

## MINUTES OF REGULAR MEETING HELD MAY 3, 2021

**Due to COVID-19 (coronavirus), this meeting of the Granite Falls Town Council was held in the Council Room and allowed for remote participation** by members of the media, citizens and members of the general public, and all other interested parties. Town Department Heads that were on the agenda, the media, and up to two citizens, members of the general public or other interested parties were allowed to attend the meeting in person.

**REGULAR MEETING** The Granite Falls Town Council held a Regular Meeting on May 3, 2021 at 6:00 p.m. in the Council Chambers of the Administrative Building.

**PRESENT** The following members of the governing body were physically present: Mayor Barry Hayes, and Council Members Dr. Caryl B. Burns, Larry Knight, Mike Mackie, Martin Townsend, and Tracy Townsend.

Mayor Hayes did a roll call of all members present.

**ABSENT** The following member of the governing body was absent: Jim Mackie

**STAFF PRESENT** The following staff members physically attended the meeting: Town Manager Jerry Church, Town Attorney Bruce Cannon, Town Clerk Paula Kirby, Town Finance Director Jana Williams, Town Planner Greg Wilson, Electric Service Director Rick Sisk, and Police Chief Chris Jenkins.

**VISITORS** ElectriCities Chief Executive Officer Roy Jones, and Rob Howard physically attended the meeting. A person using an iPhone X was on-line from 6:10 p.m. until 6:25 p.m. but did not identify themselves.

**NEWS MEDIA** Carmen Boone, representing the *News-Topic*, physically attended the meeting.

**MEETING CALLED TO ORDER** Mayor Barry Hayes called the meeting to order and welcomed everyone present.

**INVOCATION** Councilmember Larry Knight led in prayer.

**PLEDGE OF ALLEGIANCE** Mayor Barry Hayes led the Pledge of Allegiance.

**APPROVAL OF AGENDA** Mike Mackie made a motion the Council approve the agenda as presented. Martin Townsend seconded the motion, with a unanimous affirmative vote determined by the Mayor individually polling each Councilmember.

**APPROVAL OF MINUTES FROM THE REGULAR COUNCIL MEETING HELD APRIL 19, 2021** Tracy Townsend made a motion the Council approve the minutes from the regular Council meeting held April 19, 2021 as presented. Dr. Caryl B. Burns seconded the motion, with a unanimous affirmative vote determined by the Mayor individually polling each Councilmember.

**TOWN ATTORNEY REPORT** Town Attorney Bruce Cannon did not have a report.

**PUBLIC COMMENT PERIOD** Aaron Hayes submitted a public comment via email regarding his concerns of speeding traffic on West Highland Avenue. He would like speed humps installed to help with the problem. Town Manager Jerry Church read the email to the Council. Mayor Barry Hayes stated that the Street Committee needed to address this issue. A copy of Mr. Hayes email is attached and is hereby made a part of these minutes.

**SPECIAL PRESENTATIONS/INTRODUCTIONS/RECOGNITIONS** ElectriCities Chief Executive Officer Roy Jones presented the Town with the 2020 Public Power Awards of Excellence in three categories: Value of Public Power, Workforce Development, and Wholesale Power Cost. Mr. Jones also recognized the Town for receiving the American Public Power Association's (APPA) Reliable Public Power Provider (RP3) Award for electric utilities doing an outstanding job in reliability, safety, workforce development, and system improvement. The Town has earned an RP3 designation at the Diamond level that will be held for the next three years. The Town of Granite Falls was also one of eight ElectriCities members to earn the APPA's Safety Award of Excellence. The Town also received the North Carolina Department of Labor Gold Level Safety Award for the fourth year in a row. Mr. Jones informed the Council the ElectriCities annual conference will be held August 16-18, 2021 in Hilton Head, South Carolina.

#### **NEW BUSINESS/ACTION ITEMS**

**CHANGE TO THE COUNCIL MEETING SCHEDULE APPROVED** The Council was requested to call a special meeting on Monday, May 17, 2021 at 6:00 p.m. in the Council Room. May 17<sup>th</sup> is a regularly scheduled meeting date but had been previously cancelled for the Art in the Park concert that has been cancelled.

Martin Townsend made a motion the Council call for a special Council meeting on May 17<sup>th</sup>, 2021 as requested. Mike Mackie seconded the motion, with a unanimous affirmative vote determined by the Mayor individually polling each Councilmember.

**ADOPTION OF A RESOLUTION ESTABLISHING STANDARDS FOR INTERCONNECTING SMALL GENERATOR SYSTEMS APPROVED**

The Council considered the adoption of a Resolution Establishing Standards for Interconnecting Small Generator Systems. This resolution would adopt the Electricities Recommended Interconnection Standards for small commercial solar PV systems greater than 20 kW. The Council previously adopted similar standards for PV solar systems less than 20 kW on November 16, 2009, and the Town recently received a request from a commercial customer that wants to install a larger solar system. The standards for both sizes of systems are for the Town to “buy all/sell all” output from each of the customer’s systems as opposed to doing “net metering.” The Town would purchase all of the output generated by the customer’s solar system at a Council approved pre-determined rate and sell all of the electricity the customer needs back to the same customer at the Council approved electric rate for the particular class of customer.

Larry Knight made a motion the Council adopt the Resolution Establishing Standards for Interconnecting Small Generator System as presented. Tracy Townsend seconded the motion, with a unanimous affirmative vote determined by the Mayor individually polling each Councilmember. A copy of the resolution is attached and is hereby made a part of these minutes.

**SUBDIVISION PLAT FOR PLANNED DEVELOPMENT #1-2021 APPROVED**

Town Planner Greg Wilson covered the Granite Falls Planning Board virtual regular meeting on Tuesday, April 27<sup>th</sup> at 5pm where the Planning Board reviewed the Subdivision Plat for Planned Development #1-2021. The subdivision plat is associated with Planned Development #1-2021, which was approved by the Board of Adjustment during an evidentiary hearing on April 14<sup>th</sup>. The plat would satisfy the requirements of the applicable sections of the Town’s subdivision regulations and the conditions of approval related to the Planned Development. This project is located on Duke Street, just across from the Granite Falls Brewing Company. The Planning Board voted unanimously to recommend that the Town Council approve the subdivision plat. The Town Council is not required to conduct a public hearing on the plat.

Martin Townsend made a motion the Council approve the subdivision plat as presented. Larry Knight seconded the motion, with a unanimous affirmative vote determined by the Mayor individually polling each Councilmember. A copy of the plat is available for public view at the Town office.

**PUBLIC HEARING CALLED FOR ZONING TEXT AMENDMENT #1-2021-CHAPTER 160-D UPDATE**

Town Planner Greg Wilson covered the Granite Falls Planning Board virtual regular meeting on Tuesday, April 27<sup>th</sup> at 5pm where the Planning Board considered Zoning Text Amendment #1-2021. Zoning Text Amendment #1-2021 updates certain Town Zoning Regulations as required by legislative updates to Chapter 160D of the North Carolina General Statutes. The Planning Board voted unanimously to recommend that the Town Council approve Zoning Text Amendment #1–2021 as presented.

Mike Mackie made a motion the Council call for a public (legislative) hearing on Zoning Text Amendment #1-2021 at the next Council meeting scheduled for Monday, May 17, 2021 at 6:00 p.m. in the Council Room. Dr. Caryl B. Burns seconded the motion, with a unanimous affirmative vote determined by the Mayor individually polling each Councilmember. A copy of the update is attached and is hereby made a part of these minutes.

**PUBLIC HEARING CALLED FOR SUBDIVISION TEXT AMENDMENT #1-2021 – CHAPTER 160-D UPDATE** Town Planner Greg Wilson covered the Granite Falls Planning Board virtual regular meeting on Tuesday, April 27<sup>th</sup> at 5pm where the Planning Board considered Subdivision Text Amendment #1-2021. Subdivision Text Amendment #1-2021 updates certain Town Subdivision Regulations as required by legislative updates to Chapter 160D of the North Carolina General Statutes. The Planning Board voted unanimously to recommend that the Town council approve Subdivision Text Amendment #1-2021 as presented.

Tracy Townsend made a motion the Council call for a public (legislative) hearing on Subdivision Text Amendment #1-2021 at the next Council meeting scheduled for Monday, May 17, 2021 at 6:00 p.m. in the Council Room. Mike Mackie seconded the motion, with a unanimous affirmative vote determined by the Mayor individually polling each Councilmember. A copy of the update is attached and is hereby made a part of these minutes.

**AGREEMENT BETWEEN THE TOWN OF GRANITE FALLS AND THE WESTERN PIEDMONT COUNCIL OF GOVERNMENTS (WPCOG) FOR AMERICANS WITH DISABILITIES ACT (ADA) PLANNING MAINTENANCE ASSISTANCE SERVICES APPROVED** The Town of Granite Falls ADA Assessment and Transition Plan (Plan) originally written in 1992 was updated by the WPCOG this year. On April 15, 2019, Council approved entering into a two-year agreement with the WPCOG to update the Plan starting on July 1, 2019. The update will be completed by June 30, 2021. The cost of the agreement was \$37,883.76 for the first year and \$18,190.08 for the second year. Town staff recommends that the Town enter into a two-year agreement with the WPCOG to assist the Town with maintaining the updated Plan. The agreement runs from July 1, 2021 – June 30, 2023 at a cost of \$4,547.50 per year.

Martin Townsend made a motion the Council approve the agreement with the WPCOG as presented. Dr. Caryl B. Burns seconded the motion, with a unanimous affirmative vote determined by the Mayor individually polling each Councilmember. A copy of the agreement is attached and is hereby made a part of these minutes.

**AGREEMENT BETWEEN THE TOWN OF GRANITE FALLS AND THE WESTERN PIEDMONT COUNCIL OF GOVERNMENTS (WPCOG) FOR ASSISTANCE IN SUPPORTING THE WESTERN PIEDMONT STORMWATER PARTNERSHIP APPROVED** On April 15, 2019, the Council approved entering into a two-year agreement with the WPCOG to update the Town's Stormwater Plan (Plan) and to assist the Town in maintaining on-going compliance with the six required minimum measures of the Plan: (Public Education and Outreach on Stormwater Impacts, Public Involvement and Participation, Illicit Discharge Detection and Elimination, Construction Site Stormwater Runoff and Control, Post-

Construction Stormwater Management in New Development and Redevelopment, and Pollution Prevention/Good Housekeeping for Municipal Operations). The agreement was for two years (July 1, 2019 – June 30, 2021) at a cost of \$17,323 per year. Town staff recommends that the Town enter into a two-year agreement with the WPCOG to assist the Town with maintaining the updated Plan. The agreement runs from July 1, 2021 – June 30, 2023 at a cost of \$17,842.50 per year.

Dr. Caryl B. Burns made a motion the Council approve the agreement with the WPCOG as presented. Larry Knight seconded the motion, with a unanimous affirmative vote determined by the Mayor individually polling each Councilmember. A copy of the agreement is attached and is hereby made a part of these minutes.

**ATTORNEY’S CONTRACT APPROVED** The Council was requested to approve the General Counsel Agreement for \$4,750 with Cannon Law Firm, P.A. to serve as the Town’s attorney for fiscal year 2021-2022.

Martin Townsend made a motion the Council approve the contract as requested. Dr. Caryl B. Burns seconded the motion, with a unanimous affirmative vote determined by the Mayor individually polling each Councilmember. A copy of the contract is attached and is hereby made a part of these minutes.

**PROCLAMATION DESIGNATING MAY 16-22, 2021 AS NATIONAL PUBLIC WORKS WEEK APPROVED** The Council was requested to approve a proclamation approving May 16-22, 2021 as National Public Works Week.

Larry Knight made a motion the Council approve the proclamation as requested. Martin Townsend seconded the motion, with a unanimous affirmative vote determined by the Mayor individually polling each Councilmember. A copy of the proclamation is attached and is hereby made a part of these minutes.

**RESOLUTION OPPOSING HOUSE BILL 401 (H401) AND SENATE BILL 349 (S349) OF THE 2021 LEGISLATIVE SESSION APPROVED** H401 and S349 were introduced with the intent of increasing housing opportunities by requiring Municipalities and Counties to allow certain multi-family residential development (duplexes, triplexes, quadplexes, townhouses, and accessory dwelling units) within any single-family residential zoning district unless the single-family neighborhood is protected by valid and enforceable private covenants, deed restrictions, or HOAs. This provision to exempt these areas from the proposed development standards may actually work in conflict with the goal of providing additional affordable housing options. Currently, we are updating the Town’s Land Use Plan and we are expanding housing options after receiving significant input from the community stakeholders. The government that is closest to the people that it serves every day is in the best position to determine the needs of its community and this is not a one-size fits all as the majority of local governments are constantly working on expanding housing options in their communities.

The bills would also add a semi-annual report to the State on permits issued and denied. This legislation would also make the path for appeals of decisions made by the Town’s Board of

Adjustment to go through the Town Council instead of going the current route to Superior Court.

H401 and S349 are currently in committees and will hopefully remain there. Town staff recommends the Town of Granite Falls pass a resolution in opposition to these two bills.

Mike Mackie made a motion the Council approve the resolution as presented. Larry Knight seconded the motion, with a unanimous affirmative vote determined by the Mayor individually polling each Councilmember. A copy of the resolution is attached and is hereby made a part of these minutes.

**BUDGET AMENDMENT #16 FY 2020-2021 APPROVED** Finance Director Jana Williams requested the Council to approve budget amendment #16 for fiscal year 2021 to remove the DWSRP revenue and expense from the Water & Sewer Fund. The Council previously approved a Capital Projects Ordinance for this project earlier in this budget year.

Martin Townsend made a motion the Council approve Budget Amendment #16 FY 2020-2021 as requested. Dr. Caryl B. Burns seconded the motion, with a unanimous affirmative vote determined by the Mayor individually polling each Councilmember. A copy of the budget amendment is attached and is hereby made a part of these minutes.

**APPLICATION TO NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY TO PARTICIPATE IN INMATE WORK RELEASE PROGRAM APPROVED** The contract for the current inmate work release program ends effective June 30, 2021. Town staff recommends that Council approve participation in the NC Department of Public Safety (DPS) inmate work release program for two inmates for fiscal 2022. As a reminder, each inmate works five eight-hour days, fifty-two weeks per year. The Town is required to pay upfront costs of \$260 per inmate per year and cover the inmates under the Town worker's compensation policy through the NCLM at a cost of \$740 per inmate per year. The DPS provides lunch for the prisoners and transportation to and from the prison unit; however, the Town has the option to transport the prisoners in situations where it is more efficient to do so. The DPS also provides free orientation training sessions for our employees that will supervise or work with the inmates. The total cost of the program for fiscal 2022 is approximately \$2,000 for two work release inmates if the DPS transports the prisoners or \$5,000 if the Town transports the prisoners.

Tracy Townsend made a motion the Council approve the contract between the Town and the NC DPS and authorize the Town Manager to execute the agreement with the NC DPS. Larry Knight seconded the motion, with a unanimous affirmative vote determined by the Mayor individually polling each Councilmember. A copy of the contract is attached and is hereby made a part of these minutes.

**MANAGER UPDATE** Town Manager Jerry Church updated the Council on the following:

1. Enclosed with the Council's agenda package was a calendar of events through the end of June, 2022. Revisions since the last calendar were highlighted in yellow.

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

2. COVID-19 Update

- 1) The Town Office reopened to the public on a limited basis this morning at 8:00 a.m. Customers will continue to make all payments at the drive thru window at this time or customers can make payments by using the Town website, by telephone, by using the Town drop-box after normal business hours, or by setting up automatic drafts. Due to the space limitations in the Town Office Lobby and social distancing requirements, only 2 people may enter the lobby at one time so lobby visits are limited to set up a new utilities account or to purchase a cemetery plot. Face coverings are still required to enter the Town Office and social distancing guidelines must be followed at all times.
- 2) The Recreation Center has been open to the public for several months at limited capacity per guidelines from the NC Department of Health and Human Services, the Center of Disease Control, and the Caldwell County Health Department. At this time, no other departments, other than the Town Office, are being opened to the public.
- 3) On Thursday, April 28, Governor Roy Cooper issued Executive Order No. 209. The Order became effective April 30, 2021 at 5:00 p.m. and will remain in effect through June 1, 2021 at 5:00 p.m. unless repealed, replaced, or rescinded. Under this Order, Face Coverings are no longer required in any outdoor setting. The indoor mass gathering limit is raised to one hundred (100) persons and the outdoor mass gathering limit is raised to two hundred (200) persons. North Carolinians must still be vigilant in adhering to the 3 Ws (Wear a Face Covering, Wait at least 6 feet apart, and Wash your hands often!) and businesses must be persistent in practicing public health and safety protocols.
- 4) Town employees may now ride two per Town vehicle in all departments but both employees are required to wear face coverings at all times while they are in the vehicle together. The previous exceptions for Police and Fire remain in effect.
- 5) Indoor face covering requirements have changed. While face coverings must continue to be worn entering and exiting all Town buildings, in all common areas inside Town buildings, and in any areas where social distancing can't be maintained, face coverings are not required in private offices, or in designated work areas separated by partitions or cubicles unless another employee or visitor enters the private office or designated

work space. Designated work spaces will not include areas such as hallways, restroom areas, break rooms, or other common areas.

- 6) Staggered work schedules, staggered breaks, and staggered lunch time schedules remain in effect until further notice.
- 7) Remind employees that they qualify for Other Paid Time off if they get their vaccination(s) during normal scheduled work hours. The Caldwell County Health Department is accepting appointments at 828-426-8486 or online at [vaccine.caldwellcountync.org](http://vaccine.caldwellcountync.org) and Caldwell UNC Health Care is no longer requiring appointments but can be contacted at 828-757-6487. The Governor has stated that he will more than likely lift the indoor face covering mandate on June 1, 2021, if 2/3 of the adult population have had at least one vaccination.

**COUNCIL GOES INTO CLOSED SESSION** Mike Mackie made a motion under N.C. General Statute 143-318.11 (3) the Council shall hold a closed session to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. Larry Knight seconded the motion, with a unanimous affirmative vote determined by the Mayor individually polling each Councilmember.

**COUNCIL GOES OUT OF CLOSED SESSION** Tracy Townsend made a motion the Council go out of closed session. Larry Knight seconded the motion, with a unanimous affirmative vote determined by the Mayor individually polling each Councilmember.

**MEETING ADJOURNED** Martin Townsend made a motion the Council adjourn the meeting. Mike Mackie seconded the motion, with a unanimous affirmative vote determined by the Mayor individually polling each Councilmember.