

TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, JUNE 14, 2021 – 7:00 P.M.
WEDDINGTON TOWN HALL
1924 WEDDINGTON ROAD WEDDINGTON, NC 28104
AGENDA
****AMENDED AT MEETING**

Prayer – Pastor Matt Simpkins, Christ Lutheran Church South

1. Open the Meeting
2. Pledge of Allegiance
3. Determination of Quorum
4. Additions, Deletions and/or Adoption of the Agenda
5. Mayor/Councilmember Reports
6. Public Comments
7. Public Safety Report
8. Consent Agenda
 - A. Approval of Resolution 2021-05 to request NCDOT to accept Ambassador Court into State Maintained Secondary Road System
 - B. Approval of Budget Amendment for FY 2020-2021
 - C. Approval of May 10, 2021 Special Town Council Meeting Minutes
 - D. Approval of May 10, 2021 Regular Town Council Meeting Minutes
 - E. Approval of Resolution 2021-06 to oppose SB349/HB401 and HB496
 - ** F. Approval of the Union County Community Development Block Grant Cooperative Agreement.
9. Public Hearing for Fiscal Year 2021-2022 Proposed Budget and set the tax rate
10. Old Business
 - A. Discussion of Enhanced EMT/Fire Service
11. New Business
 - A. Discussion and Consideration of Fiscal Year 2021-2022 Proposed Budget Ordinance and set the tax rate
 - B. Discussion and Consideration of adding Truist Bank as an official depository for the Town of Weddington
 - C. Discussion and Consideration of Entering into Negotiations for Solid Waste Collection Contract
 - D. Discussion and Consideration of Approval of Resolution 2021-07 A Resolution Accepting American Rescue Plan Act of 2021 Funds
 - ** E. Discussion and Consideration of Approval of Professional Services Agreement with LaBella Associates to continue engineering services for the Town of Weddington
12. Update from Town Planner
13. Code Enforcement Report
14. Update from Finance Officer and Tax Collector
15. Transportation Report
16. Council Comments
17. Adjournment

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REGULAR TOWN COUNCIL MEETING
MONDAY, JUNE 14, 2021 – 7:00 P.M.
WEDDINGTON TOWN HALL
MINUTES
PAGE 1 OF 8**

Prayer – Pastor Matt Simpkins, Christ Lutheran Church South

1. Open the Meeting

Mayor Callis called the June 14, 2021 Regular Town Council Meeting to order at 7:01 p.m.

2. Pledge of Allegiance

Council led the Pledge of Allegiance.

3. Determination of Quorum

Quorum was determined with all Councilmembers present: Mayor Elizabeth Callis, Mayor Pro Tem Janice Propst, Councilmembers Mike Smith, Anne Pruitt, and Jeff Perryman

Staff: Town Clerk/Interim Administrator Karen Dewey, Finance Officer Leslie Gaylord, Interim Planner Leamon Brice, Town Attorneys Karen Wolter and Jennifer Nancarrow, Deputy Joe Kropp,

Visitors: Dan Barry, Walt Hogan, Kelly Kroll, Sam McNeil, Janet Peirano, Hughie Sexton, Bill Deter, Anne Marie Smith, Brad Gayle, Gregory Fee, Matt Simpkins, Tom Smith, Don Titherington

4. Additions, Deletions and/or Adoption of the Agenda

Staff requested to add item 8.F. The Union County Community Development Block Grant Cooperative Agreement to the Consent Agenda and item 11.E. Discussion and Consideration of Approval of a Professional Services Agreement with LaBella Associates to continue engineering services for the Town of Weddington to New Business.

Motion: Mayor Pro Tem Propst made a motion to adopt the agenda as amended.

Vote: The motion passed with a unanimous vote.

5. Mayor/Councilmember Reports

The Mayor and Councilmembers had no reports.

6. Public Comments

Hughie Sexton, Gatewood Lane: Mr. Sexton commented on the changes that drove the 1983 incorporation of Weddington and the challenges Weddington faces with the current growth rate.

Don Titherington, Greenbrook Parkway: Mr. Titherington commented on safety and the conditions of the roads. He requested that Council make road repairs a priority and to put NCDOT on notice. He commented on the need for good communications from Town Hall.

7. Public Safety Report

Deputy Kropp gave the Public Safety Report. He is currently working on a Weddington Traffic Safety Campaign in the coming weeks. Deputies from Marvin and some school resource officers have been requested to participate along with the Sheriff's Office Safe Unit. The campaign will be two weeks long to give a concentration to six roadways throughout the Town of Weddington and the Village of Marvin. The National Highway Traffic Safety Administration has materials that will be used to assist with advertising the Traffic Safety Campaign on the Town Facebook Page, The Town Website, and in the Newsletter to promote safe driving. The goal is to save lives. Deputy Kropp encouraged drivers to remember that there is a reason for posted speed limits. The roadways are a dangerous place and the speed limits are to protect drivers, passengers, and pedestrians. The slogan being used for this campaign is Obey the Sign or Pay the Fine. If you have additional questions, contact Deputy Kropp at Joseph.Kropp@unioncountync.gov.

8. Consent Agenda

- A. Approval of Resolution 2021-05 to request NCDOT to accept Ambassador Court into State Maintained Secondary Road System
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- C. Approval of May 10, 2021 Special Town Council Meeting Minutes
- D. Approval of May 10, 2021 Regular Town Council Meeting Minutes
- E. Approval of Resolution 2021-06 to oppose SB349/HB401 and HB496
- ** F. Approval of the Union County Community Development Block Grant Cooperative Agreement.

Motion: Councilmember Perryman made a motion to approve the Consent Agenda as amended.

Vote: The motion passed with a unanimous vote.

9. Public Hearing for Fiscal Year 2021-2022 Proposed Budget and set the tax rate

Mayor Callis opened the Public Hearing.

Tom Smith, Tanglebriar Court: Mr. Smith expressed frustration that the presented budget didn't provide enough information, including the numbers from last year to use as a comparison. He shared the numbers he calculated regarding the increased tax amounts due to the county revaluation. He spoke against the proposed tax rate as he believes it to be excessive.

Mayor Callis closed the Public Hearing.

10. Old Business

A. Discussion of Enhanced EMT/Fire Service

Councilmember Smith stated that he requested to revisit this discussion after reviewing the 911 numbers and the job descriptions Council requested at the May meeting. After reviewing the data received from the county and the descriptions of the differences in the levels of care that the EMS personnel can provide, nothing stood out that warranted making this financial commitment at this

time. Councilmember Smith stated that he believes this should be monitored and suggested getting an independent study to see where to put the funding. If there are problems with response times and staffing, that should be the Union EMS responsibility. Councilmember Smith thanked Councilmember Pruitt and Mayor Pro Tem Propst for their help reviewing the 911 data and concluded that he doesn't see where additional funding is needed.

Mayor Pro Tem Propst stated that she appreciated the work of Councilmembers Pruitt and Smith in studying the data. She agreed with Councilmember Smith that the Town doesn't need to move forward with funding enhanced services. She stated that if there is a problem in response times, the Town should follow up with EMS at the county.

Councilmember Perryman agreed and added that if there is a response time problem, ask the County why it isn't being addressed.

Mayor Callis thanked the Council for their work on this issue.

11. New Business

A. Discussion and Consideration of Fiscal Year 2021-2022 Proposed Budget Ordinance and set the tax rate

Mayor Callis commended Ms. Gaylord for her 20 plus years of experience in helping guide the Council through the budget process. She stated that Ms. Gaylord has worked to protect the financial integrity of the Town and stated her thanks for Ms. Gaylord's many years of dedication and positioning the Town in positive financial standing.

Ms. Gaylord presented the proposed FY 2021-2022 Budget and tax rate. She explained that several different tax rate scenarios were run and the one most beneficial to the Town was 4.8 cents. She explained that since only a few local municipalities are proposing a revenue neutral tax rate, the Town's state collected revenues (sales and utilities taxes) which are distributed by the County in proportion to the ad valorem are likely to decline. If the Town were to keep a revenue neutral tax rate of 4.05 cents, the Town would only gain \$38,000 total in ad valorem tax revenue and potentially lose over \$200,000 in state collected revenue. Increasing the tax rate to 4.8 cents would gain approximately \$230,000 in ad valorem revenue compared to the revenue neutral tax rate. Ms. Gaylord also foresees that even with the higher than revenue neutral tax rate the Town is likely to see a decline in state collected revenues. Ms. Gaylord listed various expenditures the Town now incurs that the additional net revenue would be used to fund.

Mayor Callis reopened the public hearing. There was a question regarding cost containment and cost elimination. Ms. Gaylord explained the process of cost containment: The budget starts at zero and the costs are then forecast so costs are reviewed and estimated each year.

Mr. Sam McNeil asked if a 3rd party consultant has ever been hired to review the spending and budget. Ms. Gaylord responded that there hasn't been except for a salary review. Councilmember Perryman stated that auditors have repeatedly reported that the Town of Weddington has one of the best run budgets in the state. Mr. McNeil asked if any auditors would provide corrective advice on town spending. Mr. Brice explained that the state auditors would step in if a town was uncontrollably spending.

Mayor Pro Tem Propst asked Ms. Gaylord to explain the amount of money the Town is required to keep in savings. Ms. Gaylord responded that according to Town policy, the town is required to keep an available fund balance of not less than 50% of the Town's budgeted expenditures in any given year. The proposed Town budget is \$2.4 million and the Town currently has \$2.6 million of total available fund balance. Removing the required 50% of budgeted expenditures, \$1.2 million, from the total available leaves \$1.4 million. The Town is currently involved in litigation so some of that \$1.4 million must be earmarked in the event the Town is required to pay something for that judgement.

Mr. Dan Barry thanked the Council and Ms. Gaylord for their work. He commented on the amounts in the 2.4 million. Ms. Gaylord explained that the town does not operate a separate Capital Project fund but instead has a Capital Improvement Plan that is funded through the General Fund and Fund Balance. The Town will be able to move the money between the project headings on the Capital Improvement Plan and can unlike a Capital Project fund can transfer funds from the proposed capital projects to the operating budget if needed. He asked about the fire contract being repriced and rebid every 3 years and when the last time that was done. Ms. Gaylord stated that she doesn't recall a requirement in the contract to do so.

Mayor Pro Tem Propst explained that with the current situation with the NCDOT the Town will not get improvements funded, and the only way to get improvements is if Weddington participates in funding those improvements. Councilmember Perry stated that there are 4 critical intersections in Town. The Town is responsible for the NCDOT overruns. Mayor Callis explained the funding process through the CRTPO and that the Town is competing with projects throughout Mecklenburg, Union, and Iredell counties.

Mr. Hughie Sexton discussed LGC oversight of budgeting and explained that the NCDOT budget is in a shortfall. Given the drastic decrease in drivers on the road because of the pandemic and the negative effect that has had on NCDOT funding sources, NCDOT is \$25 million in the hole, leading to delays and cancellations of projects.

Mr. Bill Deter complimented Ms. Gaylord on her work. He stated that the key thing to understand is that government rewards inefficiency. He reviewed some of the budget numbers and stated his belief that the Town is trying to cover expenditures in the budget.

Ms. Gaylord stated that the Town doesn't know what the state collected revenue shortfall is going to be. The Town doesn't want to drop the tax rate and then need to raise it back up.

Mr. Tom Smith noted that in the expenditures the increases are in administrative expenses. He asked about the spending on dues and subscriptions. Ms. Gaylord explained that the NC League of Municipalities, UNC School of Government, the CRTPO, and other organizations require payment for membership. Mr. Smith thanked Ms. Gaylord for the explanation.

Mayor Callis closed the public hearing.

Councilmember Perryman thanked the public for their attendance and sharing opinions. He stated that he's lived here for 30 years and moved here for the low taxes. He stated that based on Ms.

Gaylord's expertise and the auditor's comments, he puts a lot of weight on the recommendations made, and if financially things look better next year, the Town can lower the tax rate. Councilmember Pruitt thanked Ms. Gaylord for all her hard work. She stated that his has been a difficult year and she appreciates the detailed explanations.

Mayor Pro Tem Propst stated that she personally has a 48% increase from the county tax revaluation. She explained that the Council asked for the revenue neutral rate and tried a 4.6 cent rate. She stated that she fully trusts Ms. Gaylord's assessment of the situation.

Councilmember Smith stated that the Council looked hard at the 4.6 rate and he listened when Ms. Gaylord called to explain why she believed it might not work. He thanked everybody who came to speak today. He stated appreciation for the great dialog and the comments. He stated his pleasure to see previous Councilmembers.

Motion: Councilmember Smith made a motion to approve the FY 21-22 proposed budget ordinance, set the tax rate at 4.8 cents and approve the 5-year Capital Improvement Plan.

Vote: The motion passed with a unanimous vote.

B. Discussion and Consideration of adding Truist Bank as an official depository for the Town of Weddington

Ms. Gaylord presented: In an effort to maximize the features of the Town's new financial software and its abilities to aid in the automated versus manual posting of tax payments, Town staff reached out to several area financial institutions to determine if their systems would be compatible with our new software at a cost-effective price. Based on these discussions, Town staff recommends adding Truist Bank as an official depository for the Town. They provided prompt responses to all requests and appear to have the greatest capability to integrate payments received through a Town lockbox with our financial software. Fees will be substantially greater than those currently incurred, but staff believes that the time and efficiency gained by automating the payments will justify the increased costs. Also, the bulk of the fees are related to the lockbox, so as more residents become aware of and use the online payment feature to pay their tax bills, the need for the lockbox will be reduced and hopefully eliminated in the foreseeable future. Staff recommends continuing a banking presence with South State, the current financial depository, as they have the only financial institution branch physically located in the Weddington municipal limits and are conveniently located to Town Hall. Balances maintained at the different depositories will be allocated in an effort to maximize investment earnings to the Town.

Motion: Mayor Pro Tem Propst made a motion to approve adding Truist Bank as an official depository for the Town of Weddington.

Vote: The motion passed with a unanimous vote.

C. Discussion and Consideration of Entering into Negotiations for Solid Waste Collection Contract

Councilmember Pruitt addressed some concerns that have been expressed on social media. The Town of Weddington is not getting into the "trash business". We are merely investigating options to

help our residents – reduce wear and tear on our roads, and provide a lower cost option, and possibly be able to offer other services currently not available - it is NOT a revenue generating tool for the Town. The Town has received 3 proposals for service. The goal is to narrow down to 2 providers, and vet them to see if one of them will be a viable option to serve the needs of the residents of Weddington. We are still investigating options and negotiating and can stop the process at any time. We are not increasing taxes to pay for trash service. Billing options is one of the topics we're researching. We are not going into business with Marvin, we did work jointly with them on the RFP, and if both towns contract with the same provider, the cost could be lower. If we proceed, the Town of Weddington will be under its own contract and services will not start until the 2nd or 3rd quarter of 2022. Councilmember Pruitt thanked residents who took time and responded to the survey. It was available for a 2-week window to gain feedback. Based on the results, over 90% of the respondents either supported a town contract for solid waste collection or wanted additional information. Councilmember Pruitt recommended to Council to continue with research and negotiations with the goal to have details to present to the Council and award a contract at the July Town Council Regular Meeting.

Mayor Callis stated that State statute requires that Council make a decision within 6 months of the beginning discussions of a contract consideration. Ms. Wolter confirmed that the Town is required to take formal action to displace private contractors. By making this motion, the Council has not selected a contractor and as per the RFP, the town has the right to select none of the proposals. If the Town opts to not continue, there would be notice to the local private carriers that their service would continue going forward. But to make this motion tonight keeps the process from starting over from the beginning.

Motion: Councilmember Pruitt made a motion to enter into negotiations for Solid Waste Collection Contract and approve a resolution to displace private solid waste collection services and move forward with discussion of municipal provided services.

Vote: The motion passed with a unanimous vote.

D. Discussion and Consideration of Approval of Resolution 2021-07 A Resolution Accepting American Rescue Plan Act of 2021 Funds

Ms. Gaylord presented: The American Rescue Plan Act is to fund necessary recovery from the economic effects from the COVID-19 pandemic. The funds are specifically earmarked and based on current stipulations of authorized expenditures, it appears Weddington will only qualify to spend the funds on water and sewer infrastructure. The funds will be paid in two installments, with the second being paid out no sooner than 12 months after the first. The funds have to be encumbered by December 2024. The funds must remain separate from the Town Operating Budget.

Ms. Wolter added that there is still a lot of uncertainty in the regulations about how these funds can be used. Staff will monitor any new information coming in.

Motion: Councilmember Smith made a motion to approve Resolution 2021-07 A Resolution Accepting American Rescue Plan Act of 2021 Funds.

Vote: The motion passed with a unanimous vote.

E. Discussion and Consideration of Approval of a Professional Services Agreement with LaBella Associates to Continue Engineering Services for the Town of Weddington

The current agreement with LaBella Associates expires on June 30, 2021. This proposed agreement will cover from July 1, 2021 until June 30, 2023. LaBella's engineering services include reviews of plans submitted to the Town, field inspection services, erosion control program administration, consultation and field investigation for engineering issues, and other related engineering services as requested by the Town.

Ms. Wolter requested Council to approve the agreement with the condition that the agreement be reviewed by the Town Attorney and finalized by the Town Attorney and Interim Administrator.

Motion: Councilmember Perryman made a motion to approve the Professional Services Agreement with LaBella Associates to Continue Engineering Services for the Town of Weddington with the condition that the agreement be reviewed by the Town Attorney and finalized by the Town Attorney and Interim Administrator.

Vote: The motion passed with a unanimous vote.

12. Update from Town Planner

Mr. Brice presented a brief update. He has had a lot of interaction with Weddington Glen and Hemby Place. He is also dealing with Code Violations.

13. Code Enforcement Report

7200 Forest Ridge Road. Town may have to move forward with legal action to bring the violation into compliance.

14. Update from Finance Officer and Tax Collector

Ms. Gaylord presented the financial reports. The budgeted numbers shown include the amounts on the Budget amendment approved in the Consent Agenda. Ms. Gaylord verified that a radar trailer and the park green area amounts fit into the budget. Because of the available funding, Council agreed to move forward with the purchase of a radar trailer and the grading and development of the Open Lawn area adjacent to the Park Plaza.

15. Transportation Report

Mayor Callis reported that CRTPO is choosing some projects within the division for funding based on how far along the project is with engineering. We will be keeping an eye on those.

16. Council Comments

Councilmember Perryman: Thanks to everybody that came out this evening and spoke and shared. I wish we had more meetings like this, with folks here and interacting. My thanks to Town Staff. It's been a crazy year and you all have done an outstanding job and continue to do so. And to my fellow councilmembers,

I've been out of pocket the last few weeks and Ann and Mike and Janice have done a lot of work on the projects and it's much appreciated, and I know how much time you put in.

Councilmember Pruitt: Thank you for being here. Come out sometime when you want to see what's going on or ask some questions. It is good to see you all out here and I appreciate everybody on the Council's help and support.

Mayor Pro Tem Propst: Thank you everyone. We appreciate the people in the room who have served before. And the people in the room who serve on our planning board and all the residents who are concerned about their tax dollars. I assure you that everybody here is just as concerned. I feel like we have an excellent staff. We have an excellent financial leader and she has led us to the right decision for this year and I think that we will look at that again next year and I promise you that we will always be as conservative as we possibly can be. There isn't a person up here that doesn't look at every dollar and try to do the right thing for the community. I thank you all for coming out and please come back next month.

Councilmember Smith: Leslie, thank you for the great job you've done and the rest of the staff. I also want to extend thanks for the people coming out to speak. I was very happy with how this dialog went. It was a meaningful dialog; things were discussed, and issues were addressed. Don, Bill, we've been on the wrong side of a bad conversation and it was nice to have calm logical conversation. I want to thank you for that. It makes it a lot easier to understand what is going on and get your point across. Some good points were made. We need to do a better job of communicating and getting the word out there.

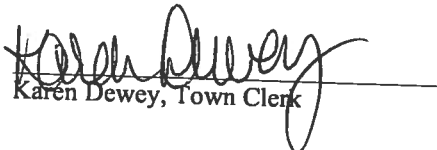
Mayor Callis: Thank you. We will look into paper newsletters. We do the best we can. Our Planner/Administrator left for a better opportunity last month, so the last 45 days, our staff that are all part time have stepped up to keep the town running. Lisa did a whole lot for this town. Our staff should be commended. Thank you for everything.

17. Adjournment

Motion: Councilmember Smith made a motion to adjourn the June 14, 2021 Regular Town Council Meeting at 8:42 p.m.

Vote: The motion passed with a unanimous vote.

Approved: July 12, 2021


Karen Dewey, Town Clerk


Elizabeth Callis, Mayor



**NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
REQUEST FOR ADDITION TO STATE MAINTAINED SECONDARY ROAD SYSTEM
TOWN OF WEDDINGTON, NORTH CAROLINA**

R-2021-05

North Carolina

County of Union: Ambassador Court

Road Descriptions: Ambassador Court, Providence Place II Town of Weddington, NC

WHEREAS, the attached petition has been filed with the Town Council of the Town of Weddington, Union County, requesting that the above described roads, the location of which has been indicated in red on the attached map, be added to the Secondary Road System; and,

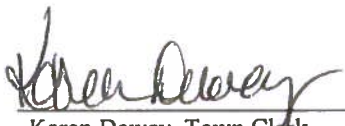
WHEREAS, the Town of Weddington is of the opinion that the above described roads should be added to the Secondary Road System, if the roads meet minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, be it resolved by the Town of Weddington of the County of Union that the Division of Highways is hereby requested to review the above-described roads, and to take over the roads for maintenance if it meets established standards and criteria.

Adopted this 14th day of June 2021.


Elizabeth Callis, Mayor

Attest:


Karen Dewey, Town Clerk





TOWN OF WEDDINGTON
A RESOLUTION IN OPPOSITION TO SB349/HB401 AND HB496
RESTRICTING LOCAL GOVERNMENT CONTROL IN LAND USE AND PLANNING/ZONING DECISIONS
R-2021-06

WHEREAS, the North Carolina General Assembly will be considering SB 349/HB 401, which would require local governments to include residential duplexes, triplexes, quadplexes, and townhouses in areas zoned for residential use, including those areas specifically zoned for detached single-family dwellings; and

WHEREAS, provisions within this legislation would severely diminish or even eliminate the ability of local government to determine what is best for its community or even allow community input or involvement in the decision-making process; and

WHEREAS, the Weddington Town Council were elected by their citizens to protect and preserve the quality of life that they have come to enjoy and

WHEREAS, the Weddington Town Council believes a “one size fits all” approach to land use is extreme and deliberately excludes local land-use decision-making; and

WHEREAS, the North Carolina General Assembly will also be considering HB 496, which would require that all local ordinances regulating the removal of trees be permitted only with the express authorization of the General Assembly; and

WHEREAS, the preservation of trees is an objective of the Town of Weddington Planning Board when considering rezoning requests; and

WHEREAS, the Weddington Town Council believes that trees in our Town increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, the Weddington Town Council believes that any state legislation restricting local tree ordinances will damage local efforts to preserve our rural character, hamper economic development, and lower residents’ quality of life.


NOW, THEREFORE, BE IT RESOLVED that the Weddington Town Council is opposed to SB 349/ HB401 as it is currently written and to HB 496 in its entirety and urges our legislators to vote against these bills.

Adopted this the 14th day of June 2021.



Elizabeth Callis, Mayor

Attest:



Karen E. Dewey, Town Clerk



COOPERATIVE AGREEMENT
Union County "Urban County"
Community Development Block Grant (CDBG) Program

THIS AGREEMENT made and entered into this 16th day of June, 2021 by and between the Town of Weddington, North Carolina hereinafter referred to as the "Community", and the County of Union a body politic and corporate of the State of North Carolina, hereinafter referred to as the "County":

WHEREAS, the Housing and Community Development Act of 1974 as amended (the "Act") provides an entitlement of funds for Community Development purposes for urban counties; and

WHEREAS, Union County has been designated as an Urban County provided that it secures Cooperation Agreements with various communities in Union County; and

WHEREAS, this agreement covers the Community Development Block Grant (CDBG) Entitlement Program; and

NOW THEREFORE, by executing this agreement, the Community and County do hereby promise and agree:

THAT the Community may not apply for grants from appropriations under Small Cities or State CDBG programs for fiscal years during the period in which it is participating in the urban county's CDBG program; and

THAT the Community may only receive a formula allocation under the HOME or ESG program only through the urban county. Thus, even if the Urban County does not receive a HOME formula allocation, the Community cannot form a HOME consortium with other local governments; and

THAT the County shall have final responsibility for selecting Community Development Block Grant activities and annually filing a Consolidated Plan with HUD; and

THAT the County will, on behalf of the Community, execute essential Community Development and Housing Assistance applications, plans, programs and projects eligible under the Housing and Development Act of 1974 as amended; and

THAT the Community and the County will cooperate to undertake, or assist in undertaking, community renewal and lower income housing assistance activities, specifically urban renewal and publicly assisted housing; and

THAT the Community and the County will take all actions necessary to assure compliance with the County's certification required by Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, including Title VI of the Civil Rights Act of 1964 and the implementing regulations at 24 CFR part 1, the Fair Housing Act and the implementing regulations at 24 CFR part 100, Section 109 of Title I of the Housing and Community Development Act of 1974 and the implementing regulations at 24 CFR part 6, which incorporates Section 504 of the Rehabilitation Act of 1973 and the implementing regulations at

COOPERATIVE AGREEMENT
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24 CFR part 8, Title II of the Americans with Disabilities Act and the implementing regulations at 24 CFR part 35 and the Age Discrimination Act of 1975 and the implementing regulations at 24 CFR part 146, and Section 3 of the Housing and Urban Development Act of 1968 and other applicable laws; that the County is prohibited from funding activities in or in support of any cooperating unit of general local government that does not affirmatively further fair housing within its own jurisdiction, or that impedes the County's actions to comply with the county's fair housing certification; and that funding by the County is contingent upon the Community's compliance with the above; and

THAT the Community has adopted and is enforcing a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstration within its jurisdiction; and

THAT a unit of general local government may not sell, trade, or otherwise transfer all or any portion of such funds to a metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under Title I of the Housing and Community Development Act of 1974, as amended; and

THAT the qualification period of this agreement as defined in the HUD regulations and guidelines shall be **Federal Fiscal Years 2022, 2023, 2024**, and such additional period of time for the purpose of carrying out activities funded by Community Development Block Grants from Federal Fiscal Years 2022, 2023, 2024, appropriations and from any program income generated from the expenditure of such funds; further that the period of time of this Agreement shall be automatically renewed in successive three-year qualification periods, unless the County or the Community provides written notice it elects not to participate in a new qualification period. A copy of this notice must be sent to the HUD State Office by the date specified in HUD's urban county qualification notice for the next qualification period; further the County will notify the Community in writing of its right to make such election by the date specified in HUD's urban county qualification notice; and

THAT the Community resolves to remain in Union County's Urban County programs for an indefinite period of time or until such time it is in the best interest of this Community to terminate the Cooperation Agreement and such additional period of time for the purpose of carrying out activities funded by Community Development Block Grants and from any program income generated from the expenditure of such funds. Furthermore, that the period of time of this Agreement shall be automatically renewed in successive three-year qualification periods, unless the County or the Community provides written notice it elects not to participate in a new qualification period. A copy of this notice must be sent to the HUD State Office by the date specified in HUD's Urban County Qualification Notice for the next qualification period; further the County will notify the Community in writing of its right to make such election by the date specified in HUD's Urban County Qualification Notice; and

COOPERATIVE AGREEMENT
Union County "Urban County"
Community Development Block Grant (CDBG) Program

THAT failure by either party to adopt an amendment to this Agreement incorporating all changes necessary to meet the requirements for cooperation agreements set forth in the Urban County Qualification Notice applicable for a subsequent three year urban county qualification period, and to submit the amendment to HUD as provided in the Urban County Qualification Notice applicable for a subsequent three-year urban county qualification period, and to submit the amendment to HUD as provided in the Urban County Qualification Notice, will void the automatic renewal of such qualification period; and

THAT this Agreement remains in effect until the CDBG funds and income received with respect to activities carried out during the three-year qualification period (and any successive qualification periods under this automatic renewal provision) are expended and the funded activities completed, and that the County and Community may not terminate or withdraw from this agreement while this agreement remains in effect; and

THAT the Community shall inform the County of any income generated by the expenditure of CDBG funds received by the Community; and

THAT any such program income generated by the Community must be paid to the County, unless at the County's discretion, the Community may retain the program income as set forth in 24 CFR 570.503; and

THAT any program income the Community is authorized by the County to retain may only be used for eligible activities approved by the County in accordance with all CDBG requirements as may then apply; and

THAT the County has the responsibility for monitoring and reporting to HUD on the use of any such program income, thereby requiring appropriate record keeping and reporting by the Community as may be needed for this purpose; and

THAT in the event of close-out or change in status of the Community, any program income that is on hand or received subsequent to the close-out or change in status shall be paid to the County; and

THAT the Community shall provide timely notification to the County of any modification or change in the use of the real property from that planned at the time of acquisition or improvement including disposition; and

THAT the Community shall reimburse the County in the amount equal to the current fair market value (less any portion of the value attributable to expenditures of non-CDBG funds) of real property acquired or improved with Community Development Block Grant funds that is sold or transferred for the use which does not qualify under the CDBG regulations; and

THAT the Community shall return to the County program income generated from the disposition or transfer of real property prior to or subsequent to the close-out, change of status or termination of the cooperation agreement between the County and the Community; and

COOPERATIVE AGREEMENT
Union County "Urban County"
Community Development Block Grant (CDBG) Program

THAT the terms and provisions of this Agreement are fully authorized under State and local law, and that the Agreement provides full legal authority for the County to undertake or assist in undertaking essential community development and housing assistance activities, specifically urban renewal and publicly assisted housing; and

THAT pursuant to 24 CFR 570.501(b), the Community is subject to the same requirements applicable to subrecipients, including the requirement for a written agreement set forth in 24 CFR 570.503.

IN WITNESS WHEREOF, the Community and the County have adopted and authorized this agreement to be executed by their respective officer's thereunto as of the day and year first above written.

COUNTY OF UNION

Name: William M. Watson
Title: COUNTY MANAGER
Signature: _____
Date: _____

Name: Lynn West
Title: COUNTY CLERK
Signature: _____
Date: _____

TOWN OF WEDDINGTON

Name: Karen Dewey
Title: INTERIM TOWN ADMINISTRATOR/
TOWN CLERK
Signature: Karen Dewey
Date: June 16, 2021

Name: Janet Peirano
Title: TOWN ADMINISTRATIVE ASSISTANT
Signature: Janet Peirano
Date: June 16, 2021



**TOWN OF WEDDINGTON, NORTH CAROLINA
2021-2022 GENERAL FUND BUDGET ORDINANCE
O-2021-02**

BE IT ORDAINED By The Town Council of Weddington, North Carolina, In Session Assembled:

Section 1. The following amounts are hereby appropriated in the General Fund for the operation of Weddington Government and its activities for the fiscal year beginning July 1, 2021 and ending June 30, 2022, according to the following summary and schedules:

SUMMARY

<u>FUND</u>	<u>ESTIMATED REVENUES</u>	<u>FUND BALANCE APPROPRIATION</u>	<u>TOTAL APPROPRIATION</u>
General	\$2,465,580	\$75,000	\$2,540,580

Section 2. That for said fiscal year there is hereby appropriated out of the General Fund the following:

<u>GENERAL FUND</u>	<u>AMOUNT</u>
Administrative	\$ 659,965
Planning & Zoning	644,040
General Government	<u>1,236,575</u>
TOTAL APPROPRIATIONS – GENERAL FUND	<u>\$2,540,580</u>

Section 3. It is estimated that the following General Fund Revenues and Fund Balance Appropriations will be available during the fiscal year beginning July 1, 2020 and ending June 30, 2021 to meet the foregoing General Fund appropriations:

<u>REVENUE SOURCE</u>	<u>AMOUNT</u>
Ad Valorem Taxes	\$1,554,500

State-Collected Revenues	865,000
Zoning and Subdivision Revenues	40,000
Other Revenues	<u>6,080</u>
TOTAL REVENUE GENERAL FUND	<u>\$2,465,580</u>
APPROPRIATION FROM FUND BALANCE	<u>\$ 75,000</u>

Section 4. There is hereby levied for the fiscal year ending June 30, 2022 the following rate of taxes on each (\$100) assessed valuation of taxable property as listed as of January 1, 2021 for the purpose of raising the revenues from current year's property tax as set forth in the foregoing estimates of Revenues, and in order to finance foregoing appropriations:


GENERAL FUND \$0.048

Section 5. The Finance Officer is hereby authorized to transfer appropriations within a fund contained herein under the following conditions:

- a. She may transfer amounts between object of expenditure within a department without limitation.
- b. She may transfer amounts between departments of the same fund with an official report on such transfers to the Town Council.
- c. She may make expenditures and/or transfers from appropriations as necessary.

Section 6. All capital items, (items exceeding \$10,000), are to be approved in accord with the adopted budget. The Finance Officer will maintain a list of approved capital outlay items.

Adopted this 14th day of June, 2021.


Elizabeth Callis, Mayor

Attest:


Karen Dewey, Town Clerk



R-2021-08

**A RESOLUTION TO DISPLACE PRIVATE SOLID WASTE COLLECTION SERVICES
AND MOVE FORWARD WITH MUNICIPAL PROVIDED SERVICES**

WHEREAS, pursuant to NCGS §160A-327, the Town of Weddington published notice of a meeting on January 11, 2021, where proposed changes in solid waste collection were discussed;

WHEREAS, on January 11, 2021, the Weddington Town Council voted to move forward with displacement of private solid waste collection services with a final decision within six months and any such municipal provided solid waste services not commencing for a period of 15 months from the first date of publication which occurred on December 6, 2020;

WHEREAS, on April 1, 2021, the Town of Weddington and the Village of Marvin issued a Solid Waste Services Request for Proposals ("RFP");

WHEREAS, there were three (3) proposers that responded to the RFP and the Town Council intends to select one of the proposers and enter into an agreement for the provision of municipal provided solid waste collection services; and

WHEREAS, the Town Council seeks to take formal action to displace private companies providing private solid waste collection services within the municipal limits in accordance with NCGS §160A-327.

NOW, THEREFORE, BE IT RESOLVED by the Weddington Town Council that:

- (1) The Council intends to select one of the proposers from the RFP and enter into an agreement for the provision of municipal provided solid waste collection service;
- (2) The Council hereby displaces private companies from providing private solid waste collection services within the municipal limits with displacement occurring after April 1, 2022; and
- (3) Town Staff is instructed and authorized to take actions to facilitate moving forward with municipal provided solid waste services.

Adopted this 14th day of June 2021

Attest:



Karen Dewcy, Town Clerk


Elizabeth Callis, Mayor





**TOWN OF WEDDINGTON
RESOLUTION ACCEPTING AMERICAN RESCUE PLAN ACT (ARPA) OF 2021 FUNDS
R-2021-07**

WHEREAS, the American Rescue Plan Act was signed into law on March 11, 2021; and

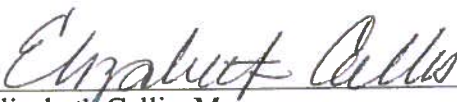
WHEREAS, the State of North Carolina will be appropriated funding from the American Rescue Plan Act to fund necessary recovery from the economic effects from the COVID-19 pandemic; and

WHEREAS, the North Carolina General Assembly will provide for the distribution of funds to eligible municipalities; and

WHEREAS, these funds for municipalities will be kept in a separate fund and only spent on eligible expenses as required under the American Rescue Plan Act; and


NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Weddington that the Town of Weddington does hereby authorize the acceptance of funds through the American Rescue Plan issued through the State of North Carolina and the revenue will only be used for the purposes prescribed in the American Rescue Plan Act. The Town of Weddington affirms that it will comply with all procedures, laws, and regulations pertaining thereto.

Adopted this the 14th day of June 2021.



Elizabeth Callis, Mayor

Attest:



Karen Dewey, Town Clerk

