—including Physicians, Nurses, Social Workers, Therapists, Counselors, Health Care Aides, and Clergy—provide comprehensive care focused on the wishes of each individual patient; and

WHEREAS, through pain management and symptom control, caregiver training and assistance, and emotional and spiritual support, allowing patients to live fully up until the final moments, surrounded and supported by the faces of loved ones, friends, and committed caregivers; and

WHEREAS, the provision of quality Hospice and Palliative Care reaffirms our belief in the essential dignity of every person, regardless of age, health, or social status, and that every stage of human life deserves to be treated with the utmost respect and care; and

WHEREAS, every year more than 1.5 million Americans living with life-limiting illness, and their families, received care from the nation's Hospice Programs in communities throughout the United States; and

WHEREAS, more than 468,000 trained volunteers contribute 22 million hours of service to Hospice Programs annually;

WHEREAS, Hospice and Palliative Care providers encourage all people to learn more about options of care and to share their wishes with family, loved ones, and their healthcare professionals.

NOW, THEREFORE, BE IT RESOLVED THAT I, James L. Hatley, Mayor of the Town of Valdese, North Carolina, by virtue of the authority vested in me do hereby proclaim November 2011 as *National Hospice/Palliative Care Month* and encourage all citizens to increase their understanding and awareness of care at the end of life and to observe this month with appropriate activities and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this 7<sup>th</sup> day of November, in the year of our Lord two thousand eleven and caused this seal to be affixed.

/s/ James L. Hatley, Mayor

Mr. Brown thanked the town for its support and he thanked Larry Johnson, Planning Director, for serving on their board. Mr. Johnson served as President of their board last year.

**BURKE COUNTY ECONOMIC DEVELOPMENT UPDATE – SCOTT DARNELL, PRESIDENT, BURKE DEVELOPMENT INCORPORATED (BDI)** Mr. Darnell complimented the town on receiving the Governor’s Innovative Small Business Community Award for the VEDIC Program. BDI is working on a project analysis, working with their existing companies, working to grow the furniture industry, and workforce development for Burke County. He offered a brief update on the business park. He mentioned manufacturing in Burke County and BDI has hired a part-time employee to market the concept and there are over 130 manufacturing companies in Burke County which make up 27 percent of the workforce.

Mr. Morse thanked Mr. Darnell for assisting with marketing The Settings property.

Mayor Pro Tem Stevenson asked if anyone else wished to speak. No one else spoke.

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

**APPROVED MINUTES – OCTOBER 3, 2011**

**APPROVED REQUEST FROM WALDENSIAN HERITAGE WINERY** They requested to sell wine in the hallway area near the Art Galleries at the Old Rock School on Saturday, December 17, 2011, during the Blue Christmas Benefit Concert.

**SET PUBLIC HEARING DATE - DECEMBER 5, 2011 TO ZONE ANNEXED PROPERTY (WASTEWATER TREATMENT PLANT)**

**APPROVED APPOINTMENTS TO VEDIC AND VALDESE YOUTH COUNCIL** VEDIC - Thomas B. Geathers, Jr., (newly appointed Rutherford College Town Manager) as a Provisional Board Member replacing Bill Satterwhite. Youth Council – Mr. Peyton Murray, Senior – Draughn High School.

**BUDGET AMENDMENTS:**

**Budget Amendment No. 1 - Transfer to the General Fund**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2012:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
30.8100.990 Contingency		<u>22,000</u>
30.8110.920 Trans to Gen Fund	<u>22,000</u>	
Total	<u>\$22,000</u>	<u>\$22,000</u>

This will result in a net increase of \$ 0 in the expenditures of the Utility Fund. To provide funding for the above, no additional revenues are required.

Total	<u>\$ 0</u>	<u>\$ 0</u>
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Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget Officer and the Finance Officer for their direction.

**Budget Amendment No. 1A - Rock School Renovations**

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

**November 7, 2011, MB#30**

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2012:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
10.6250.150 Maint & Repair of Bldgs	<u>22,000</u>	
Total	<u>\$22,000</u>	<u>0</u>

This will result in a net increase of \$22,000 in the expenditures of the General Fund. To provide funding for the above, the following revenue budgets will be increased. These additional revenues have already been received.

10.3970.300 Contribution from Util Fund		<u>22,000</u>
Total	<u>\$ 0</u>	<u>\$22,000</u>

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

**Budget Amendment No. 2 - Transfer to the General Fund**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2012:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
30.8100.990 Contingency		3,000
30.8110.990 Contingency		<u>2,400</u>
30.8110.920 Trans to Gen Fund	3,000	
30.8110.920 Trans to Gen Fund	<u>2,400</u>	
Total	<u>\$5,400</u>	<u>\$5,400</u>

This will result in a net increase of \$ 0 in the expenditures of the Utility Fund. To provide funding for the above, no additional revenues are required.

Total	<u>\$ 0</u>	<u>\$ 0</u>
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Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget Officer and the Finance Officer for their direction.

**Budget Amendment No. 2A - Community Center Lighting**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2012:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
10.6200.150 Maint & Repair of Bldgs	<u>5,400</u>	
Total	<u>\$ 5,400</u>	<u>\$ 0</u>

This will result in a net increase of \$22,000 in the expenditures of the General Fund. To provide funding for the above,

the following revenue budgets will be increased. These additional revenues have already been received.

10.3970.300 Contribution from Util Fund		5,400
Total	\$ 0	<u>\$5,400</u>

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

**End Consent Agenda**

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

**ITEMS REMOVED FROM CONSENT AGENDA:** None

**NC DEPARTMENT OF LABOR SAFETY AWARDS PROGRAM** Fire Chief Charlie Watts commended the Department Heads to enforce safety and by not taking short cuts to get the job done and he presented the following safety awards:

Five gold awards: Water, Wastewater (14 years), Triple Water, Public Works, Fire, and Administration (23 years with no accidents)

Silver award: Police and Recreation Departments

Mr. Watts said OSHA inspects every other year and they ask if the employer provides incentives for employees. They were impressed to hear the employees are awarded a safety bonus for safe practices.

**CODE AMENDMENT – FIRE PREVENTION AND HAZARDS** Fire Chief Charlie Watts said the fire code had not been updated since 2002. The proposed amendments are written to follow the state’s building inspections code, which includes the fire code, so staff does not have to come before Council each time a new code is adopted by the state. He briefly reviewed the proposed amendments.

**(NOTE: Amendments may be found in Ordinance Book No. 9, pg 6.)**

After a brief discussion, Councilman Black made a motion to adopt the amendments to the Fire Prevention and Hazards section of the town code, seconded by Councilman Ogle. The vote was unanimous.

**APPROVAL OF PURCHASE OF FLAGS FOR DOWNTOWN - BOY SCOUTS** Mr. Morse said he contacted the chief operating officer for the Boy Scouts, Jim Rostan. Everyone interpreted from several years ago that the town would provide \$1,500 annually for the flag project (flags/poles). The Scouts would be responsible for all flags and they hold an annual fundraiser and would submit the funds they had raised to the town at the end of their fiscal year. They have a check in the amount of \$480 to submit to the town for 2011. Fund in the amount of \$1,500 were included in the 2011-2012 FY budget.

**FAET STREET – ILLEGAL PARKING** Mayor Pro Tem Stevenson reported that people are illegally parking along Faet Street although no parking signs were installed and people were parking on the other side of the street. Chief Watts said he would check into the situation.

**RESOLUTION – WATER & SEWER RATE STUDY WATER SYSTEM LEAK DETECTION PROGRAM DEVELOPMENT & RECLAIMED WATER USE EVALUATION** Town Manager Jeff Morse said the town received a grant from The Rural Center in the amount of \$37,037 with a \$12,963 town match for a total of \$50,000 for the project. The town contracted with The Wooten Company in the amount of \$50,000 to do the field work and complete the following three studies, of which he briefly reviewed: Water & Sewer Rate Study, Water System Leak Detection Program Development, and Reclaimed Water Use Evaluation. All three reports were included in Council’s agenda packets. By having these reports in place, the town is eligible to apply for future grants. The Town is a member of the NC Rural Water Association and they provide technical assistance to local governments who are water providers. Staff met with a member of the Rural Water Association to do some VALUE engineering on The Wooten Company’s report and look at other alternatives on how to establish a long-term rate structure for future needs of our utilities system. The recommendation would be included in next year’s fiscal budget. He briefly reviewed the consumption rate and fixed meter rate currently charged to the Valdese water customers.



November 7, 2011, MB#30

**RESOLUTION  
WATER & SEWER RATE STUDY, WATER SYSTEM LEAK DETECTION  
PROGRAM DEVELOPMENT & RECLAIMED WATER USE EVALUATION  
ACCEPTANCE OF REPORTS  
BY  
THE TOWN COUNCIL OF THE TOWN OF VALDESE, NORTH CAROLINA**

WHEREAS, in the summer of 2008, the North Carolina General Assembly included a \$50 million appropriation to the North Carolina Rural Economic Development Center (Rural Center) in the FY 2007-2009 state budget, for the purpose of making grants to rural communities in need of water and wastewater infrastructure improvements; and

WHEREAS, November 2, 2009, the Town Council of the Town of Valdese, North Carolina, unanimously approved the Town applying for a Rural Center Planning Grant to assist the Town with Water & Sewer Rate Study, Water System Leak Detection Program Development, and Reclaimed Water Use Evaluation; and

WHEREAS, on June 29, 2010, the Rural Center awarded the Town with a grant award for the project entitled Water & Sewer Rate Study, Development of Leak Detection/Repair Program & Reclaimed Water Use Evaluation; and

WHEREAS, the Town contracted with The Wooten Company on August 2, 2010, to provide engineering services to complete the Water & Sewer Rate Study, Development of Leak Detection/Repair Program & Reclaimed Water Use Evaluation project and The Wooten Company has complete the services in a timely and professional manner and has presented their product to the Council at its regularly scheduled meeting on Monday, November 7, 2011.

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

THAT, the Council unanimously approved acceptance of the reports by The Wooten Company for Water & Sewer Rate Study, Development of Leak Detection/Repair Program & Reclaimed Water Use Evaluation.

This 7<sup>th</sup> day of November, 2011.

/s/ James L. Hatley, Mayor

ATTEST: /s/ Town Clerk

After a brief discussion, Councilman Delp made a motion to adopt the aforementioned resolution, seconded by Councilwoman Oxentine. The vote was unanimous.

**DISCUSSION OF BOBO AVENUE SEWER ISSUES** Public Works Director Bryan Duckworth recommended Council allow staff to work with Brinkley Insurance and Reynolds Family Practice on sewer issues. Instead of moving sewer lines to Bobo Avenue, Mr. Duckworth recommended installing two sewer laterals from these businesses and place the sewer line on a chemical root control program and install a sewer clean-out at Brinkley Insurance. He recommended a video inspection in six months. He advised these businesses to contact Public Works if they have sewer issues so staff could camera the line. He recommended that staff rehab and repair the line from Rodoret Street to Italy Street and he would document all improvement costs.

**PINEBURR AVENUE – HOLES IN STREET** Councilman Black asked about holes in the street that had been patched several times recently on Pineburr Avenue. Mr. Duckworth said there were some issues when the waterline was installed many years ago, due to the steep hill and there were several water line breaks recently. The area could be added to the paving list.

**RESOLUTION AND LEASE AGREEMENT OF FLOWERS PROPERTY** Mr. Morse said there was \$90,000 in change orders placing the Downtown Delights project on hold and WPCOG staff had applied for grants. Mr. Morse said Downtown Delights would lease the Flowers building on a temporary basis for their catering business. He did inform Downtown Delights owners that if they did not receive the grant to complete their proposed location on Main Street that they would not be eligible to remain in the Flowers building. Mr. Morse said the power was in the town's name and Downtown Delights would be responsible for the monthly power bill.

**RESOLUTION  
(Lease of Flowers Property)**

**November 7, 2011, MB#30**

WHEREAS, the Town of Valdese owns a building and lot located at 508 Main Street East as described in that deed recorded in Book 1382, page 705, Burke County Registry, said building and lot being known as "the Flowers Property" (the property); and

WHEREAS, Rusty Davis and Jonelle Davis d/b/a Downtown Delights desire to lease the property for use in their catering business; and

WHEREAS, the parties intend for this to be a short term lease and it has therefore been agreed that the term of the proposed lease shall be a month-to-month lease, continuing until one party gives the other 30-days notice of cancellation; and

WHEREAS, the town council has determined that the property will not be needed by the town for the term of the proposed lease; and

WHEREAS, it is the opinion of the town council that leasing the property under the terms of the lease agreement presented to the town council (the lease agreement) at its November 7, 2011, meeting is in the best interest of the town and that the proposed lease agreement should be approved;

IT IS THEREFORE RESOLVED that the lease agreement as presented to the town council at its November 7, 2011, meeting is approved, and the town manager is authorized to enter into this lease agreement on behalf of the town.

THIS, the 7th day of November, 2011.

TOWN OF VALDESE  
By: /s/ James L. Hatley, Mayor

ATTEST: /s/ Town Clerk

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

**MAYOR AND COUNCIL COMMENTS:**

**TIGER GYM** Councilman Ogle said he had talked with a lot of citizens during his campaign for reelection the Town Council and he heard a lot of requests to reopen Tiger Gym. Mr. Morse said he had asked Recreation Director Doug Knight to get a cost estimate. Mr. Knight said he had someone to look at changing the old boiler which has lots of leaks and change over to natural gas and he was not sure that \$20,000 would cover all repairs. In 2009, Recreation staff received a quote of over \$5,000 for repairs to the heat the front of the gym. Mr. Morse asked if groups could practice basketball without heat. Mr. Knight said it was very, very cold in the gym without a heat source. Public Works Director Bryan Duckworth said you would need heat in the building so the waterlines would not freeze and rupture.

Councilman Ogle said currently the kids get only one hour per week to practice basketball. Mr. Knight said he would check but thought they were allowed two hours of practice per week. Councilman Ogle recommended that repairs be made to open Tiger Gym and it would be an income source.

Mr. Knight said it was a nice facility and he was for opening Tiger Gym.

**TREES – MAIN STREET** Councilman Ogle asked if the trees were trimmed. Staff said yes and explained how they were trimmed.

**EVENTS – OLD ROCK SCHOOL** Mayor Pro Tem Stevenson said she attended a musical recently at the Old Rock School and there was a good turn-out where people paid for tickets, and many would eat dinner in town, etc. She said it was important to get Downtown Delights up and running.

**VALDESE YOUTH COUNCIL** Mayor Pro Tem Stevenson request staff provide a report on the Youth Council and a list of members.

**MANAGER'S REPORT:**

**SPECIAL CALLED MEETING TO AWARD CONTRACT NO. 2 FOR KLEEN TECH PRETREATMENT SYSTEM IMPROVEMENT PROJECT ON THURSDAY, NOVEMBER 17, 2011, 6:00 P.M., OLD ROCK SCHOOL – WALDENSIAN ROOM FOLLOWED BY THE ANNUAL DINNER MEETING WITH THE DOWNTOWN MERCHANTS AT 6:30 P.M.**

**UPDATE ON MEN'S EMPLOYEE RESTROOM - POLICE/FIRE COMPLEX** Fire Chief Charlie Watts said the men's restroom was in need of repairs with current fixtures 30 years old. He recommended Ray Brittain Construction -\$6,712 (Other estimates: J & T - \$7,505; and Baird Subcontractors - \$8,518.40.)

Councilman Ogle made a motion to approve the renovations with Ray Brittain Construction in the amount of \$6,712, seconded by Councilman Delp. The vote was unanimous.

**GOVERNOR'S INNOVATIVE SMALL BUSINESS COMMUNITY AWARDS CEREMONY, RALEIGH, NC, MONDAY, NOVEMBER 14, 2011, 2:30 P.M. – 4:00 P.M.** Mr. Morse said 15 VEDIC members would be attending the event.

**VALDESE CHRISTMAS PARADE, SATURDAY, DECEMBER 3, 2011, 10:00 A.M.** Community Affairs Director Barbara Hefner said Loy Ray Burris and his wife, Doris would be grand marshals for the parade and she invited everyone to attend. Mr. Morse said Mr. Burris was retiring and his daughter and son-in-law would be new owners of The Old Rock Drug Store.

**IVY LANE – DOG ISSUES** Mr. Morse thanked Police Chief Moss and Public Works staff for working with citizens on Ivy Lane with barking dogs. Mr. Morse said the amended ordinance was working.

**ADJOURNMENT** At 8:10 p.m., there being no further business to come before the Council, Councilman Ogle made a motion to adjourn, seconded by Councilman Delp. The vote was unanimous.

The next meeting is a special called meeting for Thursday, November 17, 2011, 6:00 p.m., Old Rock School, Waldensian Room followed at 6:30 p.m., by the annual, joint dinner meeting with the Valdese Merchants Association.

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL MEETING  
NOVEMBER 7, 2011**

The Town of Valdese Town Council met on Monday, November 7, 2011, at 7:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The following were present: Mayor Pro Tem Susan Stevenson, Councilman Keith Ogle, Councilwoman Vickie Oxentine, Councilman Gary L. Delp, and Councilman Chip Black. Also present were Town Manager Jeffrey V. Morse, Town Attorney Marc Mitchell, Deputy Town Clerk Thelda B. Rhoney, and various department heads.

Absent: Mayor James L. Hatley

A quorum was present.

Mayor Pro Tem Stevenson called the meeting to order at 7:00 p.m. She offered the Invocation and led in the Pledge of Allegiance to the Flag.

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WHEREAS, skilled and compassionate Hospice and Palliative Care Professionals—including Physicians, Nurses, Social Workers, Therapists, Counselors, Health Care Aides, and Clergy—provide comprehensive care focused on the wishes of each individual patient; and

WHEREAS, through pain management and symptom control, caregiver training and assistance, and emotional and spiritual support, allowing patients to live fully up until the final moments, surrounded and supported by the faces of loved ones, friends, and committed caregivers; and

WHEREAS, the provision of quality Hospice and Palliative Care reaffirms our belief in the essential dignity of every person, regardless of age, health, or social status, and that every stage of human life deserves to be treated with the utmost respect and care; and

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IN WITNESS WHEREOF, I have hereunto set my hand this 7<sup>th</sup> day of November, in the year of our Lord two thousand eleven and caused this seal to be affixed.

/s/ James L. Hatley, Mayor

Mr. Brown thanked the town for its support and he thanked Larry Johnson, Planning Director, for serving on their board. Mr. Johnson served as President of their board last year.

**BURKE COUNTY ECONOMIC DEVELOPMENT UPDATE – SCOTT DARNELL, PRESIDENT, BURKE DEVELOPMENT INCORPORATED (BDI)**

Mr. Darnell complimented the town on receiving the Governor’s Innovative Small Business Community Award for the VEDIC Program. BDI is working on a project analysis, working with their existing companies, working to grow the furniture industry, and workforce development for Burke County. He offered a brief update on the business park. He mentioned manufacturing in Burke County and BDI has hired a part-time employee to market the concept and there are over 130 manufacturing companies in Burke County which make up 27 percent of the workforce.

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

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**BUDGET AMENDMENTS:**

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Total		<u>\$22,000</u>	<u>\$22,000</u>

This will result in a net increase of \$ 0 in the expenditures of the Utility Fund. To provide funding for the above, no additional revenues are required.

Total	<u>\$ 0</u>	<u>\$ 0</u>
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Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget Officer and the Finance Officer for their direction.

**Budget Amendment No. 1A - Rock School Renovations**

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**November 7, 2011, MB#30**

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10.6250.150 Maint & Repair of Bldgs	<u>22,000</u>	
Total	<u>\$22,000</u>	<u>0</u>

This will result in a net increase of \$22,000 in the expenditures of the General Fund. To provide funding for the above, the following revenue budgets will be increased. These additional revenues have already been received.

10.3970.300 Contribution from Util Fund		<u>22,000</u>
Total	<u>\$ 0</u>	<u>\$22,000</u>

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

**Budget Amendment No. 2 - Transfer to the General Fund**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2012:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
30.8100.990 Contingency		3,000
30.8110.990 Contingency		<u>2,400</u>
30.8110.920 Trans to Gen Fund	3,000	
30.8110.920 Trans to Gen Fund	<u>2,400</u>	
Total	<u>\$5,400</u>	<u>\$5,400</u>

This will result in a net increase of \$ 0 in the expenditures of the Utility Fund. To provide funding for the above, no additional revenues are required.

Total	<u>\$ 0</u>	<u>\$ 0</u>
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Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget Officer and the Finance Officer for their direction.

**Budget Amendment No. 2A - Community Center Lighting**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2012:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
10.6200.150 Maint & Repair of Bldgs	<u>5,400</u>	
Total	<u>\$ 5,400</u>	<u>\$ 0</u>

This will result in a net increase of \$22,000 in the expenditures of the General Fund. To provide funding for the above,

the following revenue budgets will be increased. These additional revenues have already been received.

10.3970.300 Contribution from Util Fund		5,400
Total	\$ 0	<u>\$5,400</u>

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

**End Consent Agenda**

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

**ITEMS REMOVED FROM CONSENT AGENDA:** None

**NC DEPARTMENT OF LABOR SAFETY AWARDS PROGRAM** Fire Chief Charlie Watts commended the Department Heads to enforce safety and by not taking short cuts to get the job done and he presented the following safety awards:

Five gold awards: Water, Wastewater (14 years), Triple Water, Public Works, Fire, and Administration (23 years with no accidents)

Silver award: Police and Recreation Departments

Mr. Watts said OSHA inspects every other year and they ask if the employer provides incentives for employees. They were impressed to hear the employees are awarded a safety bonus for safe practices.

**CODE AMENDMENT – FIRE PREVENTION AND HAZARDS** Fire Chief Charlie Watts said the fire code had not been updated since 2002. The proposed amendments are written to follow the state’s building inspections code, which includes the fire code, so staff does not have to come before Council each time a new code is adopted by the state. He briefly reviewed the proposed amendments.

**(NOTE: Amendments may be found in Ordinance Book No. 9, pg 6.)**

After a brief discussion, Councilman Black made a motion to adopt the amendments to the Fire Prevention and Hazards section of the town code, seconded by Councilman Ogle. The vote was unanimous.

**APPROVAL OF PURCHASE OF FLAGS FOR DOWNTOWN - BOY SCOUTS** Mr. Morse said he contacted the chief operating officer for the Boy Scouts, Jim Rostan. Everyone interpreted from several years ago that the town would provide \$1,500 annually for the flag project (flags/poles). The Scouts would be responsible for all flags and they hold an annual fundraiser and would submit the funds they had raised to the town at the end of their fiscal year. They have a check in the amount of \$480 to submit to the town for 2011. Fund in the amount of \$1,500 were included in the 2011-2012 FY budget.

**FAET STREET – ILLEGAL PARKING** Mayor Pro Tem Stevenson reported that people are illegally parking along Faet Street although no parking signs were installed and people were parking on the other side of the street. Chief Watts said he would check into the situation.

**RESOLUTION – WATER & SEWER RATE STUDY WATER SYSTEM LEAK DETECTION PROGRAM DEVELOPMENT & RECLAIMED WATER USE EVALUATION** Town Manager Jeff Morse said the town received a grant from The Rural Center in the amount of \$37,037 with a \$12,963 town match for a total of \$50,000 for the project. The town contracted with The Wooten Company in the amount of \$50,000 to do the field work and complete the following three studies, of which he briefly reviewed: Water & Sewer Rate Study, Water System Leak Detection Program Development, and Reclaimed Water Use Evaluation. All three reports were included in Council’s agenda packets. By having these reports in place, the town is eligible to apply for future grants. The Town is a member of the NC Rural Water Association and they provide technical assistance to local governments who are water providers. Staff met with a member of the Rural Water Association to do some VALUE engineering on The Wooten Company’s report and look at other alternatives on how to establish a long-term rate structure for future needs of our utilities system. The recommendation would be included in next year’s fiscal budget. He briefly reviewed the consumption rate and fixed meter rate currently charged to the Valdese water customers.

November 7, 2011, MB#30

**RESOLUTION  
WATER & SEWER RATE STUDY, WATER SYSTEM LEAK DETECTION  
PROGRAM DEVELOPMENT & RECLAIMED WATER USE EVALUATION  
ACCEPTANCE OF REPORTS  
BY  
THE TOWN COUNCIL OF THE TOWN OF VALDESE, NORTH CAROLINA**

WHEREAS, in the summer of 2008, the North Carolina General Assembly included a \$50 million appropriation to the North Carolina Rural Economic Development Center (Rural Center) in the FY 2007-2009 state budget, for the purpose of making grants to rural communities in need of water and wastewater infrastructure improvements; and

WHEREAS, November 2, 2009, the Town Council of the Town of Valdese, North Carolina, unanimously approved the Town applying for a Rural Center Planning Grant to assist the Town with Water & Sewer Rate Study, Water System Leak Detection Program Development, and Reclaimed Water Use Evaluation; and

WHEREAS, on June 29, 2010, the Rural Center awarded the Town with a grant award for the project entitled Water & Sewer Rate Study, Development of Leak Detection/Repair Program & Reclaimed Water Use Evaluation; and

WHEREAS, the Town contracted with The Wooten Company on August 2, 2010, to provide engineering services to complete the Water & Sewer Rate Study, Development of Leak Detection/Repair Program & Reclaimed Water Use Evaluation project and The Wooten Company has complete the services in a timely and professional manner and has presented their product to the Council at its regularly scheduled meeting on Monday, November 7, 2011.

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

THAT, the Council unanimously approved acceptance of the reports by The Wooten Company for Water & Sewer Rate Study, Development of Leak Detection/Repair Program & Reclaimed Water Use Evaluation.

This 7<sup>th</sup> day of November, 2011.

/s/ James L. Hatley, Mayor

ATTEST: /s/ Town Clerk

After a brief discussion, Councilman Delp made a motion to adopt the aforementioned resolution, seconded by Councilwoman Oxentine. The vote was unanimous.

**DISCUSSION OF BOBO AVENUE SEWER ISSUES** Public Works Director Bryan Duckworth recommended Council allow staff to work with Brinkley Insurance and Reynolds Family Practice on sewer issues. Instead of moving sewer lines to Bobo Avenue, Mr. Duckworth recommended installing two sewer laterals from these businesses and place the sewer line on a chemical root control program and install a sewer clean-out at Brinkley Insurance. He recommended a video inspection in six months. He advised these businesses to contact Public Works if they have sewer issues so staff could camera the line. He recommended that staff rehab and repair the line from Rodoret Street to Italy Street and he would document all improvement costs.

**PINEBURR AVENUE – HOLES IN STREET** Councilman Black asked about holes in the street that had been patched several times recently on Pineburr Avenue. Mr. Duckworth said there were some issues when the waterline was installed many years ago, due to the steep hill and there were several water line breaks recently. The area could be added to the paving list.

**RESOLUTION AND LEASE AGREEMENT OF FLOWERS PROPERTY** Mr. Morse said there was \$90,000 in change orders placing the Downtown Delights project on hold and WPCOG staff had applied for grants. Mr. Morse said Downtown Delights would lease the Flowers building on a temporary basis for their catering business. He did inform Downtown Delights owners that if they did not receive the grant to complete their proposed location on Main Street that they would not be eligible to remain in the Flowers building. Mr. Morse said the power was in the town's name and Downtown Delights would be responsible for the monthly power bill.

**RESOLUTION  
(Lease of Flowers Property)**



**November 7, 2011, MB#30**

WHEREAS, the Town of Valdese owns a building and lot located at 508 Main Street East as described in that deed recorded in Book 1382, page 705, Burke County Registry, said building and lot being known as "the Flowers Property" (the property); and

WHEREAS, Rusty Davis and Jonelle Davis d/b/a Downtown Delights desire to lease the property for use in their catering business; and

WHEREAS, the parties intend for this to be a short term lease and it has therefore been agreed that the term of the proposed lease shall be a month-to-month lease, continuing until one party gives the other 30-days notice of cancellation; and

WHEREAS, the town council has determined that the property will not be needed by the town for the term of the proposed lease; and

WHEREAS, it is the opinion of the town council that leasing the property under the terms of the lease agreement presented to the town council (the lease agreement) at its November 7, 2011, meeting is in the best interest of the town and that the proposed lease agreement should be approved;

IT IS THEREFORE RESOLVED that the lease agreement as presented to the town council at its November 7, 2011, meeting is approved, and the town manager is authorized to enter into this lease agreement on behalf of the town.

THIS, the 7th day of November, 2011.

TOWN OF VALDESE  
By: /s/ James L. Hatley, Mayor

ATTEST: /s/ Town Clerk

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

**MAYOR AND COUNCIL COMMENTS:**

**TIGER GYM** Councilman Ogle said he had talked with a lot of citizens during his campaign for reelection the Town Council and he heard a lot of requests to reopen Tiger Gym. Mr. Morse said he had asked Recreation Director Doug Knight to get a cost estimate. Mr. Knight said he had someone to look at changing the old boiler which has lots of leaks and change over to natural gas and he was not sure that \$20,000 would cover all repairs. In 2009, Recreation staff received a quote of over \$5,000 for repairs to the heat the front of the gym. Mr. Morse asked if groups could practice basketball without heat. Mr. Knight said it was very, very cold in the gym without a heat source. Public Works Director Bryan Duckworth said you would need heat in the building so the waterlines would not freeze and rupture.

Councilman Ogle said currently the kids get only one hour per week to practice basketball. Mr. Knight said he would check but thought they were allowed two hours of practice per week. Councilman Ogle recommended that repairs be made to open Tiger Gym and it would be an income source.

Mr. Knight said it was a nice facility and he was for opening Tiger Gym.

**TREES – MAIN STREET** Councilman Ogle asked if the trees were trimmed. Staff said yes and explained how they were trimmed.

**EVENTS – OLD ROCK SCHOOL** Mayor Pro Tem Stevenson said she attended a musical recently at the Old Rock School and there was a good turn-out where people paid for tickets, and many would eat dinner in town, etc. She said it was important to get Downtown Delights up and running.

**VALDESE YOUTH COUNCIL** Mayor Pro Tem Stevenson request staff provide a report on the Youth Council and a list of members.

**MANAGER'S REPORT:**

**SPECIAL CALLED MEETING TO AWARD CONTRACT NO. 2 FOR KLEEN TECH PRETREATMENT SYSTEM IMPROVEMENT PROJECT ON THURSDAY, NOVEMBER 17, 2011, 6:00 P.M., OLD ROCK SCHOOL – WALDENSIAN ROOM FOLLOWED BY THE ANNUAL DINNER MEETING WITH THE DOWNTOWN MERCHANTS AT 6:30 P.M.**

**UPDATE ON MEN'S EMPLOYEE RESTROOM - POLICE/FIRE COMPLEX** Fire Chief Charlie Watts said the men's restroom was in need of repairs with current fixtures 30 years old. He recommended Ray Brittain Construction -\$6,712 (Other estimates: J & T - \$7,505; and Baird Subcontractors - \$8,518.40.)

Councilman Ogle made a motion to approve the renovations with Ray Brittain Construction in the amount of \$6,712, seconded by Councilman Delp. The vote was unanimous.

**GOVERNOR'S INNOVATIVE SMALL BUSINESS COMMUNITY AWARDS CEREMONY, RALEIGH, NC, MONDAY, NOVEMBER 14, 2011, 2:30 P.M. – 4:00 P.M.** Mr. Morse said 15 VEDIC members would be attending the event.

**VALDESE CHRISTMAS PARADE, SATURDAY, DECEMBER 3, 2011, 10:00 A.M.** Community Affairs Director Barbara Hefner said Loy Ray Burris and his wife, Doris would be grand marshals for the parade and she invited everyone to attend. Mr. Morse said Mr. Burris was retiring and his daughter and son-in-law would be new owners of The Old Rock Drug Store.

**IVY LANE – DOG ISSUES** Mr. Morse thanked Police Chief Moss and Public Works staff for working with citizens on Ivy Lane with barking dogs. Mr. Morse said the amended ordinance was working.

**ADJOURNMENT** At 8:10 p.m., there being no further business to come before the Council, Councilman Ogle made a motion to adjourn, seconded by Councilman Delp. The vote was unanimous.

The next meeting is a special called meeting for Thursday, November 17, 2011, 6:00 p.m., Old Rock School, Waldensian Room followed at 6:30 p.m., by the annual, joint dinner meeting with the Valdese Merchants Association.

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL SPECIAL MEETING  
THURSDAY, NOVEMBER 17, 2011, 6:00 P.M.**

The Town of Valdese Town Council met in Special Session on Thursday, November 17, 2011, 6:00 p.m., at the Old Rock School, Waldensian Room. The purpose of the meeting was to Award Contract 2 for a Pre-Engineered Metal Building for Kleen Tech Pretreatment Project.

The following were present: Mayor Pro Tem Stevenson, Councilman Keith Ogle; Councilwoman Vickie Oxentine; Councilman Delp; and Councilman Black. Also present: Town Manager Jeffrey V. Morse and Deputy Town Clerk Thelda B. Rhoney.

Absent: Mayor James L. Hatley

A quorum was present.

Mayor Pro Tem Stevenson called the meeting to order at 6:00 p.m. She offered the Invocation and led in the Pledge of Allegiance to the Flag.

**AWARD CONTRACT 2 – PRE-ENGINEERED METAL BUILDING FOR KLEEN TECH PRETREATMENT PROJECT**

Mr. Morse presented the contract bids for the construction of a new pre-engineered metal building: Mike Simmons Construction, LLC, Lenoir, NC - \$290,500 was the lowest bidder. (Other bids: Hickory Construction Company, Hickory, NC - \$420,016; Turner Murphy Company, Inc., Rock Hills, SC - \$443,201; Eagle Wood, Inc., Denver, NC - \$379,000; and Gilbert Engineering, Statesville, NC - \$411,934.) The Wooten Company recommended the low bidder, Mike Simmons Construction from Lenoir in the amount of \$290,500.

Mr. Morse said the Town received word on November 16, 2011, that it received a \$150,000 grant from the Rural Center for the Kleen Tech Wastewater Project.

Mr. Morse said the price between Mike Simmons Construction and the next low bidder was a concern that possibly the contractor may have left something out of his bid or that he may not have the experience to do the job. The town's engineering firm, The Wooten Company, staff spoke with Tim Glenn (Kleen Tech) and his engineer, and they learned that this is the same contractor who was building Kleen Tech's other building on the site and that both Tim Glenn and his engineer were well pleased with Mr. Simmons' work. The contract specification required Mr. Simmons to post a 100% performance and payment bond before execution of the contract.

Councilman Black made a motion to approve the aforementioned Award Contract 2 for a new pre-engineered metal building for the Kleen Tech Pretreatment Project to Mike Simmons Construction in the amount of \$290,500, seconded by Councilman Delp. The vote was unanimous.

At 6:08 p.m., Councilman Delp made a motion to adjourn the special meeting, seconded by Councilwoman Oxentine. The vote was unanimous.

**TOWN OF VALDESE  
TOWN COUNCIL SPECIAL MEETING WITH VALDESE MERCHANTS ASSOCIATION  
THURSDAY, NOVEMBER 17, 2011, 6:30 P.M.**

The Town of Valdese Town Council met jointly with the Valdese Merchants Association (VMA) for their annual dinner meeting on Thursday, November 17, 2011, at 6:30 p.m., at the Old Rock School, Waldensian Room.

The following were present: Mayor Pro Tem Stevenson, Councilman Keith Ogle; Councilwoman Vickie Oxentine; Councilman Delp; and Councilman Black.

Absent: Mayor James L. Hatley

A quorum was present and no action was taken.

Also present: Town Manager Jeffrey V. Morse, Deputy Town Clerk Thelda B. Rhoney, Community Affairs Director Barbara Hefner, and Ms. Hefner's Assistant Morrissa Walker.

**November 17, 2011, Special Meetings MB#30**

At 6:30 p.m., Mayor Pro Tem Stevenson and VMA President Matt Ferris called the meeting to order.

There were approximately 24 members of the VMA in attendance.

Town Manager Jeff Morse welcomed everyone and invited everyone to enjoy dinner catered by Dave's Fish 'N More assisted by Downtown Delights Café & Coffeehouse.

Mr. Morse said the food booth used by VMA members during Family Friday nights belonged to Loy Ray Burris and Larry Earp. Mr. Earp now owns that booth and Mr. Burris will donate the money, to the town, that he received from the sale of the booth to Mr. Earp. The town will use the money, donated by Mr. Burris, and will partner with VMA to purchase a new food booth. He thanked Mr. Burris for his generous donation. He said he would try to assist the workers with the Family Friday Nights events.

After dinner, Mr. Morse thanked everyone for attending and appreciated all the hard work that the merchants do in supporting the Town of Valdese.

At 7:25 p.m., Mayor Pro Tem Stevenson adjourned the meeting.

The next meeting is a regularly scheduled Council Meeting on Monday, December 5, 2011, 7:00 p.m.

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Town Clerk

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Mayor

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Absent: Mayor James L. Hatley

A quorum was present.

Mayor Pro Tem Stevenson called the meeting to order at 6:00 p.m. She offered the Invocation and led in the Pledge of Allegiance to the Flag.

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Councilman Black made a motion to approve the aforementioned Award Contract 2 for a new pre-engineered metal building for the Kleen Tech Pretreatment Project to Mike Simmons Construction in the amount of \$290,500, seconded by Councilman Delp. The vote was unanimous.

At 6:08 p.m., Councilman Delp made a motion to adjourn the special meeting, seconded by Councilwoman Oxentine. The vote was unanimous.

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TOWN COUNCIL SPECIAL MEETING WITH VALDESE MERCHANTS ASSOCIATION  
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The following were present: Mayor Pro Tem Stevenson, Councilman Keith Ogle; Councilwoman Vickie Oxentine; Councilman Delp; and Councilman Black.

Absent: Mayor James L. Hatley

A quorum was present and no action was taken.

Also present: Town Manager Jeffrey V. Morse, Deputy Town Clerk Thelda B. Rhoney, Community Affairs Director Barbara Hefner, and Ms. Hefner's Assistant Morrissa Walker.

**November 17, 2011, Special Meetings MB#30**

At 6:30 p.m., Mayor Pro Tem Stevenson and VMA President Matt Ferris called the meeting to order.

There were approximately 24 members of the VMA in attendance.

Town Manager Jeff Morse welcomed everyone and invited everyone to enjoy dinner catered by Dave's Fish 'N More assisted by Downtown Delights Café & Coffeehouse.

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After dinner, Mr. Morse thanked everyone for attending and appreciated all the hard work that the merchants do in supporting the Town of Valdese.

At 7:25 p.m., Mayor Pro Tem Stevenson adjourned the meeting.

The next meeting is a regularly scheduled Council Meeting on Monday, December 5, 2011, 7:00 p.m.

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL MEETING  
DECEMBER 5, 2011**

The Town of Valdese Town Council met on Monday, December 5, 2011, at 7:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The following were present: Mayor James L. Hatley, Councilman Keith Ogle, Councilwoman Susan Stevenson, Councilwoman Vickie Oxentine, Councilman Gary L. Delp, and Councilman Chip Black. Also present were Town Manager Jeffrey V. Morse, Town Attorney Marc Mitchell, Deputy Town Clerk Thelda B. Rhoney, and various department heads.

Absent: None.

A quorum was present.

Mayor Hatley called the meeting to order at 7:00 p.m.

**INVOCATION - SILENT PRAYER:**

Mayor Hatley read the following statement: "Everyone wants their view of faith, their religious agenda, to be protected even advanced, but few are willing to grant that right to others. Religious liberty entails freedom of conscience to worship or not to worship, to profess, practice, and promulgate religious beliefs, or to change them. In exercising these rights; however, one must respect the equivalent rights of others. Therefore, we will have silent prayer so that all who care may worship as they please."

He requested a silent prayer; after which, he led in the Pledge of Allegiance to the Flag.

**OPEN FORUM/PUBLIC COMMENT:**

Mayor Hatley recognized Representative Blackwell.

Mr. Blackwell introduced Jahamil King, senior at Freedom High School, who was working on his senior project in Political Science and he was mirroring Mr. Blackwell for the day.

Mayor Hatley recognized Blue Ridge Healthcare CEO Kenneth Wood and his wife.

**SANDI WALKER** 124 Main Street West, Valdese – Ms. Walker said she was saddened at the behavior of Council and that which the supporters exhibited in the recent Town Council election. She said town employees are no longer friendly to her. She said she had volunteered many hours to help promote Valdese. She recommended Council set their goals and put them in writing and keep them so they do not get lost in feel good decisions. She said Valdese could be the best little town in North Carolina.

Mayor Hatley said he believed Valdese was the best little town in North Carolina. He said Council does not elect the new Council Members, the citizens of the town of Valdese elected them. He said he was proud of the way the newly elected officials campaigned.

**DEBRA FERRIS – OWNER OF CORNERSTONE ANTIQUES & UNCLE FRED'S SHED** Ms. Ferris said she was very proud of the new council. She was proud of Valdese as a citizen and business owner.

**Approval of Minutes – November 7, 2011 and Special Meeting Minutes of November 17, 2011**

Councilwoman Oxentine made a motion to approve the minutes, seconded by Councilman Ogle. The vote was unanimous.

**OATHS OF OFFICE ADMINISTERED BY CLERK OF COURT MABEL H. LOWMAN TO COUNCILWOMAN HILDEBRAN – WARD 4 AND COUNCILMAN OGLE – WARD 5**

Burke County Clerk of Superior Court Mabel H. Lowman administered the Oaths of Office to the aforementioned newly elected officials. Ms. Hildebran's son, Curtis Hildebran, held the Bible as she received her oath and Mr. Ogle's Sister-in-Law, Debbie Ogle, held the Bible as he received his oath.

Mayor Hatley thanked Ms. Lowman.

**RECOGNITION OF VICKIE OXENTINE** Mayor Hatley said Ms. Oxentine decided not to run for office during this election and he thanked her for her many years of service. Ms. Oxentine will be formally honored at the January 9, 2011 Town Council meeting.

**COUNCIL ORGANIZATIONAL MEETING** Mayor Hatley made the following recommendations:

**VALDESE TOWN COUNCIL  
Four Year Alternating Terms for Council and Mayor  
Terms Ending December 2013**

<p><b>James L. Hatley</b> Elected: November 2, 1999 Oath: Dec 6, 1999 Served Councilman Nov. 1997 – 1999 Elected Mayor Nov. 2, 1999 April 2000 – Changed Mayors Term to 4 years Elected Nov. 6, 2001 for four year term (2005) Reelected Nov. 8, 2005 for four year term (2009) Reelected Nov. 3, 2009 for four year term (2013)</p>	<p>Mayor Blue Ridge Healthcare System – Board of Directors- Retired NCLM – RMS Trustee BDI</p>	<p>Retired G.E.</p>
<p><b>Gary L. Delp</b> Ward 1 – 2013 Appointed by Council 05/04/09 Elected 11/03/09: Term 12/07/09 – 12/02/13</p>	<p>Assistant Treasurer Recreation Commission Public Art Commission Planning Board – Alternate Railroad Committee</p>	<p>Retired School Teacher</p>
<p><b>Susan T. Stevenson</b> Ward 2 – 2013 Appointed by Council 01/10/00 Elected 11/06/01: Term 12/03/01 – 12/05/05 Reelected 11/08/05: Term 12/05/05 – 12/07/09 Reelected 11/03/09: Term 12/07/09 – 12/02/13</p>	<p>Mayor Pro Tem Treasurer</p>	<p>Physical Therapist</p>
<p><b>John F. “Chip” Black</b> Ward 3 - 2013 Elected 11/04/97: Term 12/01/97 - 12/03/01 Reelected 11/06/01: Term 12/03/01 - 12/05/05 Reelected 11/08/05: Term 12/05/05 - 12/07/09 Reelected 11/03/09: Term 12/07/09 - 12/02/13</p>	<p>BDI Member Town Clerk OCP Member WPCOG Policy Board Delegate – 2010 Vice President 2011 President</p>	<p>Black &amp; Associates Financial Mgmt.</p>
<p><b>Frances M. Hildebran</b> Ward 4 – 2011 Elected 11/08/11: Term 12/05/11 – 12/07/15</p>	<p>Library Board Citizens for Affordable Housing</p>	<p>Retired Local Government Blue Ridge HealthCare Executive Assistant to President &amp; CEO</p>
<p><b>B. Keith Ogle</b> Ward 5 – 2011 Elected 11/04/03: Term 12/01/03 – 12/03/07 Reelected 11/06/07: Term 12/03/07 – 12/05/11 Reelected 11/08/11: Term 12/05/11 – 12/07/15</p>	<p>Arbor-Beautification Committee Downtown Revitalization Metropolitan Planning Organization (MPO) WPCOG Policy Board Alternate</p>	<p>H.R. Director Rescare Homecare Rescare, Inc.</p>
<p>Jeffrey V. Morse (Appointed April 1980)</p>	<p>Town Manager BDI (Mayor’s Appointee) (1983) (Chairman 1986 – 91) Rural Transportation Technical Committee Burke County Drug Task Force - Chairman Burke County United Way (President – 2008) Catawba-Wateree Water Management Group (Vice Chair) NC – Environmental Management Commission (2009 – 2015) WPCOG Water Resources Committee (Vice Chair)</p>	



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

**VALDESE LIBRARY REQUEST** Valdese Library Director Jim Wilson distributed booklets with information about the Cole House Renovation (Phase I) and Amphitheatre Project (Phase II). He thanked Vickie Oxentine for serving on the Library Board. He thanked the town of Valdese for the ongoing support of the library operation. He briefly discussed the Cole House property which was purchased in March 2001 with a donation from the Rostan Family Foundation and is deeded jointly to the Town of Valdese and Burke County and has remained vacant since that time. They had applied for several grants and were not successful in receiving grant funds. He said the Rostan Family Foundation approached them and asked if the renovations could be separated. Mr. Wilson recommended Phase I renovation of the Cole House, eliminating the second floor and all interior walls, adding 1,000 square feet of programming space. Programming is one of the most important things they do and they currently have only 300 square feet for programming, which includes storage. Systemwide they do over 1,100 programs per year with the Valdese Library doing over 300 programs per year. A facility study was conducted and it was recommended the Valdese Library have 13,000 square feet and the current facility has 6,000 square feet. They need \$200,000 for Phase I renovations to the Cole House. They have a financial commitment from The Rostan Family Foundation for \$150,000; the Library Foundation - \$25,000; and Friends of Library - \$5,000 for a total of \$180,000. He requested funds from the Town of Valdese in the amount of \$20,000. All parking in Valdese belongs to the church. The Cole House was constructed in 1920 with the Waldensian style rock which is covered with stucco and they would look at removing the stucco and repairing the rock. After funding for Phase I is in place they would come back before Council requesting authorization to proceed. He briefly reviewed Phase II, the amphitheatre.

Mr. Morse said the town has an annual capital reserve fund of \$200,000 and he recommended the first \$20,000 be identified for the Cole House project from the capital reserve fund in the FY 2012-2013 Budget.

After a brief discussion, Councilman Ogle made a motion to authorize \$20,000 for renovation to the Cole House (Phase I) with funds in the FY 2012-2013 Budget, seconded by Councilman Delp.

Councilman Black said our budget is a deliberative process to prioritize the expenses, and he believed this project is important but should come up during the budget process.

Mr. Morse said The Rostan Family Foundation's matching donation has a December 31 deadline.

Voting Aye: Ogle, Hildebran, Stevenson, and Delp

Voting Nay: Black

Mayor Hatley said the vote carried.

**PROPOSED AMENDMENTS TO THE ANIMAL CONTROL ORDINANCE** Public Works Director Bryan Duckworth said the proposed amendment was to allow a nonrefundable application fee in the amount of \$25 instead of staff collecting \$25 for a permit, and if the applicant doesn't qualify for a permit a reimbursement must be made by staff. The amendment also included an appeal process.

**(NOTE: Amendments may be found in Ordinance Book No. 9, pg 8.)**

Councilman Ogle made a motion to approve the amendments to the Animal Control Ordinance, seconded by Councilman Black. The motion carried unanimously.

**INTERLOCAL AGREEMENT FOR CONSOLIDATION OF BURKE COUNTY 911 COMMUNICATIONS** Fire Chief Charlie Watts briefly reviewed the Interlocal Agreement between the Town of Valdese, Burke County and City of Morganton.

Mr. Morse and Chief Watts said non-emergency calls would be handled separately such as 611 or 811. Chief Watts said there are a lot of issues to be worked out.

Town Attorney Marc Mitchell questioned the funding formula. Chief Watts said the base sum would be what was not fundable by the 911 funds such as certain employees, benefits, heating and air conditioning, etc. Chief Watts said the

Interlocal Agreement was a working document and they had to meet a deadline with the 911 Board to obtain the \$7.3 million grant.

After a brief discussion, Councilman Delp made a motion to approve the Interlocal Agreement for the Consolidation of 911 Communications, seconded by Councilman Black. The vote was unanimous.

**FLOWERS BUILDING - ESTIMATE FOR ROOF REPLACEMENT** Public Works Director Bryan Duckworth presented the following estimates for the roof replacement for the Flowers Building: Johnson Roofing - \$11,103, Wallace Roofing - \$28,200 and Dave's Roofing – \$10,200. (NOTE: Dave's Roofing could not schedule until April 2012 and the roof needs replacing right away.) Mr. Duckworth recommended Johnson Roofing - \$11,103. There would be an additional cost for electrical issues for the HVAC unit on the roof due to exposed wires and rusted conduit and to replace the wiring and control wiring to the thermostats and he recommended Connelly Springs Electric in the amount of \$1,600.

Councilwoman Stevenson made a motion to approve the bid with Johnson Roofing in the amount of \$11,103 plus \$1,600 for the wiring, seconded by Councilman Ogle. The vote was unanimous.

Mr. Morse said he offered an incentive up to \$500 for Johnson Roofing to place the Town of Valdese roof repair, which needed immediate attention, at the top of their list and he requested Council authorization.

Councilman Ogle made a motion to approve \$500 for the aforementioned request by Mr. Morse, seconded by Council Black. The vote was unanimous.

**STREET PAVING REQUEST – SPRINGWOOD** Public Works Director Bryan Duckworth said they had received several complaints about the condition of the street at the circular intersection of Springwood Drive in the Springwood Subdivision. Staff requested Powell Bill Funding to resurfacing the area consisting of approximately 1,740 square yards of asphalt. Mr. Duckworth received two bids: Carolina Paving - \$15,101 and Evans Construction - \$12,850, and he recommended the lowest bidder.

Councilwoman Hildebran asked if there was a Paving Priority List. Mr. Duckworth said there was no formal list. Mr. Morse said the list had not been updated in the past two years due to Powell Bill Funding.

Mayor Hatley recommended that the Paving Priority List be reactivated.

Councilwoman Stevenson made a motion to approve the aforementioned paving project bid to Evans Construction in the amount of \$12,850, seconded by Councilman Delp. The vote was unanimous.

**COSTS TO REOPEN TIGER GYM** Mr. Morse said staff had received requests from officials, Members of Council and citizens at large to reopen Tiger Gym. The gym was closed during the budget crisis with the General Assembly. Staff looked at ways to save funds because the heating system needed replacing and fuel oil costs savings. Recreation Director Doug Knight presented the following bids: Artic Air - \$38,540, Triangle Contractors - \$19,946.85 and Standard Heating & Air - \$19,810. He recommended the lowest bidder. He requested additional funds of \$5,190 for minor repairs to the building. Mr. Knight said Burke County rules allow two basketball practices per week and the gym could be rented out to traveling teams for revenue and he briefly discussed staffing.

Councilman Black asked in addition to the \$25,000, how much it would cost to keep the gym open. Mr. Knight said he would have to get back with Mr. Black; but, anything they do would be an increase. Mr. Morse said the old oil burning furnace cost \$3,000 for the fuel oil. Mr. Black said we need to reopen Tiger Gym but it did not need to be opened today and should be deliberated during the upcoming budget process.

After a brief discussion, Councilman Ogle made a motion to award the bid to Standard Heating & Air in the amount of \$19,810 and to approve additional funds up to \$5,190 for a total of \$25,000 to open the Tiger Gym, seconded by Councilman Delp.

Voting Aye: Ogle, Hildebran, Stevenson, and Delp

Voting Nay: Black

Mayor Hatley said the vote carried.

December 5, 2011, MB#30

**PUBLIC HEARING – ZONING OF WASTEWATER TREATMENT PLANT PROPERTY** Planning Director Larry Johnson said the Planning Board recommended the zoning of the recently annexed property at the Wastewater Treatment Plant to M-1 Manufacturing.

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

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

**ORDINANCE  
AN ORDINANCE OF THE VALDESE TOWN COUNCIL  
AMENDING THE VALDESE ZONING MAP**

BE IT HEREBY ORDAINED by the Town Council of Valdese, North Carolina, that Rezoning Case 3-10-11 –requesting the rezoning of a parcel under the ownership of the Town located at 2100 Lake Rhodhiss Drive, NE, Valdese, North Carolina, with a zoning designation of M-1 Manufacturing and further known as the Lake Rhodhiss Wastewater Treatment Property.

This 5<sup>th</sup> day of December, 2011.

/s/ James L. Hatley, Mayor

Councilwoman Hildebran made a motion to approve the aforementioned zoning of M-1 Manufacturing, seconded by Councilwoman Stevenson. The vote was unanimous.

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

**BOARD AND COMMISSION APPOINTMENTS/REAPPOINTMENTS** – Removed from consent agenda and placed under Item(s) Removed from Consent Agenda.

**RESOLUTION ADOPTING 2012 TOWN COUNCIL MEETINGS CALENDAR**

**Resolution  
Adopting 2012 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 7:00 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 2012:

January 9, 2012, Monday, 7:00 p.m., due to New Year's Day Holiday  
February 6, 2012  
March 5, 2012  
March 19, 2012 – 3:00 p.m. – 8:00 p.m., Monday, Annual Budget Retreat – Town Hall  
April 2, 2012  
May 7, 2012  
June 4, 2012  
June 25, 2012 – Budget Public Hearing; also serves as the July Council Meeting  
August 6, 2012  
September 10, 2012, Monday, 7:00 p.m., due to Labor Day Holiday  
October 1, 2012  
November 5, 2012  
November 15, 2012, 6:30 p.m., Thursday, Annual Meeting with Valdese Merchants Association, Old Rock School, Waldensian Room  
December 3, 2012

This 5<sup>th</sup> day of December, 2011.

/s/ James L. Hatley, Mayor

**BUDGET AMENDMENTS**

**Budget Amendment No. 4 - Fire Department Bathroom Renovations**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2012:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
10.5300.150 Maint & Repair of Bldgs	<u>6,800</u>	
Total	<u>\$ 6,800</u>	<u>\$ 0</u>

This will result in a net increase of \$ 6,800 in the expenditures of the General Fund. To provide funding for the above, the following revenue budgets will be increased. These additional revenues have already been received.

10.3970.300 Contribution From Util Fund	6,800
Total	<u>\$6,800</u>

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

**Budget Amendment No. 5 - Old Flowers Building Roof**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2012:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
10.4350.150 Maint & Repair of Bldgs	<u>12,000</u>	
Total	<u>\$12,000</u>	<u>\$ 0</u>

This will result in a net increase of \$12,000 in the expenditures of the General Fund. To provide funding for the above, the following revenue budgets will be increased. These additional revenues have already been received.

10.3970.300 Contribution From Util Fund	12,000
Total	<u>\$12,000</u>

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

**Budget Amendment No. 6 - Tiger Gym Repairs**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2012:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
10.6200.150 Maint & Repair of Bldgs	<u>25,000</u>	

**December 5, 2011, MB#30**

Total	<u>\$25,000</u>	<u>\$ 0</u>
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This will result in a net increase of \$25,000 in the expenditures of the General Fund. To provide funding for the above, the following revenue budgets will be increased. These additional revenues have already been received.

10.3970.300 Contribution From Util Fund		25,000
Total	\$	<u>\$25,000</u>

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

**Budget Amendment No. 7 - Waldensian Mills Project Fence**

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

BE IT ORDAINED by the Governing Board of the Town of Valdese, North Carolina that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2012:

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

<u>Acct. No.</u>	<u>Debit</u>	<u>Credit</u>
10.4350.150 Maint & Repair of Bldgs	<u>25,000</u>	
Total	<u>\$25,000</u>	<u>\$ 0</u>

This will result in a net increase of \$25,000 in the expenditures of the General Fund. To provide funding for the above, the following revenue budgets will be increased. These additional revenues have already been received.

10.3970.300 Contribution From Util Fund		<u>25,000</u>
Total	\$	<u>\$25,000</u>

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

**TOWN OF VALDESE KLEEN TECH, INC.  
CDBG/NCREDC CAPITAL PROJECT FUND  
CAPITAL PROJECT ORDINANCE  
"Amendment 1"**

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

Section 1. The project authorized is comprised of the rehabilitation of the aeration basins at the Hoyle Creek WWTF to be financed by CDBG-Economic Development Funds and Kleen Tech, Inc. private contributions to the City.

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

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

CDBG	\$ 450,000	62,3480.000
NCREDC	150,000	62,3480.010
Town of Valdese Utility Fund	15,000	62,3480.001
Private Industry Contributions (Kleen Tech, Inc.)	<u>42,500</u>	62,3480.002
	<u>\$ 657,500</u>	

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

Professional Services	\$	62,8120.040
Engineering	50,000	62,8120.041

December 5, 2011, MB#30

Advertising	470	62,8120.260
Administration - CDBG	30,000	62,8120.420
Administration - NCREDC	7,500	62,8120.490
Public Sewer Improvements	569,530	62,8120.760
	<u>\$ 657,500</u>	

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

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

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

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

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

Adopted this 5<sup>th</sup> day of December, 2011.

/s/ James L. Hatley, Mayor

Attest: /s/ Town Clerk

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

***End Consent Agenda***

**ITEM(S) REMOVED FROM CONSENT AGENDA:**

**BOARD AND COMMISSION APPOINTMENTS/REAPPOINTMENTS** Mayor Hatley thanked everyone who volunteers for a Valdese Board or Commission and he asked Members of Council to thank these citizens when they see them out in the community. He read the following list into the record:

**2011 Board and Commission Appointments/Reappointments**

*Recreation Commission (3-year terms)*

Reappointment of Jim Epley and Ellen Norris

Appointment of David Brown to replace Ted Carothers, who did not wish to be reappointed

*Note: Mayor Hatley said Michael Shoupe requested to be added to the Recreation Commission and Mayor Hatley recommended an additional appointment to the Recreation Commission – Michael Shoupe*

*Firemen's Relief Fund (2-year terms)*

Reappointment of Dave Rust

Appointment of Ed Plemmons to replace Ed Pascal, who did not wish to be reappointed

*Rock School Advisory (4-year terms)*

Reappointment of Josie McCoy, Clint Bernard, and Ron Shuffler

*Arbor-Beautification (3-year terms)*

Reappointment of Ronnie Pruitt

Appointment of Dr. Paula Reynolds to replace Coleen Thompson, who did not wish to be reappointed

*Public Art Commission (3-year terms)*

Reappointment of Elizabeth Furr and Linda Rostan

*Valdese Tourism Commission (no terms)*

Appointment of Freddy Leger to replace Roger Hefner as Waldensian Heritage Wines Representative

Appointment of Chris Wilder to replace Heleen Wilder as Waldensian Trail of Faith Representative

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

**MAYOR AND COUNCIL COMMENTS:**

Mayor Hatley thanked Mayor Pro Tem Stevenson for filling in for him for the past two months in his absence due to illness.

Councilman Delp said he had received several comments about the Christmas lights. He said he enjoyed the recent Bluegrass at the Old Rock School. He encouraged everyone to shop at the Old Rock School art galleries and said they had some lovely jewelry. He thanked Council for allowing his four year great nephew to ride in the Christmas parade on the old fire truck.

Councilwoman Stevenson said Dr. Paula Reynolds thanked Public Works staff for taking care of the downtown sidewalks. Councilwoman Stevenson said the reason she was in favor of reopening Tiger Gym was because the Old High School was a disgrace and embarrassment to our town and we did not want our facilities to deteriorate.

**OLD HIGH SCHOOL**

Councilman Ogle said he met with Mr. Morse and Mr. Knight at Tiger Gym and he walked over to the Old High School and there was a door open and inside was matches and other items. He said there were no bars over the windows, it was just green plastic, you could see holes in the second floor and things falling from the ceilings. Fire Chief Charlie Watts showed a YouTube of the old school provided by a former resident of Valdese.

Town Attorney Marc Mitchell and Planning Director Larry Johnson briefly reviewed the condemnation process and town code of ordinances and possible costs.

Councilman Ogle made a motion to call the Burke County Building Inspector to begin the condemnation process or to direct the Town Attorney to enforce the code and send a letter of the town's plans to condemn, seconded by Councilwoman Stevenson. The motion carried unanimous.

**COUNCILWOMAN HILDEBRAN – PERSONAL COMMENTS**

Councilwoman Hildebran said she was delighted to be a part of the Valdese Town Council. The decision to run for public office did not come easy but she could not have obtained the seat without the support of the friends and community where she grew up in and the Town for which she worked. She said she had been well received and was humbled and grateful to serve. She said she had big shoes to fill.

**MANAGER'S REPORT:**

**INDUSTRIAL ARTS BUILDING – BURKE COUNTY REACT** Mr. Morse said REACT was moving forward with the project and had worked with the building inspector and were working with the architect and believed they could complete the work within their budget. The Town allocated \$20,000 to the project plus \$12,000 for asbestos removal, and \$8,000 to repair the façade that faces the football field. He anticipates they will begin renovations in January. Mr. Morse briefly reviewed financing.

**TOWN HALL CHRISTMAS DECORATIONS** Mr. Morse thanked Public Works Staff, Cheryl Daye and Debbie Jones for all the hard work with the Christmas decorations.

**DEPARTMENTAL CHRISTMAS DINNER** Mr. Morse said each department was allocated \$10 for each employee for a meal and Town Hall would have their luncheon on Tuesday, December 20, 12 noon and he invited Members of Council to join the Administrative staff.

**CHRISTMAS PARADE – MERCHANTS ASSOCIATION** Mr. Morse thanked Debra Ferris for all the hard work by the merchants to keep our downtown alive and for all the parade work.

**CONCESSION STAND – FAMILY FRIDAY NIGHTS** Mr. Morse said this item would be on Council's January agenda.

**COACHES APPRECIATION DINNER** Mr. Morse invited Members of Council to the Recreation Department – Coaches Appreciation Dinner. The dinner would be held at the Old Rock School, Waldensian Room, 6:00 p.m., on Tuesday, December 6.

**December 5, 2011, MB#30**

**DOWNTOWN DELIGHTS** Mr. Morse said Downtown Delights contract began December 1, 2011, at \$400 per month plus the power. The Town had applied for a grant for the permanent location of Downtown Delights and hopefully would receive word by February 2012.

**ADJOURNMENT** At 8:47 p.m., there being no further business to come before the Council, Councilman Ogle made a motion to adjourn, seconded by Councilman Delp. The vote was unanimous.

The next meeting is a regularly scheduled for Monday, January 9, 2012, 7:00 p.m.

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Town Clerk

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Mayor

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**TOWN OF VALDESE  
TOWN COUNCIL SPECIAL MEETING  
FRIDAY, DECEMBER 30, 2011, 8:00 A.M.**

The Town of Valdese Town Council met in Special Session on Friday, December 30, 2011, 8:00 a.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue, SW, Valdese, North Carolina. The purpose of the meeting was to discuss the possible acquisition of property, the WSVM Radio Station property, adjoining the Town of Valdese Cemetery. The following were present: Mayor James L. Hatley, Councilwoman Frances Hildebran, Councilwoman Susan Stevenson, Councilman Gary L. Delp, and Councilman Chip Black. Also present were Town Manager Jeffrey V. Morse, Town Attorney Marc Mitchell, Deputy Town Clerk Thelda B. Rhoney, and various department heads.

Absent: Councilman Keith Ogle

A quorum was present.

Mayor Hatley called the meeting to order at 8:00 a.m. He called for a silent prayer; after which, he led in the Pledge of Allegiance to the Flag.

**POSSIBLE ACQUISITION OF PROPERTY** Mayor Hatley said the property was the existing WSVM Radio Station and the property that it sits on located at 1117 Praley Street, SW, Valdese, North Carolina. The town owns the cemetery property adjoining the radio station property. He believes it is a viable and necessary service to offer the citizens of Valdese offering affordable burial plots, and many churches do not offer cemetery plots. The Town of Valdese does not want to be in the radio business and he was not sure if the Town could be in that business.

Members of Council briefly discussed if it were good business sense to purchase the property.

Town Attorney Mitchell said Council could go into closed session to discuss the purchase, amount of offer and conditions of a contract and instruct staff in negotiating a position.

**CLOSED SESSION** Town Attorney Marc Mitchell recommended that Council recess into Closed Session pursuant to NC General Statute 143-318.11 (a) (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

At 8:14 a.m., Councilwoman Stevenson made a motion to recess into Closed Session pursuant to NC General Statute 143-318.11 (a) (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease of the WSVM Radio Station property located at 1117 Praley Street, SW, Valdese, North Carolina for extending the town-owned cemetery. The motion was seconded by Councilwoman Hildebran and carried unanimously.

At 9:10 a.m., Councilwoman Stevenson made a motion to return to Open Session, seconded by Councilman Black. The vote was unanimous.

Mayor Hatley said Council unanimously decided to make an offer of \$70,000 for the WSVM Radio Station property located at 1117 Praley Street, SW, Valdese, North Carolina, for the purpose of turning that property into additional cemetery property, containing an estimated 400 burial plots, and he instructed the Town Manager to negotiate the purchase.

**ADJOURNMENT**

At 9:12 a.m., Councilman Black made a motion to adjourn, seconded by Councilwoman Hildebran. The vote was unanimous.

The next meeting is a regularly scheduled Council Meeting on Monday, January 9, 2012, 7:00 p.m.

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Town Clerk

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Mayor