



**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, JUNE 12, 2023 – 7:00 P.M.
WEDDINGTON TOWN HALL
1924 WEDDINGTON ROAD WEDDINGTON, NC 28104
AGENDA
AMENDED AT MEETING

1. Call to Order
2. Determination of Quorum
3. Pledge of Allegiance
4. Additions, Deletions and/or Adoption of the Agenda
5. Conflict of Interest Statement: *In accordance with the state government ethics act, it is the duty of every Council member to avoid conflicts of interest. Does any Council member have any known conflict of interest with respect to any matters on the agenda? If so, please identify the conflict and refrain from any participation in the matter involved.*
6. Mayor/Councilmember Reports
7. Public Comments
8. Public Safety Report
9. Consent Agenda
 - A. Approve of May 8, 2023 Town Council Meeting Minutes
 - B. Approve FY 2022-2023 Budget Amendment
 - ** C. Approve FY 2022-2023 Audit Contract with Ann Craven, CPA, PLLC for an amount not to exceed \$9,000.
10. Old Business
11. New Business
 - A. Conditional Zoning Amendment for Weddington United Methodist Church for the addition of a temporary modular classroom building at 130 S. Providence Road
 - i. Public Hearing
 - ii. Discussion and Possible Consideration
 - B. Text Amendment to Section D-917D, Supplemental Requirements for Certain Uses, of the Town of Weddington Unified Development Ordinance
 - i. Public Hearing
 - ii. Discussion and Possible Consideration
 - C. Fiscal Year 2023-2024 Budget
 - i. Public Hearing
 - ii. Discussion and Possible Consideration
 - D. Discussion and Possible Consideration of amending regular meeting schedule for time and location of June 19, work session.
12. Code Enforcement Report
13. Update from Finance Officer and Tax Collector
14. Updates from Town Planner and Town Administrator
15. Transportation Report
16. Council Comments
17. Move into Closed Session pursuant to NCGS 143-318.11 (a)(3) to consult with attorney on matters protected by the attorney-client privilege relating to Providence Volunteer Fire Department versus Town of Weddington and NCGS 143-318.11(A)(6) to address personnel matters.
18. Adjournment



**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, JUNE 12, 2023 – 7:00 P.M.
WEDDINGTON TOWN HALL
MINUTES
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1. Call to Order

Mayor Horn called the June 12, 2023 Regular Town Council Meeting to order at 7:00 p.m.

2. Determination of Quorum

Quorum was determined with Mayor Craig Horn, Mayor Pro Tem Janice Propst, Councilmembers Jeff Perryman and Anne Pruitt present. Councilmember Brannon Howie was absent.

Staff: Town Administrator/Clerk Karen Dewey, Finance Officer Leslie Gaylord, Admin Assistant/Deputy Clerk Debbie Coram, Town Attorney Karen Wolter present. Planner Robert Tefft on the phone.

Visitors: Nolan Groce, Hugh Clark, Gayle Butler, Steve Graybill, Mike Morse, Mike Carver, Elaina Wolfe, Ivan Merritt, Gary Napper, Samantha Donn, Christopher Neve, Amy Anthony, Bill Deter, Paul Pennell, Adele Keen, Tom Smith, John Allen, Shelia Allen, Tracy Stone, Andy Santaniello

3. Pledge of Allegiance

Council led the Pledge of Allegiance.

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

Staff requested to add item 9.C. to the Consent Agenda: *Approve Contract with Ann Craven, CPA, LLC to Audit Accounts for FY 2022-2023.*

Motion: Councilmember Perryman made a motion to adopt the agenda as amended.

Vote: The motion passed with a unanimous vote.

5. Conflict of Interest Statement: *In accordance with the state government ethics act, it is the duty of every Council member to avoid conflicts of interest. Does any Council member have any known conflict of interest with respect to any matters on the agenda? If so, please identify the conflict and refrain from any participation in the matter involved.*

Ms. Dewey read the Conflict of Interest Statement. No Councilmembers had a conflict of interest.

6. Mayor/Councilmember Reports

Councilmember Perryman reported that the June WUMA meeting will be next Thursday the 22nd at Marvin Village Hall at 4:00 pm. The delegates will discuss the meeting schedule for next year. There will be no meeting in July.

Mayor Pro Tem Propst thanked Colonel Morgan with the Weddington High School JROTC for organizing cadets to volunteer for Food Truck Fridays. She thanked Councilmember Pruitt for painting the cornhole boards and Ms. Coram for all her hard work in getting the event organized. Dinner and a movie will be Friday August 25th, with food trucks, music, entertainment, and a movie at sunset.

Mayor Horn reported on the ethics complaint filed April 2022. He took responsibility for not getting a response to the public sooner. The council and attorney discussed the complaint, but a formal response was forgotten. The Mayor offered his apologies. Ms. Wolter read the response to the complaint:

June 12, 2023

TO: Town Council of Weddington

RE: Ethics Complaint Dated April 11, 2022

During the Weddington Green public hearing on April 11, 2022 citizen Jack Plyler read into the record an ethics complaint addressing conduct by the Chair of the Weddington Planning Board, Ed Goscicki. After the Council's regular August meeting and at the request of Ms. Dewey, Mr. Plyer submitted his complaint in writing to the Town.

Upon direction of Council after receipt of Mr. Plyler's written complaint, I conducted an investigation. As part of the investigation, I did the following:

1. Reviewed Mr. Plyler's written ethics complaint.
2. Reviewed Agreement between the Town and Mr. Goscicki.
3. Reviewed Mr. Goscicki's Report.
4. Interviewed members of Council.
5. Interviewed former Town Administrator/Planner Lisa Thompson.
6. Interviewed Mr. Goscicki.
7. Interviewed Mrs. Dewey.
8. Reviewed minutes from meetings of the Council during the months of January – April 2021.

The results of the investigation were reported to Council on September 8, 2022.

Background

In the fourth quarter of 2020, Union County presented a proposed interlocal agreement to the Town of Weddington related to the provision of water and sewer services. Among other things, the agreement required that the Town of Weddington commit to Union County that it would exclusively use the County as its sole provider of sewer services for a period of 30 years. The Town administrator was aware that Mr. Goscicki had been an employee of Union County public works and had unique, expert knowledge regarding Union County's water and sewer expansion policy and capital improvement plans. During the workshop held on February 26, 2021, Council instructed staff to engage Mr. Goscicki on the condition that he temporarily resign from the planning board. The specific services requested by Council are included in the contract between the Town and Mr. Goscicki dated March 8, 2021. Mr. Goscicki resigned from the planning board, performed the contracted services, and was subsequently reappointed to the planning board.

Complaints

1. Mr. Plyler alleges that Mr. Goscicki performed engineering work for the Town with an inactive engineering license in violation of rules and regulations applicable to engineers in the state North Carolina.

Response: *The town engaged Mr. Goscicki to perform the following services on its behalf:*

"(1) providing advice to the Town regarding options for the provision of sewer services to Town Center and the Mundy Run drainage basin within the Town. Specific duties will include evaluating options proposed by Union County for sewer service to these areas in terms of (a) the best interest of the Town and its land use and development plans. (b) the County's stated policy of providing sewer service to municipal town centers at the County's cost, (d) compliance of proposed options with the county's current Water and Sewer Master Plan and (d) conformance with the County's Water and Sewer Line Extensions Ordinance. Consultant will produce a letter report outlining the options for providing sewer service to the Town Center and the Mundy Run drainage basin within Weddington, presenting the benefits and shortcomings of each option, highlighting the County's water and sewer extension policies as they would apply to each options and providing a recommendation for moving forward in discussions with the County."

Mr. Goscicki provided the services outlined in the Agreement.

Response: The Council engaged Mr. Goscicki primarily because of his former employment with Union County public works and his knowledge of Union County's sewer and water system, plans, infrastructure and practices. Mr. Goscicki disclosed to the Town that the consulting services he provided were as a utility consultant and was not "engineering nor legal advice." Mr. Goscicki fully performed his contractual obligations by producing a comprehensive report to the Town. Moreover, there is no evidence that Mr. Goscicki performed the service for a person or entity in conflict with the Town in violation of Paragraph 9 of the Agreement.

Whether or not Mr. Goscicki's actions under his Agreement with the Town constitute an ethical or legal violation of Chapter 89(c) of the North Carolina General Statutes, the Town takes no position.

2. Mr. Plyler's second complaint is that Mr. Goscicki engaged in a conflict of interest because he entered into a contract with the Town while he was a member of the Planning Board.

Response: The Consulting Agreement entered into by the Town occurred after Mr. Goscicki resigned his planning board seat and terminated prior to his reinstatement. Mr. Goscicki resigned on March 8, 2021, entered into a contract with the Town that same day; completed his contractual obligations by providing the Town with the required report on March 17, 2021. Goscicki was reinstated as member of the planning board on March 22, 2022.

Mr. Goscicki presented the results of his report to the Town Council during a Special Meeting on March 30, 2021, after he was reinstated to the Planning Board. Mr. Goscicki has reimbursed the Town for fees inadvertently charged after he was reinstated to the planning board.

3. Mr. Plyler's third complaint is that because of the actions described above, Mr. Goscicki should have recused himself from the planning board vote on the Weddington Green.

NCGS 160D-109(b) addresses conflicts of interest for members of Appointed Boards when voting on any advisory decision regarding a development regulation. Appointed members "shall not vote on those matters that are reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. An appointed member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship." There are no allegations presented nor known that indicate Mr. Goscicki or anyone with whom he had a disqualifying relationship had or would have accrued any financial impact as a result of the Weddington Green project. Mr. Goscicki's work on behalf of the Town back in 2021 does not create a "financial interest" because that work was performed and completed on behalf of the Town more than 9 months prior to the Weddington Green application being submitted to the Town. Since there is no evidence that the project's success or failure had financial impact on Mr. Goscicki or a disqualifying associational relationship of Mr. Goscicki, he does not have a conflict of interest that would require is recusal from voting on the project.

4. Mr. Plyler's fourth complaint asserts that Council Member's Propst, Pruitt and Perryman should recuse from voting on the Weddington Green project because they were members of the Council that received Mr. Goscicki's work product on March 30, 2021.

Response: NCGS 160D-109(a) addresses conflicts of interest for governing board members voting on a development regulation. Governing Board Members shall not "vote on any legislative decision regarding a development regulation adopted pursuant to this Chapter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. A governing board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the

applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.”

The actions Mr. Plyler contends create a conflict for the governing board members in question do not constitute conflicts under North Carolina Law. Additionally, while not alleged in Mr. Plyer’s complaint, it was determined that no council member had a conflict that required recusal in the Weddington Green matter.

For clarification, North Carolina conflicts of interest law does not recognize the concept of “appearance of impropriety” as a valid reason for a council member to be excused from voting on a matter before the Council. Council members have an affirmative obligation to vote and no right to abstain absent a statutorily recognized excuse, generally described as matters affecting the member’s own financial interest or official conduct.

Mayor Horn explained that town wanted to use local expertise and get advice on the proposed sewer agreement from the county. Mr. Goscicki has reimbursed the town for the amount of money charged for work done after he was reappointed to the planning board. Mayor Horn apologized to the citizens for leaving this issue on the table.

7. Public Comments

8. Public Safety Report

Deputy Kropp is attending training. He wanted to remind residents to lock their doors while on vacation. The town has a new deputy, Hank Gillard, an Indian Trail native. The Newtown and Ennis Roads roundabout may be open as soon as Thursday or Friday of this week.

Mayor Horn mentioned a bad accident on Providence Road over the weekend. He asked how the council could help bring reasonable and responsible solutions to speeding and other reckless driving issues in our town.

9. Consent Agenda

A. Approve of May 8, 2023 Town Council Meeting Minutes

B. Approve FY 2022-2023 Budget Amendment

**** C. Approve FY 2022-2023 Audit Contract with Ann Craven, CPA, PLLC for an amount not to exceed \$9,000.**

Motion: Councilmember Pruitt made a motion to adopt the Consent Agenda as amended.

Vote: The motion passed with a unanimous vote.

10. Old Business

11. New Business

A. Conditional Zoning Amendment for Weddington United Methodist Church for the addition of a temporary modular classroom building at 130 S. Providence Road

Mr. Tefft presented the staff report: On October 13, 2003, the Town Council approved a Conditional Use Permit (CUP) for Weddington United Methodist Church on parcels 06150039, 06150040, and 06150045 (now 06150045A and 06150045B) to allow for the development of a 22,000 square foot Family Life Center with 1,050 seat sanctuary/multi-purpose room, a 4,500 square foot addition to the existing pre-school, a 23,000 square foot educational and administration building, and a 10,000 square foot addition to the existing children's day care. Subsequent to the approval of this CUP, the Town established its Conditional Zoning (CZ) process and replaced all prior CUP's with CZ approvals. On July 11, 2011, the Town Council amended this now CZ approval to provide for a universal sign plan for all the church parcels (including those associated with this application, and other parcels which are not. It is noted that with both 2003 and 2011 approvals, each of the subject parcels are noted as already being zoned R-CD. However, the Town's current Zoning Map does not reflect this. The Map also does not reflect the existing CZ approval on any of the parcels it should with the noted exception of parcel 06150039. The Town has no record of any rezoning or other amendment to these CUP/CZ approvals that would have altered this zoning. As such, it is the position of the Town that the Zoning Map is in error and will need to be updated to accurately reflect these prior approvals.

The development proposal consists of Development Standards that form a part of the Conditional Zoning Plan (Plan). The development shall be governed by this Plan and all applicable Unified Development Ordinance (UDO) requirements unless specifically identified in the Plan. Each use and structure shall be required to obtain a Zoning Permit so that staff can ensure the placement is consistent with this Plan, as well as all other applicable requirements of the UDO. However, any major changes to the use areas, open space or development standards shall be required to go back through this Conditional Zoning process. It should be noted that the addition of the modular classroom building is the only new part of this proposed amendment. Additionally, this modular classroom building is temporary in nature, and would only be on site for a maximum of five years from the date of its installation and will not impact those buildings previously approved in 2003.

Permissible Uses.

Based upon the Development Notes & Standards submitted by the applicant (see attached), the possible permissible uses for the subject property would be as follows:

- Churches, synagogues, and other places of worship, and customary related uses of:
- Wedding, banquet, and reception center
- Day school, daycare, and nursery facilities
- Park, playground, private recreational center, athletic fields, and associated structures (concession, restroom facilities, open air pavilion/shelter)
- Cemeteries (columbarium)
- Telecommunication towers
- Essential services

Staff have no objections or concerns with these permissible uses. Staff recommends approval of the conditional zoning amendment.

Mr. Groce presented the application.

Councilmember Perryman asked if the need for the modular building went beyond the 5 years planned, would the church have to go back through this process. Mr. Tefft responded that the church would have to follow the steps of a conditional zoning amendment.

Mayor Horn asked if the parking lot is being reconfigured, would the retention pond be relocated? Mr. Groce responded that the pond will be moved.

Mayor Horn asked if the access road to Lenny Stadler is removed, does that also remove an access to the parking lot. Mr. Groce responded that only a proposed access to Lenny Stadler is being removed from the plans. The parking lot will still have access to Weddington Church Road.

Councilmember Pruitt asked if the pond would be reviewed. Mr. Groce responded that it will go through the approval process necessary.

i. Public Hearing

Mayor Horn opened the public hearing at 7:35 p.m.

Nobody signed up to speak.

Mayor Horn closed the public hearing at 7:35 p.m.

ii. Discussion and Possible Consideration

Councilmember Perryman stated that he has no objection to this amendment. His only concern was that there be a backup if the modular was needed for longer than 5 years.

Mayor Horn asked how much in a hurry the church is. The applicants responded that there are construction schedules they are trying to meet to be ready for the school year in the fall.

Motion: Councilmember Perryman made a motion to approve a conditional zoning amendment for Weddington United Methodist Church for the addition of a temporary modular classroom building at 130 S. Providence Road.

Vote: The motion passed with a unanimous vote.

Land Use Plan Consistency Statement:

The project has been found to be generally consistent with the adopted Land Use Plan. However, while this project does not further any specific Goal or Policy of the Land Use Plan, it also does not act contrary to any specific Goal or Policy of the Land Use Plan, nor would it prevent the administration and implementation of the Land Use Plan or preclude the fulfilment of the community vision as set forth in the Land Use Plan.

Motion: Mayor Pro Tem Propst made a motion to approve the Land Use Plan Consistency Statement as presented.

Vote: The motion passed with a unanimous vote.

B. Text Amendment to Section D-917D, Supplemental Requirements for Certain Uses, of the Town of Weddington Unified Development Ordinance

Mr. Tefft presented the staff report: February 28, 2023 / April 17, 2023: Town Council directed staff to prepare an amendment to the supplemental requirements for agricultural uses. Prior to adoption of UDO, Code of Ordinances required minimum lot size for certain agricultural uses. This language was unintentionally omitted from the adopted UDO. Based upon direction received from Town Council, staff proposes to amend Section D-917D, Supplemental Requirements for Certain Uses, to reinstate previously existing language. Existing language in paragraph (A) will be relocated into subparagraph (A)(1). Reinstated language will be located in subparagraph (A)(2). The reinstated language is unaltered from the pre-UDO version.

Councilmember Perryman stated that since the implementation of the UDO in April 2021, Staff have been reviewing it for text that was inadvertently left out. This amendment doesn't introduce anything new but adding same language back into the document.

Mayor Pro Tem Propst stated that she agrees with Councilmember Perryman. The writing of the UDO was a massive project that town attorneys undertook. This is not new language, but just adding the omitted text back.

i. Public Hearing

Mayor Horn opened the public hearing at 7:42 p.m.
Nobody signed up to speak.
Mayor Horn closed the public hearing at 7:42 p.m.

ii. Discussion and Possible Consideration

Motion: Councilmember Perryman made a motion to approve the text amendment to Section D-917D, Supplemental Requirements for Certain Uses, of the Town of Weddington Unified Development Ordinance.

Vote: The motion passed with a unanimous vote.

Land Use Plan Consistency Statement

The proposed amendments to the Unified Development Ordinance are found to be generally consistent with the adopted Land Use Plan (Plan). However, while these amendments do not further any specific Goal or Policy of the Plan, they also do not act contrary to any specific Goal or Policy of the Plan, nor would they prevent the administration and implementation of the Plan, nor preclude the fulfilment of the community vision as set forth in the Plan. Additionally, the proposed amendments are found to be reasonable in that they continue to improve upon the organization of existing ordinances and provide additional clarity for staff, appointed and elected officials, and residents.

Motion: Councilmember Pruitt made a motion to approve the Land Use Plan Consistency Statement as presented.

Vote: The motion passed with a unanimous vote.

C. Fiscal Year 2023-2024 Budget

Ms. Gaylord presented the Proposed Fiscal Year 2023-2024 budget. The budget includes a proposed tax rate decrease from 4.8 cents to 4.5 cents that will reduce ad valorem tax revenue, and a full year of solid waste revenue and expenses. Other items discussed include infrastructure money for the roundabout at Potter Road and Forest Lawn Road, the remainder of the contract payments for the Land Use Plan study, and money for the Wesley Chapel Weddington Athletic Association grant for replacement of the lights.

Mayor Horn asked about the funding for a new radar trailer, salary adjustments, and the Weddington logo on the water tower.

Ms. Gaylord commented that the money for the WCWAA is a maximum amount, it could be less.

Mayor Horn commented that while the North Carolina General Statutes prohibit municipalities from donating money to charities, they may fund specific activities or provide grants for specific items. He also mentioned that the Weddington events, including Food Truck Fridays, is done with staff and volunteers, but one or two people carry the load. Activities require volunteers.

i. Public Hearing

Mayor Horn opened the public hearing at 7:48 p.m.

Tom Smith-1840 Tangle Briar Court: Mr. Smith commented that the reduced tax rate is nice. He also commented that he would like to see an executive summary to go with exhibits that would explain the material changes in the budget. Mr. Smith also commented that he would find it helpful to have an estimated value of land.

Bill Deter-401 Havenchase Drive: Mr. Deter commented that he had minor questions that Ms. Gaylord answered. He thanked the Council for reducing the tax rate and commended Ms. Gaylord on doing a great job.

Mayor Horn closed the public hearing at 7:50 p.m.

ii. Discussion and Possible Consideration

Councilmember Perryman commented that one of the many things our residents can be proud of is the fiscal conservancy of our town. Leslie does an outstanding job. Maybe next year, we can work to get the taxes down to revenue neutral.

Mayor Horn commented that the town has remained fiscally responsible. Last year the tax rate stayed the same, increasing the revenues.

D. Discussion and Possible Consideration of amending regular meeting schedule for time and location of June 19, work session.

Council discussed moving the regular work session from Monday June 19 to Tuesday June 20th at 12 noon at Weddington Town Hall.

Motion: Councilmember Anne Pruitt made a motion to amend the regular meeting schedule for the June work session to be held on June 20, 2023 at 12 noon.
Vote: The motion passed with a unanimous vote.

12. Code Enforcement Report

Staff is working with code enforcement contract and homeowners association on Tree Hill Road complaint.

13. Update from Finance Officer and Tax Collector

Ms. Gaylord presented the update. Reports are in the packet. The town is in the last month of the fiscal year and everything looks good. Weddington has one of the lowest tax rate of the surrounding municipalities.

14. Updates from Town Planner and Town Administrator

- 6424 Antioch Road-Multi-unit Assisted Housing w/ Services
No application has been submitted
- Ennis Road Subdivision-Conventional subdivision for 12 lots
Application submitted; not complete
- Liberty Classical Academy-School (Elementary, Middle, High)
Tentatively scheduled for Planning Board on 6/26
- John Walker Matthews Property-Event venue
No application has been submitted
- Luna Subdivision-Major subdivision for 18 lots, Conventional (40,096 sf min.)
No application has been submitted

15. Transportation Report

Mayor Horn gave a transportation update. Providence Road north of Rea has 2 lanes, but one is a right turn lane only. That will be made into a southbound lane. Rea Road right of way acquisition will tentatively begin in October 2023 with construction possibly beginning in 2024.

16. Council Comments

Mayor Pro Tem Propst: Thank you everybody for coming out tonight. I appreciate your attendance. Hopefully you all will participate in our movie night on August 25th. It's great for the community.

Councilmember Pruitt: I appreciate everybody's attendance tonight and getting involved and staying involved and have a great month.

Councilmember Perryman: I'd say the same thing, thank you everybody. And if I could take 30 seconds and add on to the subject of speeding on Providence Road, I spoke to Deputy Kropp a few weeks ago after they had done some speed monitoring on Providence and I commended him on that work. I'm sure a lot of it is just human nature and what Deputy Kropp said was that even when the UCSO is out there patrolling for speeders, the apps out there people use on their phones report the speed enforcement and makes it difficult to catch the speeders. The state does fund traffic enforcement units to monitor speed and write ticket. Union County has one now and the town would have to have an approved request to get an additional unit. It could be a way to guarantee to have enforcement along Providence Road.

17. Move into Closed Session pursuant to NCGS 143-318.11 (a)(3) to consult with attorney on matters protected by the attorney-client privilege relating to Providence Volunteer Fire Department versus Town of Weddington and NCGS 143-318.11(A)(6) to address personnel matters.

Motion: Councilmember Pruitt made a motion to move into closed session at 8:09 p.m.

Vote: The motion passed with a unanimous vote.

Mayor Horn called the meeting back to order at 8:59 p.m.

18. Adjournment

Motion: Councilmember Perryman made a motion to adjourn the June 12, 2023 Regular Town Council meeting at 8:59 p.m.

Vote: The motion passed with a unanimous vote.

Approved: July 10, 2023
Karen Dewey
Karen Dewey, Town Administrator/Clerk

D. Craig Horn
D. Craig Horn, Mayor

TOWN OF WEDDINGTON
SUMMARY AMENDED GENERAL FUND BUDGET
FYE 6/30/2023

Tax Rate 4.8 cents	FY2022 AMENDED BUDGET	FY2023 PROPOSED BUDGET	Dec-22 FY2023 AMENDED BUDGET	Jun-23 FY2023 AMENDED BUDGET
Revenues				
Ad Valorem Taxes	\$ 1,554,500	\$ 1,517,000	\$ 1,517,000	\$ 1,517,000
Solid Waste Fees			\$ 560,000 (A)	\$ 525,000
State-Collected Revenues	940,000	1,042,500	1,042,500	1,042,500
Transfers from ARPA Special Revenue Fund			316,000 (B)	0 (C)
Zoning and Subdivision Revenues	\$ 44,700	\$ 30,000	\$ 30,000	\$ 30,000
Other Revenues	\$ 1,380	\$ 2,000	\$ 9,750	\$ 9,750
Total Revenues	\$ 2,540,580	\$ 2,591,500	\$ 3,475,250	\$ 3,124,250
Expenditures				
Administrative Expenditures	\$ 719,715	\$ 552,540	\$ 725,340 (B)	\$ 708,900
Planning and Zoning Expenditures	\$ 584,290	\$ 780,085	\$ 866,035	\$ 862,475
General Government Expenditures	\$ 1,236,575	\$ 1,258,875	\$ 1,883,875 (A)(B)	\$ 1,868,875
Total Expenditures	\$ 2,540,580	\$ 2,591,500	\$ 3,475,250	\$ 3,440,250
Transfer from ARPA Special Revenue Fund	\$ -	\$ -	\$ 0	\$ (316,000) (C)

(A) Fees and corresponding expenditures for 6 months of solid waste service (January-June 2023)

(B) ARPA special revenue funds used as revenue replacement to fund UCSO deputy contract and salary expenses
Additional contract labor for FY23 estimated portion of Comprehensive Plan/Downtown Master Plan contract

(C) ARPA special revenue funds accounted for as an other revenue source & not included in general revenues

Ann R. Craven, CPA, PLLC
Ann R. Craven, CPA
1100 Revolution Mill Drive Studio 2
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June 8, 2023

Mr. Craig Horn, Mayor
Ms. Karen Dewey, Town Clerk
Town of Weddington
1924 Weddington Road
Weddington, North Carolina 28104

We are pleased to confirm our understanding of the services we are to provide Town of Weddington for the year ended June 30, 2023.

Audit Scope and Objectives

We will audit the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information, and the disclosures, which collectively comprise the basic financial statements, of Town of Weddington as of and for the year ended June 30, 2023. Accounting standards generally accepted in the United States of America (GAAP) provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement Town of Weddington's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to Town of Weddington's RSI in accordance with auditing standards generally accepted in the United States of America (GAAS). These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by GAAP and will be subjected to certain limited procedures, but will not be audited:

1) Management's Discussion and Analysis.

We have also been engaged to report on supplementary information other than RSI that accompanies Town of Weddington's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with GAAS and will provide an opinion on it in relation to the financial statements as a whole:

- 1) Schedule of Revenues, Expenditures, and Changes in Fund Balance - General Fund - Budget and Actual**
- 2) Schedule of Proportionate Share of New Pension Liability (Asset) - Local Government Employees' Retirement System**
- 3) Schedule of Contributions - Local Government Employees' Retirement System**

The objectives of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with GAAP and report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that individually or in the aggregate, they would influence the judgment of a reasonable user made based on the financial statements.

The objectives also include reporting on internal control over financial reporting and compliance with provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.

Auditor's Responsibilities for the Audit of the Financial Statements

We will conduct our audit in accordance with GAAS and the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and will include tests of your accounting records of Town of Weddington and other procedures we consider necessary to enable us to express such opinions. As part of an audit in accordance with GAAS and *Government Auditing Standards*, we exercise professional judgment and maintain professional skepticism throughout the audit.

We will evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management. We will also evaluate the overall presentation of the financial statements including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not expect auditors to perform specific procedures to detect waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste or abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

We will also conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate that raise substantial doubt about the government's ability to continue as a going concern for a reasonable period of time.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement.

We may from time to time, and depending on the circumstances, use third-party service providers in serving your account. We may share confidential information about you with these service providers, but remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures, and safeguards to protect the confidentiality of your personal information. In addition, we will secure confidentiality agreements with all service providers to maintain the confidentiality of your information and we

will take reasonable precautions to determine that they have appropriate procedures in place to prevent the unauthorized release of your confidential information to others. In the event that we are unable to secure an appropriate confidentiality agreement, you will be asked to provide your consent prior to the sharing of your confidential information with the third-party service provider. Furthermore, we will remain responsible for the work provided by any such third-party service providers.

Audit Procedures—Internal Control

We will obtain an understanding of the government and its environment, including internal control relevant to the audit, sufficient to identify and assess the risks of material misstatement of the financial statements, whether due to error or fraud, and to design and perform audit procedures responsive to those risks and obtain evidence that is sufficient and appropriate to provide a basis for our opinions. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentation, or the override of internal control. An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards and *Government Auditing Standards*.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of Town of Weddington's compliance with the provisions of applicable laws, regulations, contracts and agreements and grants. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

Other Services

We will also assist in preparing the financial statements of Town of Weddington in conformity with U.S. generally accepted accounting principles based on information provided by you. These non-audit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statement services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

You agree to assume all management responsibilities relating to the financial statements and related notes and any other non-audit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements and related notes and that you have reviewed and approved the financial statements and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the non-audit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Responsibilities of Management for the Financial Statements

Our audit will be conducted on the basis that you acknowledge and understand your responsibility for designing, implementing, establishing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, and for evaluating and monitoring ongoing activities to help ensure that appropriate goals and objectives are met; following laws and regulations; and ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with

applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles, for the preparation and fair presentation of the financial statements and all accompanying information in conformity with accounting principles generally accepted in the United States of America, and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management is responsible for making drafts of financial statements, all financial records, and related information available to us and for the accuracy and completeness of that information (including information from outside of the general and subsidiary ledgers). You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters; (2) additional information that we may request for the purpose of the audit; and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by GAAS and *Government Auditing Standards*.

Your responsibilities include adjusting the financial statements to correct material misstatements and for confirming to us in the written representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud or illegal acts affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements and grants, or contracts or grant agreements that we report.

You are responsible for the preparation of the supplementary information, which we have been engaged to report on, in conformity with accounting principles generally accepted in the United States of America (GAAP). You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon or make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon. Your responsibilities include acknowledging to us in a written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) that you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) that the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits or other studies related to the objectives discussed in the Audit Scope and Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or other studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash or other confirmations we request and locate any documents selected by us for testing.

We will provide copies of our reports to North Carolina Local Government Commission (LGC); however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Ann R. Craven, CPA, PLLC and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to Local Government Commission or its designee. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Ann R. Craven, CPA, PLLC personnel. Furthermore, upon request, we may provide copies of selected audit documentation to Local Government Commission or its designee. The Local Government Commission or its designee may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the LGC. If we are aware that a federal awarding agency or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Ann R. Craven is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them. We expect to begin our audit on approximately August 16, 2022 and to issue our reports no later than October 31, 2022.

Our fee for these services will be at our standard hourly rate plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) except that we agree that our gross fee, including expenses, will not exceed \$9,000. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report(s). You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

Reporting

We will issue a written report upon completion of our audit of Town of Weddington's financial statements. Our report will be addressed to the Honorable Mayor and Town Council of Town of Weddington. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add a separate section, or add an emphasis-of-matter or other-matter paragraph to our auditor's report, or if necessary, withdraw from this engagement. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or we may withdraw from this engagement.

We will also provide a report (that does not include an opinion) on internal control related to the financial statements and compliance with the provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements as required by *Government Auditing Standards*. The report on internal control and on compliance and other matters will state (1) that the purpose of the report is solely to describe the scope of testing of internal control and compliance, and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing*

Standards in considering the entity's internal control and compliance. The report will also state that the report is not suitable for any other purpose. If during our audit we become aware that Town of Weddington is subject to an audit requirement that is not encompassed in the terms of this engagement, we will communicate to management and those charged with governance that an audit in accordance with U.S. generally accepted auditing standards and the standards for financial audits contained in *Government Auditing Standards* may not satisfy the relevant legal, regulatory, or contractual requirements.

We appreciate the opportunity to be of service to Town of Weddington and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign and return it to us

Very truly yours,

Ann R. Craven, CPA, PLLC

Ann R. Craven, CPA, PLLC

RESPONSE:

This letter correctly sets forth the understanding of Town of Weddington.

Management signature: *John Baylun*

Title: *Finance Officer*

Date: *6/28/23*

Governance signature: *Mary Jo*

Title: *MAYOR*

Date: *June 30, 2023*



ORDINANCE NO. 2023-04

AN ORDINANCE OF THE TOWN OF WEDDINGTON, NORTH CAROLINA MAKING AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE BY AMENDING SECTION D-917D, SUPPLEMENTAL REQUIREMENTS FOR CERTAIN USES, TO MODIFY THE REQUIREMENTS FOR AGRICULTURAL USES; CERTIFYING CONSISTENCY WITH THE TOWNS LAND USE PLAN AND PROPER ADVERTISEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Weddington adopted the Unified Development Ordinance on April 12, 2021 to comply with North Carolina General Statute 160D and to improve the organization of existing ordinances; and

WHEREAS, with the adoption of the Unified Development Ordinance several Chapters and Sections of the Code of Ordinances were repealed and rescinded, and some elements therein which were intended to have been included in the Unified Development Ordinances were inadvertently omitted; and

WHEREAS, the Town of Weddington desires for the Unified Development Ordinance to function effectively and equitably throughout the Town; and

WHEREAS, the Town of Weddington has determined where the Unified Development Ordinance needs clarification and revision; and

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WEDDINGTON, NORTH CAROLINA:

Section 1. That Unified Development Ordinance, Section D-917D, Supplemental Requirements for Certain Uses, be amended to read as follows:

Section D-917D. Supplemental Requirements for Certain Uses.

A. ~~Agricultural Uses. Structures housing poultry or livestock and waste removed from any structure shall be located no closer than 150 feet from any property line except that structures housing horses shall be located no closer than 60 feet from any property line. Corrals for bovine and equine animals are exempt from these setbacks.~~

1. Structures housing poultry or livestock and waste removed from any structure shall be located no closer than 150 feet from any property line except that structures

housing horses shall be located no closer than 60 feet from any property line. Corrals for bovine and equine animals are exempt from these setbacks.

2. Agricultural uses shall have a minimum lot size of 80,000 (R-80), 60,000 (R-60), or 40,000 (R-40, R-CD) square feet, provided, however, that a minimum of five acres shall be required for any agricultural use containing one or more livestock animals having a mature adult weight of 250 pounds or greater. Notwithstanding this requirement, lots whose agricultural use consists exclusively of one horse shall be required to have a minimum of 40,000 square feet of contiguous fenced land area designed to accommodate the horse. Such lots containing two horses shall be required to have a minimum of 80,000 square feet of contiguous fenced land area designed to accommodate the two horses.

Section 2. Amendments to the Unified Development Ordinance of the Town of Weddington (as originally adopted by Ordinance No. 2021-UDO) are hereby adopted to read as set forth in this Ordinance.

Section 3. The Town of Weddington does hereby certify that the amendments contained herein, as well as the provisions of this Ordinance, are consistent with and in conformance with the Town's Land Use Plan.

Section 4. Should any part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part declared to be invalid.

Section 5. Notice of the proposed enactment of this Ordinance has been properly advertised in a newspaper of general circulation in accordance with applicable law.

Section 6. This ordinance shall take effect immediately upon adoption.

PASSED ON FIRST AND FINAL
READING AND ADOPTED

June 12, 2023

D. Craig Horn
Honorable D. Craig Horn
Mayor

Attest:

Karen Dewey
Karen Dewey
Town Administrator/Clerk