



TOWN OF
GRANITE FALLS
North Carolina

Dr. Caryl B. Burns Mayor • Tracy Townsend Mayor Pro Tem • Jerry T. Church Town Manager
Council Members Ritch Bolick • Larry Knight • Jim Mackie • Mike Mackie • Martin D. Townsend

AGENDA
REGULAR TOWN COUNCIL MEETING
MONDAY, AUGUST 21, 2023
4 SOUTH MAIN STREET
5:30 PM

- I. WELCOME - CALL TO ORDER MAYOR DR. CARYL B. BURNS
- II. INVOCATION COUNCILMEMBER MIKE MACKIE
- III. PLEDGE OF ALLEGIANCE COUNCILMEMBER LARRY KNIGHT
- IV. CONFLICT OF INTEREST STATEMENT COUNCILMEMBER JIM MACKIE

In accordance with the State Government Ethics Act, it is the duty of every Council member to avoid both conflicts of interest and the appearance of conflicts. Does any Council member have any known conflict of interest or appearance of conflicts with respect to any matters coming before the Council today? If so, please identify the conflict or appearance of conflict and refrain from any undue participation in the particular matters involved.

(N.C.G.S. 14-234, N.C.G.S. 160A-479.11, & N.C.G.S. 160D-109)

- V. RECOGNITION OF VISITORS
- VI. SPECIAL PRESENTATIONS/INTRODUCTIONS/RECOGNITIONS
Dr. Kim Case, Regional Manager, Northwest Region, myFutureNC will present the organization's educational attainment goal of having 2 million North Carolinians ages 25-44 hold an industry-valued credential or postsecondary degree by 2030. Dr. Case also requests that the Town Council adopt a Resolution to Support the myFutureNC Attainment Goal. (See attachment 1.)
- VII. APPROVAL OF AGENDA
- VIII. CONSENT AGENDA
All items below are considered to be enacted by one motion. There will be no separate discussion or separate votes of the items listed under the Consent Agenda unless a Councilmember requests that an item or items be considered as a separate item of new business. When a Councilmember makes this request, the item(s) will be removed from the Consent Agenda and will be considered under agenda Section XII. New Business.

- 1) **APPROVE RESOLUTION TO SUPPORT THE myFutureNC ATTAINMENT GOAL**
(See attachment #1.)
- 2) **APPROVAL OF MINUTES FROM THE REGULAR TOWN COUNCIL MEETING HELD MONDAY, JULY 17, 2023**
(See attachment #2.)
- 3) **MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDED JULY 31, 2023**
The Financial Dashboard for the period ended July 31, 2023, is enclosed for Council review and comments. This report represents 8% of the 2023–2024 fiscal year budget. Also enclosed for Council review is an analysis of 2023-2024 sales tax revenue versus the previous year and budgeted revenue. (See attachment #3.)
- 4) **ABC FINANCIAL STATEMENTS**
The Granite Falls ABC Board has submitted the financial statement for the twelve-month period ended June 30, 2023, for your review and comments. (See attachment #4.)
- 5) **APPROVE 4TH QUARTER ABC DISTRIBUTION**
Town Finance Officer Ashley Presnell requests the Council authorize the distribution of ABC funds for \$8,450.84 to the local schools as follows:

Granite Falls Elementary School	36%	\$3,042.30
Granite Falls Middle School	36%	\$3,042.30
Dudley Shoals Elementary School	<u>28%</u>	<u>\$2,366.24</u>
Total Distribution	<u>100%</u>	<u>\$8,450.84</u>
- 6) **ADOPT RESOLUTION RECOGNIZING PATRIOT DAY, THE NATIONAL DAY OF SERVICE AND REMEMBRANCE AND THE NATIONAL MOMENT OF REMEMBRANCE OF THE 22ND ANNIVERSARY OF SEPTEMBER 11, 2001**
The Council shall consider a resolution recognizing Patriot Day, the National Day of Service and Remembrance and the National Moment of Remembrance on the 22nd anniversary of September 11, 2001. To honor the victims and the heroic efforts of the first responders on September 11, 2001, Congress established a National Moment of Remembrance calling for a nationwide moment of silence to begin at 8:46 a.m. EDT on September 11, 2023 – the 22nd anniversary of the attacks – and last for one minute. The Council is requested to approve the Resolution as presented (See attachment #6.)
- 7) **ADOPT RESOLUTION – PUBLIC POWER WEEK**
The Council shall consider a resolution declaring the week of October 1st – 7th as Public Power Week in Granite Falls. Council is also requested to designate Tuesday, October 3rd as “Customer Appreciation Day.” The Town of Granite Falls has owned its electrical distribution system since 1921. The electric system is an asset to the community that contributes to the well-being of our citizens by providing safe and reliable power, excellent customer service and economic development opportunities. The Council is requested to approve the Resolution as presented (See attachment #7.)

8) APPROVE COMPLIANCE TRAINING ASSOCIATES, INC. CONTRACT

Town Staff recommends that the Town renew the contract with Compliance Training Associates, LLC (CTA) to provide safety consultant services to the Town from October 1, 2023, through September 30, 2024, at a flat renewal cost of \$8,500. CTA is completing its eighth year as the Town’s safety consultant and has done a great job with the Town safety program. The Council is requested to approve the contract as presented and to authorize Town Manager Jerry Church to sign the contract on behalf of the Town. (See attachment #8.)

IX. TOWN ATTORNEY REPORT

BRUCE CANNON

X. PUBLIC COMMENT PERIOD

XI. PUBLIC HEARINGS

NONE SCHEDULED

XII. NEW BUSINESS/ACTION ITEMS

1) ELECTRICITIES PRESENTATION/REQUEST FOR APPROVAL

On March 20, 2023, ElectriCities Chief Operating Officer Matt Schull did a presentation to the Town Council regarding the potential sale of power from the Catawba Nuclear Station (Catawba) to Central Power Cooperative, Inc. (Central). North Carolina Municipal Power Agency Number 1 (NCMPA1), the wholesale power supplier to 19 municipalities in western NC (including the Town of Granite Falls), has an ownership interest in Catawba. There have been ongoing efforts to identify opportunities to “right-size” and diversify the power supply portfolio through the sale of excess nuclear capacity and energy. In November 2022, the ElectriCities Board and the Central Board both authorized execution of a Letter of Intent to negotiate a Power Purchase Agreement with Central that replicates a 150 MW (18%) sale of NCMPA1’s nuclear ownership in Catawba. The negotiations have been finalized but in order for this transaction to move forward, all of the 19 NCMPA1 municipalities must approve of the sale of the excess capacity. Gary Brunault, representing NCMPA1, will present the proposed sale of the NCMPA1 capacity to Catawba. The Council is required to review the following documents:

- A) Power Purchase Agreement (PPA) between Central and NCMPA1.
- B) NCMPA1 Resolution No. BDR-4-23 which authorized the PPA.
- C) NCMPA1 Resolution No. BDR-5-23 which authorized Amendment Agreement No. 3 to Project Power Sales Agreement, Catawba Nuclear Project.
- D) NCMPA1 Resolution No. BDR-9-23 which authorized the Sale and Purchase of Excess Participant’s Share of Project Output, the Sizing of Participant’s Shares of Catawba after 2032, and related matters.
- E) Town Attorney Bruce Cannon letter that he has reviewed the documents and there are no legal holdups that prevent the Town from executing any of the agreements required to approve the transaction.

The Council is requested to approve the following documents:

- F) NCMPA1 Amendment Agreement No. 3 to Project Power sales Agreement Catawba Nuclear Project.
- G) NCMPA1 Agreement Regarding the Sale and Purchase of Excess Participant’s Shares of Project Output.
- H) An Ordinance Approving the PPA between NCMPA1 and Central and the Amendment to the Project Power Sales Agreement with NCMPA1.

Action Requested: The Council is requested to certify that they have reviewed Council agenda Attachments A), B), C), D), and E) and approve Council agenda Attachments F), G), and H) related to the sale of the excess Catawba capacity as presented.

2) CLERK’S CERTIFICATION – CORNER OF TURNER ROAD AND SUNSET STREET

Town Clerk Paula Kirby submits the Certificate of Sufficiency for the proposed annexation petition submitted by Mark Johnson that requested the Town of Granite Falls voluntarily annex .395 acres of contiguous property at the corner of Turner Road and Sunset Street under NCGS §160A-31. (See attachment #9.)

3) ADOPT RESOLUTION FIXING DATE – PUBLIC HEARING ON ANNEXATION OF PROPERTY AT THE CORNER OF TURNER ROAD AND SUNSET STREET

In accordance with NCGS 160A-31, upon receipt of the clerk’s certification, the Town Council shall fix the date for a public hearing on the annexation of the .395 acres of contiguous property owned by Johnson Builders, LLC at the corner of Turner Road and Sunset Street. Notice of the public hearing shall be published once in a newspaper having general circulation in the Town at least 10 days before the public hearing. (See attachment #10.)

Action Requested – Review and call for a public hearing on the annexation petition at the Special Council meeting scheduled for Monday, September 11, 2023, at 5:30 p.m.

4) CLERK’S CERTIFICATION – 4642 HICKORY BOULEVARD

Town Clerk Paula Kirby submits the Certificate of Sufficiency for the proposed annexation petition submitted by John Corpening that requested the Town of Granite Falls voluntarily annex 54.13 acres of non-contiguous property at 4642 Hickory Boulevard under NCGS §160A-58.1. (See attachment #11.)

5) ADOPT RESOLUTION FIXING DATE – PUBLIC HEARING ON ANNEXATION 4642 HICKORY BOULEVARD

In accordance with NCGS 160A-58.1, upon receipt of the clerk’s certification, the Town Council shall fix the date for a public hearing on the annexation of the 54.13 acres of non-contiguous property owned by W. Corpening Investments, LLP at 4642 Hickory Boulevard. Notice of the public hearing shall be published once in a newspaper having general circulation in the Town at least 10 days before the public hearing. (See attachment #12.)

Action Requested – Review and call for a public hearing on the annexation petition at the Special Council meeting scheduled for Monday, September 11, 2023, at 5:30 p.m.

6) REZONING PETITION #5-2023 – TURNER ROAD

Town Planner Greg Wilson shall review with the Council the Granite Falls Planning Board meeting held on Tuesday, July 25, 2023, where the Planning Board reviewed a request for a Zoning Map Amendment submitted by Mark Johnson for a .395-acre vacant property owned by Johnson Investments, LLC, located at the corner of Turner Road and Sunset Street.

The request is to rezone the property from R-20A, Residential Medium Density District to R-8, Residential Medium-High Density District. An Annexation Petition has been concurrently submitted for this property, which is currently located in the Town’s ETJ. (See attachment #13.)

The Planning Board voted unanimously to recommend that the Town Council approve the Petition for Rezoning #5-2023 as submitted and provided the following Statement of Plan Consistency and Reasonableness:

- 1. The Zoning Map Amendment would be partially consistent with the Future Land Use Map in the adopted Granite Falls Land Use Plan, which calls for Medium Density Residential use on the property, but not High Density Residential.**

2. **Upon annexation into the Town Limits, the property would become more suitable for high density residential development due to access to Town utilities.**
3. **The Zoning Map Amendment would be reasonable and in the public interest due to the expansion of housing options on a property which has been identified as suitable for such development.**
4. **The Future Land Use Map in the adopted Granite Falls Land Use Plan shall be updated to reflect this approval.**

Action Requested: Review and call for a public (legislative) hearing at the Special Town Council Meeting scheduled for Monday, September 11, 2023, at 5:30 p.m. in the Council Chambers. The hearing notice will be posted on the property, published in the News Topic, and direct-mailed to adjacent property owners per the requirements set forth in G.S. §160D-602.

7) **REZONING PETITION #6-2023 – 36 DUDLEY AVENUE**

Town Planner Greg Wilson shall review with the Council the Granite Falls Planning Board meeting held on Tuesday, July 25, 2023, where the Planning Board reviewed a request by Town Staff for a Zoning Map Amendment for a 1.212-acre property owned by Samuel L. Erby, Jr. and Joseph S. Erby located at 36 Dudley Avenue.

The request is to rezone the property from M-1, General Manufacturing District to R-15, Single-Family Residential District. The property has a former manufacturing building on it that has been converted to a single-family residence. (See attachment #14.)

The Planning Board voted unanimously to recommend that the Town Council approve the Petition for Rezoning #6-2023 as submitted and provided the following Statement of Plan Consistency and Reasonableness:

1. **The Zoning Map Amendment would be inconsistent with the Future Land Use Map in the adopted Granite Falls Land Use Plan, which calls for commercial use on the property.**
2. **The Zoning Map Amendment would be reasonable and in the public interest by downzoning an industrially zoned property to be more compatible with neighboring properties.**
3. **The Future Land Use Map in the adopted Granite Falls Land Use Plan shall be updated to reflect this approval.**

Action Requested: Review and call for a public (legislative) hearing at the Special Town Council Meeting scheduled for Monday, September 11, 2023, at 5:30 p.m. in the Council Chambers. The hearing notice will be posted on the property, published in the News Topic, and direct-mailed to adjacent property owners per the requirements set forth in G.S. §160D-602.

8) **BUDGET AMENDMENT #3 – 2023-2024 – FINANCE OFFICER ASHLEY PRESNELL**

Town Staff was not able to complete certain water & sewer projects before the end of fiscal year 2023. Since these projects were not completed, the money designated for the projects went straight into fund balance at the end of June 2023. The Council is requested to approve this budget amendment to authorize expenditures to complete these projects in Fiscal Year 2023-2024. (See attachment #15.)

9) CONSIDER CHANGES TO THE TOWN CODE OF ORDINANCES

The Council is requested to consider several changes to the Town Code of Ordinances. These updates need to be completed before the Town staff has the vendor convert the Code of Ordinances from a hard copy to an on-line format which will simplify future changes when needed and provide interested parties with a more current code at all times. Attachment #16 outlines the current provisions in the code and the proposed changes to the code. (See attachment #16.)

A summary of the proposed changes are as follows:

- A) **§30.02 SPECIAL MEETINGS (E) (1)** – Added the Town’s website as an additional place to post meeting notices – we are already posting the notices on the website.
- B) **§30.05 APPOINTMENTS** – Replacing the current Code with our practice of making appointments to Town boards and committees.
- C) **§31.01 MANAGER** – Simplifying the Code by removing all language that is already defined in the Town of Granite Falls Personnel Policy and in the Employment Agreement with the Town Manager since both of these documents have already been approved by the Council.
- D) **§50.23 PREMISES NOT SERVED BY DUMPSTERS; STORAGE AND COLLECTION PRACTICES (G)** – Changing the “at the curb” leaf collection times to our actual collection times of November 1st through January 31st. This has been our practice for several years.
- E) **§71.01 PARKING PROHIBITED IN CERTAIN LOCATIONS (A) (7)** – Clarifies that the exception that allows parking in streets with a posted speed limit of 25 mph or less only applies to Town maintained streets and not to any streets maintained by the NC Department of Transportation. NC DOT solely determines if parking is allowed on NC DOT maintained streets regardless of the speed limit.

Action Requested: The Council is requested to approve the Town staff recommendation and call for a public hearing to amend the Town Code of Ordinances at the September 11, 2023, Special Council meeting.

10) AUTHORIZE TOWN APPLICATION FOR A NORTH CAROLINA (NC) DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) ASSET INVENTORY AND ASSESSMENT (AIA) GRANT

The Council is requested to approve the Town application for a NC DEQ AIA Grant of up to \$150,000 for wastewater system collection projects. The grant requires up to a 20% (\$30,000) Town match that can be absorbed in the existing 2024 Water & Sewer Department budget since the Town match can be a combination of hard dollar costs or in-kind services completed by Town staff. If the Town is awarded the AIA grant from the State, the Town will follow proper procurement procedures for selecting an engineer for this project.

Town staff recommends the application include as much as possible of these important projects that focus on current capacity and future growth and needs of our collection system:

- 1) The area around and north of Walmart where we have limited or no wastewater collection system availability or capacity. This is an area that needs to be targeted for the future growth of the Town.
- 2) Study the “inverted syphons” that convey wastewater from the west side of the “Mill Pond” to the Wastewater Treatment Facility and determine future options to replace this infrastructure.
- 3) Collect data from the completed Hillside Avenue sewer line rehabilitation project to determine if an additional project needs to be added to the Capital Improvement Plan (CIP) from the end of this project to the Billy Branch pump station.

The Council is required to approve a resolution authorizing the application and stating that arrangements have been made to provide matching funds. The resolution and application are due October 2, 2023. (See attachment #17.)

Action requested: Council is requested to approve the resolution as presented, to authorize the Town Manager to apply for a DEQ AIA wastewater system grant of up to \$150,000, and to authorize the Town Manager to sign all documents related to the grant application.

11) TOWN HOLIDAY SCHEDULE

The Town of Granite Falls Administrative Office, the Recreation Center, and the Public Works and Electric Departments will be closed in observance of the following holidays:

Labor Day	Monday, September 4 th
Veterans Day	Friday, November 10 th
Thanksgiving	Thursday, November 23 rd & Friday, November 24 th
Christmas	Monday, Tuesday, & Wednesday, December 25 th , 26 th , & 27 th
New Year's Day	Monday, January 1 st

The Police and Fire Departments and the Water and Wastewater Facilities will be on duty as scheduled and those employees on shift scheduled to work the holiday receive pay for the holiday. The employees that are not on shift that have to work the holiday receive alternate time off with pay. Republic Services will pick up garbage and recycling on their regular schedule except for Christmas Day.

12) REPORT ON ELECTRICITIES ANNUAL CONFERENCE AUGUST 14-17, 2023

Councilmember Jim Mackie and Town Manager Jerry Church will report on the ElectriCities Annual Conference held last week.

XIII. MANAGER UPDATE

Town Manager Jerry Church shall update the Council on the following:

Enclosed with your Agenda package is a calendar of events through the end of September 2024.

Note: Members of the Town Council may attend events that are, or are not, sponsored by the Town but there will be no Council business conducted at any of these events in instances where a quorum of the Council may be present.

XIV. COUNCIL COMMITTEE REPORTS

1. WPCOG Policy Board
2. Caldwell County Railroad Policy Board
3. Metropolitan Planning Organization (MPO) and Technical Coordinating Committee
4. Caldwell County Economic Development Advisory Commission (EDAC)
5. NC Municipal Power Agency # 1 Board of Commissioners
6. Caldwell County Manager's bi-monthly meeting

XV. INFORMATION ITEMS/REPORTS

1. The Recreation Advisory Board will meet Tuesday, September 12th at 6:30 p.m. at the Recreation Center.
2. The Merchants' Association will meet Monday, August 21st and Monday, September 11th at Noon at the Town Office.
3. The History Committee will meet on Tuesday, August 15th and Tuesday, September 19th at 2:00 p.m. at the History Museum.
4. The Planning Board will not meet in August. The Planning Board will meet on Tuesday, September 26th at 5:00 p.m. in the Council Room.
5. The Board of Adjustment will meet on Wednesday, September 13th at 5:00 p.m. in the Council Room.
6. The WPCOG MPO/RPO will meet on Wednesday, August 23rd at 1:00 p.m. at the WPCOG.
7. The ABC Board will meet on Monday, September 11th at 5:30 p.m. at the ABC Store.

XVI. CLOSED SESSION

NONE SCHEDULED

XVII. OTHER BUSINESS

XVIII. ADJOURN

Reminder: The next Town Council Meeting is a special meeting on Monday, September 11, 2023, at 5:30 p.m. in the Council Chambers.

In accordance with Title II of the Americans with Disabilities Act, neither the Town of Granite Falls, nor the Granite Falls ABC Board, discriminates based on disability in conducting its meetings. Individuals with disabilities who require auxiliary aids or services or other accommodations for effective communication and participating in a meeting may contact the Town Clerk at (828) 396-3131. Requests should be made at least 72 hours prior to the meeting.