



Board of Aldermen Regular Meeting
Agenda Packet
November 9, 2021





AGENDA
Spencer Board of Aldermen
Regular Meeting
6:00 p.m.

DATE:
November 9, 2021

- 1. CALL TO ORDER – MAYOR JONATHAN WILLIAMS**
- 2. INVOCATION & PLEDGE OF ALLEGIANCE**
- 3. RECOGNITIONS**
 - a. Fire Department & Fire Chief Lanning
 - b. WinterFest Volunteer Group
 - c. Community Garden Group
 - d. Katherine Perdomon Ayala- NRMS Student of the Quarter
 - e. Kevin Figueroa- NRHS Student of the Quarter
- 4. ADJUSTMENTS TO AND ADOPTION OF AGENDA**
- 5. PUBLIC HEARING** (*G.S. 160A-58.24 & 160A-58.23 authorizing participating cities to enter into annexation agreements concerning future annexation to enhance orderly planning by such cities; and in order to designate one or more areas which are not subject to annexation by one or more of the participating cities.*)
- 6. PUBLIC COMMENT** This agenda item is included to allow input to the Board of Aldermen from any citizen who wishes to address the Board without requesting to be on the agenda. Those who wish to address the Board of Aldermen are required to provide their name, address, and topic to be addressed. The Board will only listen and not respond but may decide to place a topic on a future agenda. A speaker will be allowed 3 minutes to speak.)
- 7. CONSENT AGENDA** (The Consent Agenda is the first order of business. Items listed are believed to be non-controversial and are administrative in nature. There will be no separate discussion of the items unless an Alderman request or a citizen request and is granted permission to speak. The item(s) then will be removed from the Consent Agenda and considered individually. Otherwise, all items will be enacted by one motion).
 - a. APPROVAL OF MINUTES (Attachment 1):
October 7, 2021, Pre-Agenda Meeting Minutes
October 12, 2021, Regular Meeting Minutes
 - b. Budget Amendment Ordinance 21-020- Town Lights (Attachment 6)
 - c. Consider Receiving Property Liens (Attachment 9)
 - d. Consider Confirming sale of 308 Cain Street (Attachment 12)
 - e. Consider Confirming sale of 608 South Carolina Ave (Attachment 13)
 - f. Consider Approving various street closures related to the 'Tis the Season Spectacular Parade' and 'WinterFest' Events (Attachment 15)
 - g. Consider Authorizing Town Manager to sign a contract completion addendum for the natural gas generator (Attachment 16).

- 8. CONSIDER ORDINANCE 21-027 FOR UTILITY VEHICLES. - (Attachment 2)**
- 9. CONSIDER ORDINANCE 21-025, RESOLUTION, AND ANNEXATION AGREEMENT WITH THE CITY OF LEXINGTON. –(Attachment 3)**
- 10. CONSIDER RECEIVING A PRESENTATION FROM ESSIE ACADEMY STAFF.**
- 11. DEPARTMENTAL REPORTS – (Attachment 4)**
 - A. Planning
 - B. Code Enforcement
 - C. Police
 - D. Fire
 - E. Public Works
 - F. Finance
 - G. Library
- 12. TOWN MANAGER REPORT – (Attachment 5)**
- 13. CONSIDER BUDGET AMENDMENT ORDINANCE 21-021. - (Attachment 7)**
- 14. CONSIDER BUDGET AMENDMENT ORDINANCE 21-022. – (Attachment 8)**
- 15. CONSIDER RESOLUTION 21-026 INTERLOCAL MUTUAL AID ASSISTANCE. - (Attachment 10)**
- 16. CONSIDER SETTING A PUBLIC HEARING FOR CONDITIONAL REZONING. – (Attachment 11)**
- 17. CONSIDER AUTHORIZING TOWN MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH ALFRED BENESCH & COMPANY FOR YADKIN RIVER TRAILHEAD FOR DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES. – (Attachment 14)**
- 18. REQUESTS & COMMENTS BY THE MAYOR AND BOARD MEMBERS**
- 19. EXECUTIVE SESSION PER NC GENERAL STATUTE 143-318.11 (IF NEEDED)**
- 20. ADJOURNMENT**



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- 19. EXECUTIVE SESSION PER NC GENERAL STATUTE 143-318.11 (IF NEEDED)**
- 20. ADJOURNMENT**



AGENDA
Spencer Board of Aldermen
Pre-Agenda Meeting
5:30 p.m.

DATE:
November 4, 2021

1. CALL TO ORDER – MAYOR JONATHAN WILLIAMS

2. INVOCATION & PLEDGE OF ALLEGIANCE

PUBLIC HEARING (G.S. 160A-340.3 & 143-318.10. Amended *Ordinance 21-027 ch. 70 & 71 to provide for regulation of utility vehicles on streets with-in town limits*). Those who wish to address the Board of Aldermen are required to provide their name, address, and topic to be addressed. The Board will only listen and not respond. A speaker will be allowed 3 minutes to speak.

3. REVIEW OF NOVEMBER 9, 2021, AGENDA

1. CALL TO ORDER – MAYOR JONATHAN WILLIAMS

2. INVOCATION & PLEDGE OF ALLEGIANCE

3. RECOGNITIONS

4. ADJUSTMENTS TO AND ADOPTION OF AGENDA

5. PUBLIC HEARING (G.S. 160A-58.24 & 160A-58.23 authorizing participating cities to enter into annexation agreements concerning future annexation to enhance orderly planning by such cities; and in order to designate one or more areas which are not subject to annexation by one or more of the participating cities.)

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The attachment(s) for this item will be added after the pre-agenda meeting has been held.

8. APPROVAL OF MINUTES:

*October 7, 2021, Pre-Agenda Meeting Minutes
October 12, 2021, Regular Meeting Minutes
(Attachment 1)*

9. CONSIDER ORDINANCE 21-027 FOR UTILITY VEHICLES- (Attachment 2)

**10. CONSIDER ORDINANCE 21-025 AND ANNEXATION AGREEMENT-
(Attachment 3)**

11. DEPARTMENTAL REPORTS – (Attachment 4)

- a. Planning*
- b. Code Enforcement*
- c. Police*
- d. Fire*
- e. Public Works*
- f. Finance*
- g. Library*

12. TOWN MANAGER REPORT – (Attachment 5)

13. CONSIDER BUDGET AMENDMENT ORDINANCE 21-020- (Attachment 6)

14. CONSIDER BUDGET AMENDMENT ORDINANCE 21-021- (Attachment 7)

15. CONSIDER BUDGET AMENDMENT ORDINANCE 21-022- (Attachment 8)

16. CONSIDER RECEIVING PROPERTY LIENS – (Attachment 9)

**17. CONSIDER RESOLUTION 21-026 INTERLOCAL MUTUAL AID ASSISTANCE-
(Attachment 10)**

**18. CONSIDER SETTING A PUBLIC HEARING FOR CONDITIONAL REZONING-
(Attachment 11)**

19. CONSIDER CONFIRMING SALE OF 308 CAIN STREET- (Attachment 12)

**20. CONSIDER CONFIRMING SALE OF 608 SOUTH CAROLINA AVENUE-
(Attachment 13)**

**21. CONSIDER AUTHORIZING TOWN MANAGER TO SIGN AGREEMENT TO
EXECUTE DESIGN AND CONSTRUCTION FOR YADKIN RIVER TRAILHEAD-
(Attachment 14)**

**22. CONSIDER RECEIVING UPDATE FOR APPROVAL TO CLOSE (US29)
SALISBURY AVENUE FOR 'TIS THE SEASON SPECTACULAR PARADE'-
(Attachment 15)**

23. REQUESTS & COMMENTS BY THE MAYOR AND BOARD MEMBERS

24. EXECUTIVE SESSION PER NC GENERAL STATUTE 143-318.11 (IF NEEDED)

25. ADJOURNMENT

4. EXECUTIVE SESSION PER NC GENERAL STATUTE 143-318.11 (IF NEEDED)
5. ADJOURNMENT

MINUTES
Town of Spencer
Board of Aldermen
Pre-Agenda Meeting
October 7, 2021

The Town of Spencer Board of Aldermen met at Spencer Town Hall in regular session on October 7, 2021, at 5:30 p.m. to conduct a pre-agenda meeting.

Present were: Mayor Jonathan D. Williams
Mayor Pro Tempore Patti Secreast
Aldерwoman Sharon Hovis
Alderman Steve Miller
Alderman Bob Bish
Aldерwoman Patricia Sledge

Absent: Alderman Sam Morgan

Also present were: Town Manager Peter Franzese, Town Clerk Stacy Craven, Town Planner Kyle Harris, Special Projects Planner Joe Morris, Police Chief Michael James, Code Enforcement Officer James Osborne, and Public Works Director Joel Taylor. Also, NC Fellow Student Skye Allan, attended via digital means.

Mayor Williams called the meeting to order, offered the invocation, and led the *Pledge of Allegiance*.

Mayor Williams opened the floor for the discussion of the agenda.

RECOGNITIONS

None to be considered at this time.

REVIEW OF AGENDA ITEMS

The board reviewed the October 12, 2021, draft agenda and took the following actions by consensus:

- Moved Agenda item *Minutes* to the Consent Agenda.
- Moved Agenda item Budget Amendment Ordinance 21-019 to Consent Agenda.
- Add Group Insurance Renewal Presentation by Snow Benefits Group.

EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSION OF PERSONNEL PER NC G.S. 143-318.11(A)(6)

Aldерwoman Hovis moved to adjourn to executive session for the purpose of discussion of personnel matters per NC General Statute 143-318.11 (a) (6). Aldерwoman Sledge seconded the motion which carried by a vote of 5-0. The regular meeting stood in recess at 5:51 p.m.

RECONVENE OPEN SESSION

Mayor Pro Tempore Secreast moved to approve motion of reconvening open meeting. Aldерwoman Hovis seconded the motion which carried by a vote of 5-0.

Mayor Williams reconvened the meeting at 5:56 p.m.

ADJOURNMENT

Alderman Bish moved to adjourn the meeting. Mayor Pro Tempore Secreast seconded the motion which carried by a vote of 5-0. The meeting was adjourned at 5:57 p.m.

Approved by:

Attest:

Jonathan D. Williams
Mayor

Stacy Craven
Town Clerk

**MINUTES
Town of Spencer
Board of Aldermen
Regular Meeting
October 12, 2021**

The Town of Spencer Board of Aldermen met at Spencer Town Hall in regular session on October 12, 2021, at 6:00 p.m.

Present were:

- Mayor Jonathan D. Williams
- Mayor Pro Tempore Patti Secreast
- Alderman Bob Bish
- Alderwoman Sharon Hovis
- Alderman Steve Miller
- Alderman Sam Morgan
- Alderwoman Patricia Sledge

Also, present were: Town Manager Peter Franzese, Town Clerk Stacy Craven, Town Planner Kyle Harris, Special Projects Planner Joe Morris, Finance Officer Faith Wilson, Police Chief Michael James, Code Enforcement Officer James Osborne, Fire Chief Michael Lanning, and Public Works Director Joel Taylor, and NC Fellow Student Skye Allan.

Mayor Williams called the meeting to order, led the *Pledge of Allegiance*, and Mayor Pro Tempore Secreast offered the invocation.

RECOGNITIONS

No recognitions.

ADJUSTMENTS TO AND ADOPTION OF AGENDA

No adjustments needed.

Action

Alderwoman Sledge moved to adopt the agenda. Mayor Pro Tempore Secreast seconded the motion which carried by a unanimous vote of 6-0.

PUBLIC COMMENT

Mayor Williams opened the floor to receive public comment.

Leslie Talbott (308 N. Salisbury Ave.) was present and thanked the board for their service to the community and improving the appearance of the Town (Alderman Miller). Also thanked Alderman Bish for assisting in her concern of things occurring in her neighborhood.

Being no one else present for comments, public comment section was closed.

CONSENT AGENDA

Alderman Miller moved to approve the consent agenda as presented. Alderwoman Sledge seconded the motion which carried by a unanimous vote of 6-0. Items approved were: (1) August 5, 2021, Pre-

Agenda Meeting Minutes; (2) September 9, 2021, Pre-Agenda Meeting Minutes; (3) September 14, 2021, Regular Meeting Minutes; and (4) Budget Amendment Ordinance 21-019 CSLRF.

CONSIDER RECEIVING AN UPDATE FROM ROWAN EDC ON THE DUKE ENERGY SITE READINESS PROGRAM

Scott Shelton (Rowan EDC) discussed how Duke Energy makes the changes happen and turned the floor over to Tammy Whalen who presented how the program partnered with Withers Ravenel to help counties identify, assess, and improve and increase the visibility of the sites. With focus on high level manufacturing properties to bring other growth to the area.

Jason Bertoncino (Withers Ravenel) expressed that 2 out of 9 sites in the program this year were in Rowan County. The Former NC Finishing Site and there is 51.2 acres in the Northern area and 126 acres in the Southern area of the land. There are more opportunities of development in the Northern part after an evaluation of the properties. The Southern area has more concerns more suitable for manufacturing. The next steps are identifying detailed wetlands, geotechnical investigation, endangered species, and historical resources.

Action

No action taken.

CONSIDER RECEIVING PRESENTATION FROM SNOW BENEFITS GROUP FOR GROUP INSURANCE RENEWAL FOR TOWN EMPLOYEES

Ed Snow and Lee Snow (Snow Benefits Group) presented to the Board of a third year of decrease in insurance cost. The details of the plan were discussed, and the Town has been eligible for the grandfathered plan to continue another year which helps with keeping the cost down.

CONSIDER SETTING A PUBLIC HEARING ON A PROPOSED ORDINANCE TO AMEND CHAPTERS 70 AND 71 OF THE CODE OF ORDINANCES TO REGULATE UTILITY VEHICLES

Mayor Williams briefed the Board of the details for amending the ordinances and to allow the same process for the inclusion of the utility vehicles same as golf carts.

Action

Alderswoman Sledge moved to approve setting a public hearing date for November 9th. Alderswoman Hovis seconded the motion which carried by a unanimous vote of 6-0.

DEPARTMENTAL REPORTS

Planning Department

Planning Director Kyle Harris gave the monthly Planning Department report; 200 S. Salisbury Ave is in the process of re-zoning and would like to close the alley. The decision to not force the business to close was made by Town Staff as long as the business is acting in good faith to correct the violations and get up to code. Conditions has been set for the business and a time value will be established for when the compliance will be met. 1411 S. Salisbury Ave (Tracy's Towing) and 403 S. Rowan Ave (Stanback house) were listed with notice of violations and fines and penalties could be forced for both properties. The planning board has 4 vacancies (2 Spencer/ 2 ETJ) and 1 applicant was interviewed last night. Alderman Morgan requested Town Staff to review issue of loud music over the weekend at the Old Weigh Station area. Town Staff advised that 911 be called at the time of hearing loud music as there is a noise ordinance in place.

Code Enforcement Department

Code Enforcement Officer James Osborne gave the monthly Code Enforcement report; Discussed the need for implementing the citizen engagement portal and the results he believes would be achieved

upon implementing the software. Board asked if there has been any progress made on the Doby property? Osborne replied there has been a little progress, but it is not completed. Board informed Osborne it is time to move forward with the action and have a cleaning crew complete the task. Alderman Bish thanked Osborne for follow up on citizen's concern.

Police Department

Police Chief Michael James gave the monthly Police Department report; Board discussed citizens would like to implement a Neighborhood Watch in their community and would like an officer to speak with them about safety tips. Chief James was asked about car break-ins so he suggested that the Board could write letters to Rep. Harry Warren and Carl Ford about issues relating to juveniles and police intervention.

Fire Department

Fire Chief Michael Lanning gave the Fire Department report; announced he was unable to coordinate with Staff in planning a "Coffee with the Chief" and plans to host the first one next month. Lanning reported to the Board that the ladder truck is broken down and in poor condition and asked the Board whether to look at putting money into repairs or a new truck. The Board has advised Town Staff to start looking around for quotes for the purchase of a new engine truck to replace the current one. Town Staff advised to contact NCTM for possible donation of the used ladder truck.

Action

Alderman Hovis moved to approve the motion of re-allocating funds from repair budget line to start the purchase of a new truck. Alderman Morgan seconded the motion which carried by a unanimous vote of 6-0.

Public Works Department

Public Works Director Joel Taylor gave the monthly Public Works Department report; updated Board of low participation in the Fall Mulch Giveaway Event and may re-advertise for better participation rate, leaf vacuum started October 4th. Trunk or Treat will be on Sunday, October 31st 6:30 p.m.- 8:30 p.m. in the Park Plaza parking lot. Alderman Miller asked Staff for intentions of Christmas lighting on new Town Hall building; Town could purchase 250 ft of lighting and the Nance would consider putting lighting on other parts of Park Plaza for Christmas Parade. The estimated cost would be under \$1,000.00 with lights to be the same. Warm plastic LED light bulbs for durability was recommended. CCAP progress underway. NR High School carpentry class is making store front, for WinterFest.

Action

Alderman Miller moved to approve the motion of the Town to donate up to \$1,000 for the purpose Christmas lights. Mayor Pro Tempore Secreast seconded the motion which carried by a unanimous vote of 6-0.

Finance Department

Finance Officer Faith Wilson gave the monthly Finance Department report; Updated Board on status having the Public Works and Fire Departments on the same server as Town Hall staff. A Purchase Order Module has been installed and training is to occur this upcoming Thursday. This program is to streamline purchasing process and provide more transparency rather than the current use of excel programming. Additional revenues have been received since the information was submitted in the agenda book.

Library Report

Town Clerk Stacy Craven gave the monthly Library report; Library has had a few patrons utilizing the new desktop set up there and there has been an increase in the Facebook followers on the library page.

TOWN MANAGER REPORT

Manager Franzese gave his monthly report; the construction project is closer to being finished and week of November 19th is still the completion date. The WinterFest is planned to occur on December 3rd with an Open House of the new Town Hall Building. Manager advised Board that the Natural Gas generator could arrive later than expected, March 2022 is a date listed, it was ordered one year ago, and a possible change order could be coming soon to Board for approval. Chromebooks have been ordered for Board use although no delivery date provided at this time. An RFQ has been submitted for design services for Yadkin River Trail. Questions of update status on CDBG and Staff advised that the State has not released the \$750,000 donation amount. Staff will now check the status of the grant proceedings monthly. Alderman Morgan discussed concerns of Town's webpage and believes that the Events tab should list events that are occurring in town and not meetings of the board. The webpage needs pull-down tabs and there are 2 upcoming events with no publication from the Town, Manager Franzese notified the Board the event has been posted on the website and the Facebook page. Events happening in Spencer will also be posted on spencerexperience.org as well as linkage to spencernc.gov

CONSIDER RECEIVING AN UPDATE ON THE SALISBURY AVENUE CORRIDOR GRANT AND ADOPTING A RESOLUTION ESTABLISHING THE HOMETOWN INNOVATION GRANT

Planning Director Harris updated the Board on the \$25,000 grant awarding to Salisbury CDC for the Town of Spencer. This process will consist of the Board adopting how the application process will occur per applicant and streamlined through Staff once eligibility is met. The deadline establishes a time frame of January 31, 2022, from Duke Energy to announce who will be awarded.

Action

Alderman Morgan moved to adopt resolution 21-023 for Hometown Innovation Grant. Alderman Miller seconded the motion, which carried by a vote of 6-0.

CONSIDER RECEIVING A STATUS UPDATE ON THE SPENCER COMMUNITY GARDEN PROJECT

NC Fellow Student Skye Allan presented to the Board that status of the planning phase and steps to accomplish for gardening in the current season. Still need potential volunteers and considering 1 to 2 raised bed gardens and has identified needs for having the ability of an all-inclusive garden project. All crops will be donated back to the community and the organization has plans to become a 501(C)(3). Amy Ray and Anthony Nero attended.

Action

No action taken.

CONSIDER SETTING A PUBLIC HEARING RELATIVE TO A PROPOSED ANNEXATION AGREEMENT WITH THE CITY OF LEXINGTON

Manager Franzese updated the Board on commentary from City of Lexington officials of annexation in an area of Davidson County that is 3 miles of Spencer Corporate limits. Spencer will need to set a public hearing on the matter. Public hearing date set for November 9, 2021.

Action

Alderwoman Sledge moved to approve resolution 21-024 to set a public hearing date. Mayor Pro Tempore Secest seconded the motion, which carried by a unanimous vote of 6-0.

CONSIDER APPROVING GROUP INSURANCE RENEWAL RATES FOR 2021-2022

Staff budgeted for a 10% increase and current renewal rates render \$48,000 savings in funds. This renewal has resulted in a lower cost for the third year in a row.

Action

Mayor Pro Tempore Secreast moved to approve the group insurance renewal rates. Alderwoman Sledge seconded the motion, which carried by a unanimous vote of 6-0.

REQUESTS & COMMENTS BY THE MAYOR AND BOARD MEMBERS

Mayor Pro Tempore Secreast:

- Agree with comments on outstanding Staff here. School update for North Rowan Schools “Student of the Quarter” to start at the school system the 1st week of November. Certificate and perhaps a small gift card or something for 3 students for each Quarter. NRHS still needs tutors and call to school and ask for Christy to set up sessions or contact me directly and I help get it set up.

Alderman Bish:

- Reviewing moments of being on the Board and commends Aldermen I can see a change. The Board is relishing and passing information to the Community. Request that the Board continues to provide good service and all rewards will come afterwards.

Alderwoman Sledge:

- To acknowledge Indigenous Day yesterday for the land that once belonged to Native Americans thank them for being good stewards of the land we now enjoy.

Alderman Miller:

- Would like to acknowledge Stacy Craven on the recent newsletter published and Beverly McCraw on all the happenings at the library.

Alderman Morgan:

- Nothing to add but hates to see Alderman Bish and Alderwoman Hovis leave, asks that they come back and hold our feet to the fire. The Community is still not engaged as fully as hoped and much work is still ahead. Lots have been accomplished and hope citizens continue to help the community grow.

Alderwoman Hovis:

- Good luck to the Board. This Board should remember while sitting here to help protect the Town and look after people. The Community’s needs and money as well as speculation concerns to govern the organization. Thanks to the Staff that keeps the Town running Stacy Craven, Faith Wilson, and Chief Lanning a few to list among others.

Mayor Williams:

- Christmas parade to occur on November 24, 2021 “Tis the Season Spectacular Parade” to start in Spencer area at 2:00 p.m. and end in Salisbury area at the Bell Tower Park, will occur in Salisbury at 3:00 p.m.

EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSION OF PROPERTY PER NC G.S. 143-318.11(A)(5)

Alderman Morgan moved to adjourn to executive session for the purpose of discussion of property matters per NC General Statute 143-318.11 (a) (5). Alderman Bish seconded the motion which carried by a vote of 6-0. The regular meeting stood in recess at 9:59 p.m.

RECONVENE OPEN SESSION

Alderman Morgan moved to approve motion of reconvening open meeting. Mayor Pro Tempore Secreast seconded the motion which carried by a vote of 6-0.

Mayor Williams reconvened the meeting at 10:14 p.m.

ADJOURNMENT

Alderman Morgan moved to adjourn the regular meeting. Alderwoman Hovis seconded the motion which carried by a unanimous vote of 6-0. The meeting stood adjourned at 10:14 p.m.

Approved by:

Attest:

Jonathan D. Williams
Mayor

Stacy Craven
Town Clerk

TOWN OF SPENCER, NORTH CAROLINA

**AN ORDINANCE PERMITTING AND REGULATING THE OPERATION OF
UTILITY VEHICLES ON PUBLIC STREETS WITHIN THE TOWN OF SPENCER,
NORTH CAROLINA**

AUTHORIZED BY SL 2021-97

ORDINANCE 21-027

WHEREAS, there is public interest in having a means of local travel that is cost effective and energy efficient as an alternative to the use of motor vehicles; and

WHEREAS, in 2016 the Board of Aldermen Adopted Ordinance 16-14, amending Chapters 70 and 71 of the Town's Code of Ordinances, pursuant to N.C.G.S. 160A-300.6, to permit and regular the operation of Golf Carts on Public Streets within the Town of Spencer, North Carolina; and

WHEREAS, SL 2021-33 amended NC motor vehicle laws to allow operation of Modified Utility Vehicles, as defined in N.C.G.S. 20-4.01(27), on certain roadways, effective October 1, 2021; and

WHEREAS, SL-2021-97 provided authority for the Town of Spencer to regulate Utility Vehicles, as defined in N.C.G.S. 20-4.01(48)(c), on streets within municipal limits, notwithstanding provisions of N.C.G.S. 20-50 and 20-54; and

WHEREAS, the Board of Aldermen of the Town of Spencer has determined that the safe, proper operation of Utility Vehicles on streets, roads, and highways within the Town of Spencer is in the public interest and, if properly regulated, will promote the public health, safety and welfare;

WHEREAS, the Town wishes to regulate Utility Vehicles using the same Policy Statement, Rules, and Regulations as it does for Golf Carts.

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Spencer, North Carolina, that:

Section 1. Title VII: Traffic Code, Chapter 71: Traffic Regulations of the Town of Spencer Code of Ordinances is hereby amended to read as set forth herein.

“Section 70.01 Definitions.

MODIFIED UTILITY VEHICLE. A motor vehicle that (i) is manufactured for off-road use with equipment required by G.S. 20-121.1(2), except a vehicle identification number, and (ii) has four wheels, an engine displacement greater than 2,400 cubic centimeters, an overall length of 142 inches or greater, an overall width of 58 inches or greater, an overall height of 70 inches or greater, a maximum speed capability of 40 miles per hour or greater, and does not require an operator or passenger to straddle a seat. "Modified utility vehicle" does not include an all-terrain vehicle, golf cart, or utility vehicle, as defined in this section, or a riding lawn mower.

UTILITY VEHICLE. As defined in NCGS 20-4.01(48)(c), Utility Vehicle. - A motor vehicle that is (i) designed for off-road use and (ii) used for general maintenance, security, agricultural, or horticultural purposes. "Utility vehicle" does not include an all-terrain vehicle or golf cart, as defined in this section, or a riding lawn mower."

Section 2. Title VII: Traffic Code, Chapter 71: Traffic Regulations of the Town of Spencer Code of Ordinances is hereby amended to add Utility Vehicles into the definition of "Carts," described in Sections 71.57 Policy Statement and referred to in 71.58 Rules and Regulations, read as set forth herein.

"Section 71.57 Policy Statement

This Ordinance is adopted in the interest of public safety. Golf carts and Utility Vehicles as defined above in 70.01, together hereinafter "cart(s)," are not designed or manufactured to be used on public streets and roads, hereinafter "street(s)," and the Town of Spencer in no way advocates or endorses their operation on streets. The Town by regulating such operation is merely addressing safety issues. This Ordinance is not to be relied upon as a determination that operation on streets is safe or advisable even if done in accordance with this Ordinance. All persons operating carts must be observant of, and attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists, and pedestrians. All persons that operate or ride carts on streets inside the Town of Spencer do so at their own risk. The Town of Spencer shall have no liability under any theory of liability, for permitting carts to be operated on streets under legislative authority granted by the State of North Carolina, and pursuant to such legislative authority, such cart operation shall be in accordance with this Ordinance."

Section 3. This ordinance shall become effective December 1, 2021.

ADOPTED this 9th day of November, 2021

Mayor

ATTEST:

Town Clerk

**RESOLUTION
AUTHORIZING TOWN MANAGER TO WAIVE 60-DAY NOTICE**

WHEREAS, pursuant to the terms and conditions of the Annexation Agreement between the City of Lexington and the Town of Spencer, the City of Lexington has notified the Town of Spencer of its intent to annex the area described in the Annexation Agreement and being further described on the attached map and attached metes and bounds description (hereinafter “Annexed Territory”); and

WHEREAS, pursuant to the terms and conditions of the said Annexation Agreement, the City of Lexington has requested that the Town of Spencer waive the 60-day notice of the annexation prior to the adoption of the City’s annexation ordinance; and

WHEREAS, the Town of Spencer, deems it advisable to waive the said 60-day notice;

NOW, THEREFORE, BE IT RESOLVED, that the Town Manager is hereby authorized and directed to waive the 60-day notice from the City of Lexington of its intent to adopt an annexation ordinance of the Annexed Territory.

This the 9th day of November, 2021.

TOWN OF SPENCER

By: _____
_____, Mayor

ATTEST:

_____, Town Clerk

PUT ON CITY OF LEXINGTON STATIONERY

November ___, 2021

Peter Franzese
Town Manager
Town of Spencer
600 Salisbury Avenue
Spencer, NC 28159

Email: Pfranzese@townofspencer.com

Dear Mr. Franzese,

Please be advised that the City of Lexington is proposing to annex the area described on the attached map and metes and bounds description at its City Council meeting scheduled for November 10, 2021, at 10:00 a.m. Pursuant to the Annexation Agreement between City of Lexington and the Town of Spencer, notice is hereby given of the area to be annexed as described herein. Further, pursuant to paragraph 6 of the Annexation Agreement, the City of Lexington requests that the Town of Spencer waive the 60-day notice before the adoption of the annexation Ordinance.

Sincerely,

Terra Greene
City Manager

Attachments: Annexation Map
Metes and Bounds Description

TOWN OF SPENCER

November ___, 2021

Terra Greene
City Manager
City of Lexington
28 West Center Street
Lexington, NC 27292

Email: TAGreene@LexingtonNC.gov

Dear Ms. Greene,

This letter is to notify the City of Lexington that the Town of Spencer hereby waives the 60-day notice requirement contained in the Annexation Agreement between our municipalities. This waiver only applies to the annexation by the City of Lexington of the property shown on the attached map and the annexation area as described on the attached metes and bounds description. The undersigned has been duly authorized to execute this waiver on behalf of the Town.

Sincerely,

Peter Franzese
Town Manager

Attachments: Annexation Map
Metes and Bounds Description

ANNEXATION AGREEMENT

THIS ANNEXATION AGREEMENT (this "Agreement"), by and between the City of Lexington, a body corporate and politic of the State of North Carolina (hereinafter the "City of Lexington"), and the Town of Spencer, a duly incorporated municipality under the laws of the State of North Carolina (hereinafter the "Town of Spencer") (collectively hereinafter referred to as the "Participating Municipalities");

WITNESSETH:

WHEREAS, the City of Lexington and the Town of Spencer, duly incorporated municipalities under the laws of the State of North Carolina, desire to eliminate uncertainty among residents and property owners in unincorporated areas adjacent to the Participating Municipalities and also to improve planning by public and private interests in such areas; and

WHEREAS, Chapter 160A, Article 4A, Part 6 of the General Statutes of North Carolina (hereinafter referred to as the "Act") authorizes municipalities to enter into binding annexation agreements concerning future annexation in order to enhance orderly planning by such municipalities as well as residents and property owners in areas adjacent to such municipalities;

NOW, THEREFORE, THE PARTICIPATING MUNICIPALITIES AGREE AS FOLLOWS:

1. This Agreement is executed pursuant to the authority of the Act, codified as G.S. Chapter 160A, Article 4A, Part 6.
2. This Agreement shall be in effect until November 9, 2041.
3. The Town of Spencer may not annex the area as described on attached Exhibit A, which is incorporated herein by reference.
4. **See attached map labeled "ANNEXATION MAP" marked as Exhibit B and incorporated herein by reference for a general description.**
5. The effective date of this Agreement shall be November 9, 2021, or the date of adoption of the approving ordinance by the last Participating Municipality to do so, whichever is later.
6. At least sixty (60) days before the adoption of any annexation ordinance, the Participating Municipality which is proposing any annexation in the area(s) subject to this Agreement shall give written notice to the other Participating Municipality of the proposed annexation. Such notice shall describe the area to be annexed by a legible map, clearly and accurately

showing the boundaries of the area to be annexed in relation to the area described in this Agreement; roads, streams and any other prominent geographical features. The 60-day notice of the annexation ordinance may be waived by a mutual written waiver of the Participating Municipalities. Such notice shall not be effective for more than 180 days.

7. This Agreement may be modified or terminated by a subsequent agreement entered into by the Participating Municipalities. Any subsequent agreement shall be approved by ordinance after public hearings as required by law.
8. This Agreement may be terminated unilaterally by a Participating Municipality or a Participating Municipality may withdraw from this Agreement by repealing the ordinance which approved this Agreement and providing five years' written notice to the other Participating Municipality. Upon the expiration of the five-year period, this Agreement shall terminate.
9. From and after the effective date of this Agreement, neither the City of Lexington nor the Town of Spencer may adopt an annexation ordinance as to all or any portion of an area in violation of this Agreement.
10. Nothing in this Agreement shall be construed to authorize the annexation of any area that is not otherwise subject to annexation under applicable law.
11. This writing contains the entire agreement between the Participating Municipalities.

[Remainder of page intentionally blank. Signature page(s) follow.]

IN WITNESS WHEREOF, the mayors of the Participating Municipalities execute this Agreement, in duplicate, to become effective as provided in paragraph 5 above.

This the 9th day of November, 2021.

CITY OF LEXINGTON

ATTEST:

By:

Emily M. Jackson,
City Clerk, CMC, NCCMC

Newell Clark, Mayor

APPROVED AS TO FORM:

Stephen C. Holton, City Attorney

TOWN OF SPENCER

ATTEST:

By:

Name: _____

Name: _____

Title: Town Clerk

Title: Mayor

APPROVED AS TO FORM:

Jay Dees, Town Attorney

Exhibit A

Annexation Area

EXHIBIT A

METES AND BOUNDS DESCRIPTION FOR SATELLITE ANNEXATION

**780.08 ACRES MORE OR LESS
("1.2189 SQUARE MILES +/-" TOTAL ANNEXATION AREA)**

ANNEXATION AREA #1

All that certain tract or parcel of land, being located in Boone Township, Davidson County, North Carolina, being more particularly described as follows:

BEGINNING at a railroad spike found in the centerline of Clark Road [NCSR 1136], said railroad spike having North Carolina Grid Coordinates (NAD 83/2011) of North (y) = 723,875.74' and East (x) = 1,597,544.25' (all bearings described herein being oriented to N.C. Grid North, NAD 83/2011), said spike being the southeasterly corner of the William C. Berrier Estate Subdivision, Tract A (Plat Book 55, Page 83, Davidson County Register of Deeds), hereinafter the "Point and Place of Beginning"; thence from said Point and Place of Beginning and running with the easterly line of said William C. Berrier Estate Subdivision North 09 deg 32' 31" East a distance of 740.81 feet to a point; thence with the northerly line of said William C. Berrier Estate Subdivision, with the northerly line of the Conley I. Cope & Janet Marie Copley Subdivision (Plat Book 21, Page 130, Davidson County Register of Deeds), with the northerly line of property owned, now or formerly by Eric S. Clark and Vickie R. Clark (Deed Book 605, Page 899, Davidson County Register of Deeds), and with the northerly line of property owned, now or formerly, by Charles Raymond Bell and Johnnie L. Bell (Deed Book 1540, Page 564, Davidson County Register of Deeds) North 84 deg 09' 14" West a distance of 1150.10 feet to a point; thence with the easterly line of said Bell property North 01 deg 11' 54" West a distance of 363.68 feet to a point; thence with the northerly line of said Bell property and with the northerly line of property owned, now or formerly by Franklin Haywood Graves and wife, Margaret Long Graves Revocable Living Trust (Deed Book 1441, Page 530, Davidson County Register of Deeds) North 89 deg. 20' 53" West a distance of 803.22 feet to a point in the northerly right-of-way line of Clark Road [NCSR 1136]; thence with the northerly and easterly right-of-way line of Clark Road [NCSR 1136] the following six courses and distances:

- 1) North 75 deg. 03' 16" West a distance of 416.96 feet to a point;
- 2) North 54 deg. 14' 54" West a distance of 465.66 feet to a point;
- 3) North 16 deg. 47' 47" West a distance of 36.15 feet to a point;
- 4) North 05 deg. 47' 03" West a distance of 90.38 feet to a point;
- 5) North 05 deg. 55' 33" East a distance of 80.76 feet to a point; and
- 6) North 16 deg. 56' 47" East a distance of 234.22 feet to a point at the southwesterly corner of property owned, now or formerly by J.C. Little Holdings, LLC (formerly Churchland Rural Fire Department) (Deed Book 2493, Page 747, Davidson County Register of Deeds);

Thence with the southerly line of said J.C. Little Holdings South 85 deg. 22' 46" East a distance of 524.25 feet to a point; thence with the easterly line of said J.C. Little Holdings and the easterly line of property owned, now or formerly by New Zion Baptist Church (Deed Book 29, Page 107; Deed Book 85, Page 417; Deed Book 518, Page 647; Deed Book 552, Page 858, and Deed Book 578, Page 647, Davidson County Register of Deeds) North 00 deg. 59' 54" East a distance of 687.57 feet to a point; thence with the northerly line of said New Zion Baptist Church South 89 deg. 56' 33" West a distance of 362.03 feet to a point in the easterly right-of-way line of Clark Road [NCSR 1136]; thence with the easterly right-of-way line of Clark Road [NCSR 1136] North 02 deg 44' 52" West a distance of 284.44 feet to a point in the southeasterly right-of-way line of Seven Oaks Road [NCSR 1285]; thence with the southeasterly right-of-way line of Seven Oaks Road [NCSR 1285] the following nine (9) courses and distances:

- 1) North 39 deg. 34' 56" East a distance of 105.80 feet to a point;
- 2) North 69 deg. 04' 46" East a distance of 133.50 feet to a point;
- 3) North 61 deg. 32' 08" East a distance of 124.00 feet to a point;
- 4) North 33 deg. 53' 57" East a distance of 74.10 feet to a point;
- 5) North 71 deg. 13' 56" East a distance of 258.66 feet to a point;
- 6) Along a curve to the left a chord bearing of North 63 deg 21' 01" East a chord length of 324.40 feet to a point (said curve having an arc distance of 327.94 feet and a radius of 643.19 feet);
- 7) North 50 deg. 53' 22" East a distance of 315.22 feet to a point;
- 8) Along a curve to the left a chord bearing of North 42 deg 18' 52" East a chord length of 310.11 feet to a point (said curve having an arc distance of 311.27 feet and a radius of 1039.91 feet); and
- 9) North 33 deg. 44' 22" East a distance of 117.64 feet to a point in the southerly line of property owned, now or formerly by Harts Rental, LLC (Deed Book 2321, Page 1675, Tract XVIII, Davidson County Register of Deeds);

Thence with the southerly line of Harts Rental, LLC South 44 deg. 27' 07" East a distance of 408.20 feet to a point; thence with the easterly line of Harts Rentals, LLC North 42 deg. 39' 14" East a distance of 191.88 feet to a point in the centerline of a creek, being in the southerly line of property owned, now or formerly, by R.H. Barringer Distributing Company (Deed Book 2243, Page 2366, Davidson County Register of Deeds); thence with the centerline of said creek the following twenty-four (24) courses and distances:

- 1) South 19 deg. 58' 20" East a distance of 66.91 feet to a point;
- 2) South 62 deg. 05' 29" East a distance of 40.38 feet to a point;
- 3) North 83 deg. 26' 13" East a distance of 49.90 feet to a point;
- 4) South 50 deg. 28' 18" East a distance of 35.42 feet to a point;
- 5) North 76 deg. 41' 51" East a distance of 32.09 feet to a point;
- 6) North 13 deg. 05' 17" East a distance of 34.23 feet to a point;
- 7) North 75 deg. 39' 41" East a distance of 51.39 feet to a point;
- 8) South 85 deg. 58' 07" East a distance of 30.57 feet to a point;
- 9) South 73 deg. 20' 39" East a distance of 40.70 feet to a point;
- 10) North 58 deg. 32' 40" East a distance of 41.76 feet to a point;
- 11) South 64 deg. 11' 44" East a distance of 47.80 feet to a point;

- 12) South 18 deg. 11' 19" East a distance of 43.96 feet to a point;
- 13) North 85 deg. 51' 47" East a distance of 64.76 feet to a point;
- 14) South 74 deg. 02' 37" East a distance of 67.58 feet to a point;
- 15) South 63 deg. 25' 45" East a distance of 71.27 feet to a point;
- 16) South 88 deg. 54' 09" East a distance of 81.23 feet to a point;
- 17) South 69 deg. 02' 15" East a distance of 72.89 feet to a point;
- 18) South 02 deg. 39' 25" West a distance of 46.03 feet to a point;
- 19) North 55 deg. 24' 41" East a distance of 57.44 feet to a point;
- 20) South 55 deg. 40' 02" East a distance of 72.08 feet to a point;
- 21) South 71 deg. 22' 53" East a distance of 55.12 feet to a point;
- 22) South 30 deg. 46' 23" East a distance of 37.01 feet to a point;
- 23) South 49 deg. 50' 24" East a distance of 87.51 feet to a point; and
- 24) South 44 deg. 23' 55" East a distance of 50.32 feet to a point;

Thence leaving said branch, still with the easterly line of said R.H. Barringer Distributing Company property the following six (6) courses and distances:

- 1) North 72 deg. 31' 42" East a distance of 238.61 feet to a point;
- 2) South 77 deg. 57' 33" East a distance of 471.24 feet to a point;
- 3) North 09 deg. 33' 37" East a distance of 213.19 feet to a point;
- 4) North 63 deg. 29' 08" West a distance of 192.46 feet to a point;
- 5) North 30 deg. 23' 22" East a distance of 753.09 feet to a point; and
- 6) North 00 deg. 07' 18" East a distance of 602.03 feet to a point in the southerly line of property owned, now or formerly by Walser and Matthews (Deed Book 1975, Page 1149, Davidson County Register of Deeds);

Thence with the southerly line of Walser and Matthews South 85 deg. 14' 33" East a distance of 562.00 feet to a point in the westerly line of property owned, now or formerly by Davidson County (Deed Book 2169, Page 181, Davidson County Register of Deeds); thence with the westerly line of said Davidson County property South 00 deg. 46' 27" West a distance of 387.00 feet to a point at or near contour elevation 655 (Yadkin Inc. datum) in the westerly line of Yadkin Inc., Deed Book 1165, Page 704; thence with said westerly line of Yadkin Inc. along the 655 contour the following thirty-six (36) courses and distances:

- 1) North 30 deg. 39' 39" West a distance of 191.56 feet to a point;
- 2) North 18 deg. 53' 59" West a distance of 114.01 feet to a point;
- 3) North 22 deg. 48' 33" West a distance of 64.76 feet to a point;
- 4) North 12 deg. 44' 18" West a distance of 52.97 feet to a point;
- 5) South 28 deg. 18' 40" West a distance of 56.93 feet to a point;
- 6) South 19 deg. 16' 09" West a distance of 76.97 feet to a point;
- 7) South 12 deg. 31' 55" East a distance of 424.63 feet to a point;
- 8) South 10 deg. 18' 06" West a distance of 80.64 feet to a point;
- 9) South 57 deg. 27' 55" West a distance of 120.17 feet to a point;
- 10) South 52 deg. 24' 35" West a distance of 193.69 feet to a point;
- 11) South 35 deg. 08' 54" West a distance of 209.43 feet to a point;
- 12) South 10 deg. 10' 59" East a distance of 121.40 feet to a point;
- 13) South 07 deg. 08' 33" East a distance of 243.32 feet to a point;

- 14) South 03 deg. 41' 55" East a distance of 155.57 feet to a point;
- 15) South 27 deg. 11' 16" West a distance of 94.91 feet to a point;
- 16) South 84 deg. 12' 51" West a distance of 213.14 feet to a point;
- 17) South 32 deg. 12' 30" West a distance of 115.16 feet to a point;
- 18) South 42 deg. 07' 07" East a distance of 224.75 feet to a point;
- 19) South 08 deg. 40' 16" East a distance of 157.59 feet to a point;
- 20) South 49 deg. 43' 02" East a distance of 184.38 feet to a point;
- 21) South 04 deg. 10' 22" East a distance of 181.91 feet to a point;
- 22) South 22 deg. 15' 47" East a distance of 172.48 feet to a point;
- 23) South 17 deg. 45' 43" East a distance of 548.56 feet to a point;
- 24) South 05 deg. 47' 59" West a distance of 280.86 feet to a point;
- 25) South 22 deg 47' 30" East a distance of 183.06 feet to a point;
- 26) South 78 deg 30' 25" East a distance of 118.16 feet to a point'
- 27) South 40 deg 51' 14" East a distance of 105.20 feet to a point;
- 28) South 52 deg 35' 45" East a distance of 90.98 feet to a point;
- 29) South 80 deg 58' 40" East a distance of 78.52 feet to a point;
- 30) South 39 deg 05' 41" East a distance of 166.04 feet to a point;
- 31) South 14 deg 26' 10" East a distance of 176.65 feet to a point;
- 32) South 53 deg. 37' 16" East a distance of 81.04 feet to a point;
- 33) South 11 deg. 54' 12" West a distance of 85.48 feet to a point;
- 34) South 01 deg. 35' 15" West a distance of 69.50 feet to a point;
- 35) South 18 deg. 25' 47" East a distance of 93.10 feet to a point; and
- 36) South 10 deg. 02' 52" West a distance of 54.49 feet to a point in the westerly line of property owned, now of formerly, by the State of North Carolina (Deed Book 569, Page 85, Davidson County Register of Deeds);

Thence with the westerly line said State of North Carolina property the following six (6) courses and distances):

- 1) South 31 deg 59' 57" West a distance of 1997.17 feet to a point;
- 2) along a curve to the right a chord bearing of South 38 deg 34' 01" West a chord length of 514.84 feet to a point (said curve having an arc distance of 515.93 feet and a radius of 2291.94 feet);
- 3) continuing along a curve to the right a chord bearing of South 51 deg 27' 52" West a chord length of 514.83 feet to a point (said curve having an arc distance of 515.92 feet and a radius of 2291.94 feet);
- 4) South 57 deg 54' 46" West a distance of 1730.22 feet to a point;
- 5) South 63 deg 38' 16" West a distance of 349.52 feet to a point; and
- 6) along a curve to the right a chord bearing of South 66 deg 30' 12" West a chord length of 572.83 feet to a point on or near contour elevation 660, Yadkin, Inc datum (said curve having an arc distance of 573.07 feet and a radius of 5729.65 feet);

Thence with a line on or near said contour elevation 660 the following ten (10) courses and distances:

- 1) North 12 deg 28' 19" West a distance of 75.00 feet to a point;
- 2) North 32 deg 52' 40" West a distance of 87.56 feet to a point;

- 3) North 37 deg 33' 10" West a distance of 74.99 feet to a point;
- 4) North 46 deg 18' 43" West a distance of 159.57 feet to a point;
- 5) North 38 deg 35' 27" West a distance of 209.55 feet to a point;
- 6) South 22 deg. 03' 41" West a distance of 56.66 feet to a point;
- 7) South 23 deg. 51' 58" East a distance of 142.25 feet to a point;
- 8) South 46 deg. 55' 58" East a distance of 139.50 feet to a point;
- 9) South 17 deg. 49' 58" East a distance of 183.42 feet to a point; and
- 10) South 00 deg. 24' 02" West a distance of 88.44 feet to a point in the northerly line of property owned, now or formerly by Southern Rail Terminals of North Carolina, Inc. (Deed Book 572, Page 54, Davidson County Register of Deeds);

Thence with the northerly line of Southern Rail Terminals of North Carolina, Inc the following four (4) courses and distances:

- 1) along a non-tangent curve to the right a chord bearing of South 75 deg 46' 14" West a chord length of 941.83 feet to a point (said curve having an arc distance of 943.08 feet and a radius of 5284.06 feet);
- 2) South 80 deg. 41' 06" West a distance of 1066.61 feet to a point;
- 3) South 85 deg. 46' 31" West a distance of 237.91 feet to a point; and
- 4) South 85 deg. 07' 04" West a distance of 75.84 feet to a point on or near contour elevation 660, Yadkin, Inc datum;

Thence with a line on or near said contour elevation 660 the following eighteen (18) courses and distances:

- 1) North 14 deg. 49' 13" West a distance of 259.35 feet to a point;
- 2) North 29 deg. 25' 13" West a distance of 135.60 feet to a point;
- 3) North 08 deg. 21' 09" West a distance of 103.21 feet to a point;
- 4) North 20 deg. 59' 56" West a distance of 253.30 feet to a point;
- 5) North 02 deg. 58' 13" West a distance of 119.80 feet to a point;
- 6) North 14 deg. 01' 47" East a distance of 210.30 feet to a point;
- 7) North 21 deg. 59' 13" West a distance of 270.50 feet to a point;
- 8) North 00 deg. 26' 47" East a distance of 93.80 feet to a point;
- 9) North 65 deg. 17' 13" West a distance of 60.40 feet to a point;
- 10) South 53 deg. 52' 34" West a distance of 156.22 feet to a point;
- 11) South 46 deg. 57' 13" East a distance of 107.20 feet to a point;
- 12) South 04 deg. 51' 47" West a distance of 207.50 feet to a point;
- 13) South 13 deg. 28' 47" West a distance of 404.00 feet to a point;
- 14) South 24 deg. 57' 43" East a distance of 383.60 feet to a point;
- 15) South 59 deg. 54' 13" East a distance of 58.03 feet to a point;
- 16) South 17 deg. 40' 13" East a distance of 46.25 feet to a point;
- 17) South 15 deg. 35' 25" West a distance of 238.30 feet to a point; and
- 18) South 04 deg. 17' 29" East a distance of 11.95 feet to a point in the northerly line of property owned, now or formerly by Southern Rail Terminals of North Carolina, Inc. (Deed Book 572, Page 54, Davidson County Register of Deeds);

Thence with the northerly line of Southern Rail Terminals of North Carolina, Inc the following two (2) courses and distances:

- 1) South 85 deg. 39' 27" West a distance of 745.94 feet to a point; and
- 2) North 89 deg. 05' 35" West a distance of 481.84 feet to a point in the easterly line of property owned, now or formerly by Top Notch Mobile Home Supply, LLC (Deed Book 2233, Page 223, Davidson County Register of Deeds);

Thence with the easterly line of Top Notch Mobile Home Supply, LLC North 15 deg. 25' 09" West a distance of 491.17 feet to a point in the southerly line of the Seven Oaks Subdivision (Plat Book 9, Page 86, Davidson County Register of Deeds); thence with the southerly line of said Seven Oaks Subdivision North 73 deg. 30' 12" East a distance of 33.22 feet to a point at the southwesterly corner of Lot 79 of said Seven Oaks Subdivision, Thence continuing with the southerly line of Seven Oaks Subdivision, the following three (3) courses and distances

- 1) North 75 deg 09' 02" East a distance of 250.00 feet to a point;
- 2) North 49 deg 31' 02" East a distance of 630.68 feet to a point;
- 3) North 39 deg 34' 17" East a distance of 0.72 feet to a point in the now or formerly southerly right of way of Old Trading Ford Road, thence with the southerly right-of-way line of the aforesaid road North 57 deg 27' 39" West a distance of 930.01 feet to a point in the southerly / easterly right of way line of Seven Oaks Drive [SR 1285], thence with the southerly and easterly right-of-way line of Seven Oaks Drive the following sixteen (16) courses and distances:
 - 1) along a non-tangent curve to the right a chord bearing of North 14 deg 22' 58" East a chord length of 63.11 feet to a point (said curve having an arc distance of 63.11 feet and a radius of 1467.88 feet);
 - 2) along a curve to the right a chord bearing of North 20 deg 25' 37" East a chord length of 244.58 feet to a point (said curve having an arc distance of 244.86 feet and a radius of 1457.67 feet);
 - 3) along a curve to the right a chord bearing of North 30 deg 23' 31" East a chord length of 268.32 feet to a point (said curve having an arc distance of 268.70 feet and a radius of 1456.87 feet);
 - 4) North 37 deg. 47' 16" East a distance of 166.65 feet to a point;
 - 5) North 38 deg. 50' 55" East a distance of 71.19 feet to a point;
 - 6) North 36 deg. 18' 35" East a distance of 207.66 feet to a point;
 - 7) along a curve to the left a chord bearing of North 21 deg 21' 12" East a chord length of 285.97 feet to a point (said curve having an arc distance of 287.43 feet and a radius of 823.79 feet);
 - 8) along a curve to the left a chord bearing of North 03 deg 38' 07" West a chord length of 426.50 feet to a point [POINT AA] (said curve having an arc distance of 431.41 feet and a radius of 824.22 feet);
 - 9) North 21 deg. 33' 01" West a distance of 96.93 feet to a point;
 - 10) North 22 deg. 18' 30" East a distance of 341.56 feet to a point;
 - 11) North 46 deg. 40' 19" East a distance of 98.91 feet to a point;

- 12) along a curve to the left a chord bearing of North 38 deg 21' 52" East a chord length of 264.86 feet to a point [POINT BB] (said curve having an arc distance of 265.35 feet and a radius of 1256.22 feet);
- 13) North 32 deg. 19' 00" East a distance of 570.18 feet;
- 14) North 69 deg. 08' 42" East a distance of 75.00 feet to a point;
- 15) North 16 deg. 36' 48" East a distance of 166.16 feet to a point; and
- 16) North 32 deg. 18' 04" East a distance of 185.73 feet to a point [POINT CC], said point being located at the southwesterly corner of property owned, now or formerly by The Reservation, LLC (Deed Book 2203, Page 515, Davidson County Register of Deeds), and on the southerly and easterly right-of-way line of Seven Oaks Drive;

Thence with the southerly line of The Reservation, LLC the following three (3) courses and distances:

- 1) South 23 deg. 07' 37" East a distance of 871.32 feet to a point;
- 2) South 60 deg. 43' 54" East a distance of 885.13 feet to a point; and
- 3) South 58 deg. 10' 32" East a distance of 351.96 feet to a point at the southwesterly corner of property owned now or formerly by Carl Seymour Buchanan and wife, Maude Mae Buchanan (Deed Book 2019, Page 1467, Davidson County Register of Deeds);

Thence with the southerly line of Buchanan and with the southerly line of property owned, now or formerly by Connie McLaughlin (Deed Book 2370, Page 957, Davidson County Register of Deeds) South 60 deg. 37' 19" East a distance of 456.42 feet to a point; thence with the southerly line of McLaughlin and with the southerly line of property owned, now or formerly by Levon Jacobs (Deed Book 2373, Page 428, Davidson County Register of Deeds) South 60 deg. 17' 20" East a distance of 399.33 feet to a point; thence with the line of Levon Jacobs the following additional three (3) courses and distances:

- 1) South 59 deg. 41' 52" East a distance of 361.82 feet to a point;
- 2) North 04 deg. 19' 31" East a distance of 412.50 feet to a point; and
- 3) North 55 deg. 59' 26" West a distance of 249.41 feet to a point;

Thence with the line of Levon Jacobs, and with the line of property owned, now or formerly by Norma D. Tysinger (Deed Book 898, Page 492, Davidson County Register of Deeds) North 29 deg. 28' 52" East a distance of 352.20 feet to a point; thence with the line of Tysinger North 25 deg. 09' 08" West a distance of 307.80 feet to a point, the southeasterly corner of property owned, now or formerly by Russell D. Haynes (Deed Book 1618, Page 1801, Davidson County Register of Deeds); thence with the line of Haynes, and with the line of property owned, now or formerly by Conley I. Cope and wife, Janet Marie Cope (Deed Book 2385 Page 644, Davidson County Register of Deeds) North 42 deg. 11' 52" East a distance of 369.30 feet to a point; thence with the line of Cope, with the line of property owned, now or formerly by James Michael Burns (Deed Book 1073, Page 601, Davidson County Register of Deeds), and with the line of property owned, now or formerly by Pablo Botello and wife, Jennifer E. Botello (Deed Book 2224, Page 1530, Davidson County Register of Deeds) North 07 deg. 31' 52" East a

distance of 909.40 feet to a point in the centerline of Clark Road [NCSR 1136]; thence with the centerline of Clark Road [NCSR 1136] the following three (3) courses and distances:

- 1) South 58 deg. 59' 11" East a distance of 378.48 feet to a point;
- 2) South 44 deg. 50' 08" East a distance of 364.00 feet to a point; and
- 3) South 57 deg. 14' 53" East a distance of 488.94 feet to a point;

Thence leaving Clark Road [NCSR 1136] with the westerly line of George R. McLellan and wife, Kathryn A. McLellan (Deed Book 1765, Page 603, Davidson County Register of Deeds) South 37 deg. 58' 52" West a distance of 291.00 feet to a point; thence with the southerly line of McLellan South 56 deg. 10' 08" East a distance of 185.00 feet to a point, the southwesterly corner of property owned, now or formerly by Franklin Graves, and wife Margaret Long Graves, Revocable Trust (Deed Book 1954, Page 857, Davidson County Register of Deeds); thence with the line of Graves the following three (3) courses and distances:

- 1) South 45 deg. 15' 07" East a distance of 231.06 feet to a point;
- 2) North 45 deg. 36' 02" East a distance of 142.71 feet to a point;
- 3) and North 81 deg. 44' 22" East a distance of 272.00 feet to a point in the centerline of Clark Road [NCSR 1136];

Thence with the centerline of Clark Road [NCSR 1136] the following three (3) courses and distances:

- 1) South 55 deg. 16' 08" East a distance of 65.60 feet to a point;
- 2) South 68 deg. 16' 08" East a distance of 100.00 feet to a point; and
- 3) South 76 deg. 20' 17" East a distance of 189.22 feet to the point and place of BEGINNING

Containing 746.61 acres

Acres [1.167 Square Miles], more or less

BEING all of Davidson County Tax Parcel #s 0402800000004F, 04031000000006, 04031000000022, 04031000000008, 04031000000002, 04032000000016, and that portion of Davidson County Tax Parcel 04028000000004 not included within Annexation Areas 3 and 4, below

ANNEXATION AREA #2

All that certain tract or parcel of land, being located in Boone Township, Davidson County, North Carolina, being more particularly described as follows:

COMMENCING at a point in the easterly right-of-way line of Seven Oaks Drive [NCSR 1285], being Point AA of Annexation Area #1, as described above; thence South 71 deg. 27' 44" West a distance of 119.56 feet to a point in the westerly right-of-way line of Seven Oaks Drive [NCSR 1285], the true point and place of BEGINNING; thence with

the westerly right-of-way line of Seven Oaks Drive [NCSR 1285] the following eight (8) courses and distances:

- 1) along a non-tangent curve to the right a chord bearing of South 13 deg 26' 52" East a chord length of 127.62 feet to a point (said curve having an arc distance of 127.80 feet and a radius of 704.94 feet);
- 2) along a curve to the right a chord bearing of South 01 deg 33' 12" West a chord length of 239.87 feet to a point (said curve having an arc distance of 240.68 feet and a radius of 847.85 feet);
- 3) along a curve to the right a chord bearing of South 21 deg 24' 53" West a chord length of 244.25 feet to a point (said curve having an arc distance of 245.49 feet and a radius of 704.03 feet);
- 4) South 36 deg. 23' 38" West a distance of 191.77 feet to a point;
- 5) South 38 deg. 50' 41" West a distance of 70.94 feet to a point;
- 6) South 37 deg. 50' 54" West a distance of 173.65 feet to a point;
- 7) along a curve to the left a chord bearing of South 28 deg 45' 08" West a chord length of 379.43 feet to a point (said curve having an arc distance of 380.34 feet and a radius of 1588.08 feet); and
- 8) South 59 deg. 42' 57" West a distance of 24.17 feet to a point in the northeasterly right-of-way line of Countryside Lane (formerly known as Old Trading Ford Road);

Thence with the northeasterly right-of-way line of Countryside Lane the following four (4) courses and distances:

- 1) along a non-tangent curve to the right a chord bearing of North 50 deg 51' 02" West a chord length of 178.08 feet to a point (said curve having an arc distance of 179.34 feet and a radius of 437.52 feet);
- 2) South 53 deg. 48' 06" West a distance of 9.33 feet to a point;
- 3) North 36 deg. 11' 54" West a distance of 826.81 feet to a point; and
- 4) North 09 deg. 48' 05" East a distance of 143.48 feet to a point in the southeasterly right-of-way line of U.S. Interstate 85;

Thence with the southeasterly right-of-way line of U.S. Interstate 85 the following seven (7) courses and distances:

- 1) along a non-tangent curve to the left a chord bearing of North 35 deg 54' 45" East a chord length of 386.99 feet to a point (said curve having an arc distance of 387.90 feet and a radius of 1631.50 feet);
- 2) North 78 deg. 34' 53" East a distance of 13.29 feet to a point;
- 3) North 78 deg. 34' 53" East a distance of 232.14 feet to a point;
- 4) North 78 deg. 26' 10" East a distance of 176.99 feet to a point;
- 5) along a curve to the left a chord bearing of North 71 deg 54' 11" East a chord length of 180.05 feet to a point (said curve having an arc distance of 180.19 feet and a radius of 1306.23 feet);
- 6) North 65 deg. 16' 00" East a distance of 161.88 feet to a point; and
- 7) South 72 deg. 33' 57" East a distance of 145.30 feet to a point in the westerly right-of-way line of Seven Oaks Drive [NCSR 1285];

Thence with the westerly right-of-way line of Seven Oaks Drive [NCSR 1285] South 22 deg. 37' 29" East a distance of 119.47 feet to the point and place of BEGINNING

Containing 24.02 Acres [0.037 Square Miles], more or less

BEING all of Davidson County Tax Parcel 0402800000004N, formerly Davidson County Tax Parcel 0402800000004.

ANNEXATION AREA #3

All that certain tract or parcel of land, being located in Boone Township, Davidson County, North Carolina, being more particularly described as follows:

COMMENCING at a point in the southeasterly right-of-way line of Seven Oaks Road [NCSR 1285], being Point BB of Annexation Area #1, as described above; thence North 67 deg. 00' 58" West a distance of 116.71 feet to a point in the northwesterly right-of-way line of Seven Oaks Road [NCSR 1285], the true point and place of BEGINNING; running thence with the northwesterly right-of-way line of Seven Oaks Road [NCSR 1285] the following two (2) courses and distances:

- 1) along a non-tangent curve to the right a chord bearing of South 37 deg 38' 49" West a chord length of 174.90 feet to a point (said curve having an arc distance of 175.07 feet and a radius of 1141.20 feet); and
- 2) South 57 deg. 47' 53" West a distance of 175.60 feet to a point in the southerly right-of-way line of U.S. Interstate 85;

Thence with the right-of-way line of U.S. Interstate 85 the following four (4) courses and distances:

- 1) North 49 deg. 20' 01" West a distance of 190.40 feet to a point;
- 2) North 15 deg. 03' 35" West a distance of 272.80 feet to a point;
- 3) North 49 deg. 39' 30" East a distance of 780.16 feet to a point; and
- 4) South 62 deg. 28' 37" East a distance of 234.30 feet to a point in the northwesterly right-of-way line of Seven Oaks Road [NCSR 1285];

Thence with the northwesterly right-of-way line of Seven Oaks Road [NCSR 1285] the following three (3) courses and distances:

- 1) South 20 deg. 02' 53" West a distance of 117.70 feet to a point;
- 2) South 44 deg. 17' 20" West a distance of 168.70 feet to a point; and
- 3) South 28 deg. 24' 27" West a distance of 364.80 feet to the point and place of BEGINNING;

Containing 7.67 Acres [0.012 Square Miles], more or less

BEING that portion of Davidson County Tax Parcel 0402800000004 bounded on the south by Seven Oaks Road [NCSR 1285] on the north by U.S. Interstate 85

ANNEXATION AREA #4

All that certain tract or parcel of land, being located in Boone Township, Davidson County, North Carolina, being more particularly described as follows:

COMMENCING at a point in the southeasterly right-of-way line of Seven Oaks Road [NCSR 1285], being Point CC of Annexation Area #1, as described above; thence with the southeasterly right-of-way line of Seven Oaks Road [NCSR 1285] the following five (5) courses and distances:

- 1) North 32 deg. 18' 47" East a distance of 75.33 feet to a point;
- 2) along a curve to the right a chord bearing of North 35 deg 47' 35" East a chord length of 457.63 feet to a point (said curve having an arc distance of 457.91 feet and a radius of 3769.69 feet);
- 3) North 45 deg. 24' 29" East a distance of 99.64 feet to a point;
- 4) North 45 deg. 17' 09" East a distance of 582.04 feet to a point; and
- 5) North 49 deg. 39' 38" East a distance of 1022.54 feet to a point, the northwesterly corner of property owned, now or formerly by Broadstone IT Portfolio, LLC (Deed Book 2284, Page 1706, Davidson County Register of Deeds), the true point and place of BEGINNING;

Thence with the northerly line of Broadstone IT Portfolio, LLC South 52 deg. 08' 12" East a distance of 498.47 feet to a point in the westerly right-of-way line of Clark Road [NCSR 1136]; thence with the westerly right-of-way line of Clark Road [NCSR 1136] North 21 deg. 01' 29" East a distance of 178.98 feet to a point, the southeasterly corner of property owned, now or formerly by the North Carolina Department of Transportation (Deed Book 1952, Pages 1584 & 1586, Davidson County Register of Deeds); thence with the southerly line of said North Carolina Department of Transportation property North 52 deg. 06' 02" West a distance of 410.79 feet to a point in the southeasterly right-of-way line of Seven Oaks Road [NCSR 1285]; thence with the southeasterly right-of-way line of Seven Oaks Road [NCSR 1285] South 49 deg. 39' 38" West a distance of 175.27 feet to the point and place of BEGINNING;

Containing 1.79 Acres [0.003 Square Miles], more or less

BEING that portion of Davidson County Tax Parcel 0402800000004 bounded on the northwest by Seven Oaks Road [NCSR 1285] on the east by Clark Road [NCSR 1136]

The total annexation area consists of Areas 1, 2, 3 and 4 as described herein, containing 780.08 acres, more or less, with said areas adjoining Seven Oaks Drive, Seven Oaks Road and Clark Road.

Exhibit B

CITY OF LEXINGTON/TOWN OF SPENCER ANNEXATION AGREEMENT MAP

EXHIBIT B
ANNEXATION MAP
ANNEXATION AREAS

THE PURPOSE OF THIS PLAT IS TO DELINEATE ALL OF THE TRACTS UNDER HEAVY LINE TYPE FOR A VOLUNTARY SATELLITE ANNEXATION INTO THE CITY OF LEXINGTON, (AS SHOWN HEREON).

THIS PLAT DOES NOT REPRESENT A CURRENT BOUNDARY SURVEY OF THE PROPERTY SHOWN. ALL BOUNDARY INFORMATION IS SHOWN AS ACCURATELY AS POSSIBLE FROM DEEDS AND MAPS REFERENCED HEREON, ROTATED TO THE NC STATE PLANE COORDINATE SYSTEM NAD 83/2011.

ALL DEEDS AND MAPS SHOWN HEREON WERE USED AS REFERENCES. ALSO SEE RIGHT OF WAY AND CONSTRUCTION PLANS FOR NC DOT PROJECT # I-2304AC & I-2304AD, RECORDED IN RIGHT OF WAY BOOK OF MAPS BOOK 2 PG 161. DAVIDSON COUNTY REGISTER OF DEEDS.

TOTAL ANNEXATION AREA (AREAS 1,2,3 &4) UNDE

THIS MAP WAS PREPARED WITHOUT REFERENCE TO A TITLE SEARCH. THERE MAY BE EASEMENTS, RIGHTS-OF-WAY, OR OTHER MATTERS AFFECTING THIS PROPERTY WHICH ARE NOT SHOWN HEREON.

PER GS 47-30 J, THIS PLAT IS EXEMPT FROM
A REQUIRED SURVEYORS CERTIFICATE

N.C. GRID COORDINATES SHOWN HEREON WERE ESTABLISHED BY RAPID STATIC GPS METHODS USING SPECTRA PRECISION SP-80 GPS EQUIPMENT, HOLDING LOCAL CORS STATIONS (VRS) AS FIXED HORIZONTAL AND VERTICAL REFERENCE. A WEIGHTED LEAST-SQUARES AVERAGE OF THREE INDEPENDENT OBSERVATIONS WAS USED TO CALCULATE THE RESULTANT POSITIONS.

Class of Survey: A
Positional Accuracy: 0.006' Horiz. / 0.014 Vert.
Type of GPS field procedure: Rapid Static (VRS)
Date of Survey: 14 September, 2021
Datum/Epoch: NAD 83 (2011)
Published/fixed-control used: Local CORS Station
Geoid Model: Geoid 12a
Combined grid factor: 0.999878246
Units: US Survey Feet

LINE	BEARING	DISTANCE
L1	S 62°28'37" E	234.30
L2	S 62°28'37" E	234.30
L3	A 44°17'20" N	168.70
L4	A 28°24'27" E	364.80
L5	A 28°24'27" E	364.80
L6	N 49°20'11" E	192.40
L7	N 15°03'35" S	272.80
L8	N 22°33'57" E	145.30
L9	N 22°33'57" E	145.30
L10	S 36°23'38" E	191.77
L11	S 38°50'41" E	70.74
L12	S 38°50'41" E	70.74
L13	S 49°42'57" E	24.90
L14	S 53°48'06" E	9.33
L15	N 09°48'05" E	143.34
L16	N 09°48'05" E	143.34
L17	N 78°34'53" E	232.14
L18	N 78°26'10" E	176.99
L19	S 65°16'00" E	161.88
L20	S 65°16'00" E	161.88
L21	N 45°24'29" E	99.64
L22	N 21°01'29" E	178.98
L23	N 21°01'29" E	178.98
L24	S 63°38'16" E	349.52
L25	N 12°28'19" E	77.50
L26	N 32°52'40" E	85.06
L27	N 32°52'40" E	85.06
L28	N 46°18'43" E	159.57
L29	N 38°35'27" E	209.55
L30	N 38°35'27" E	209.55
L31	S 23°51'58" E	134.65
L32	S 46°55'58" E	139.20
L33	S 17°49'58" E	183.42
L34	S 17°49'58" E	183.42
L35	S 85°36'31" E	237.91
L36	S 85°07'04" E	75.84
L37	S 85°07'04" E	75.84
L38	N 29°25'13" E	155.60
L39	N 08°21'09" E	103.21
L40	N 20°59'56" E	253.30
L41	N 20°59'56" E	253.30
L42	N 14°01'47" E	210.30
L43	N 21°59'13" E	270.50
L44	N 02°26'47" E	93.60
L45	N 02°26'47" E	93.60
L46	S 53°52'34" E	156.22
L47	A 46°57'13" E	107.20
L48	A 46°57'13" E	107.20
L49	A 24°57'43" E	387.60
L50	S 59°54'13" E	58.03
L51	S 17°40'13" E	46.25
L52	S 17°40'13" E	46.25
L53	S 04°17'29" E	11.95
L54	S 73°30'12" E	33.22
L55	N 39°09'02" E	107.70
L56	N 39°09'02" E	107.70
L57	N 39°09'02" E	107.70
L58	N 38°50'55" E	71.19
L59	N 38°50'55" E	71.19
L60	N 21°33'01" E	96.93
L61	N 22°18'30" E	341.56
L62	N 46°40'19" E	98.91
L63	N 46°40'19" E	98.91
L64	N 16°36'48" E	166.16
L65	N 32°18'04" E	185.73
L66	N 32°18'04" E	185.73
L67	S 60°17'20" E	399.33
L68	S 59°41'52" E	361.82
L69	S 55°59'26" E	249.41
L70	S 55°59'26" E	249.41
L71	S 25°09'08" E	307.80
L72	A 42°11'52" E	369.30
L73	A 42°11'52" E	369.30
L74	A 44°50'08" E	364.00
L75	S 37°58'58" E	291.00
L76	S 36°10'08" E	185.00
L77	S 36°10'08" E	185.00
L78	A 45°36'02" E	142.71
L79	N 81°44'22" E	272.01

LINE	BEARING	DIS/CANC
181	8° 16' 08.16"	100.00
182	8° 16' 20.17"	189.22
183	8° 16' 32.18"	189.22
184	8° 16' 44.19"	36.15
185	8° 16' 56.20"	90.38
186	8° 17' 08.21"	189.22
187	8° 17' 20.22"	234.22
188	8° 17' 32.23"	362.03
189	8° 17' 44.24"	258.44
190	8° 17' 56.25"	362.03
191	8° 18' 08.26"	133.50
192	8° 18' 20.27"	124.00
193	8° 18' 32.28"	189.22
194	8° 18' 44.29"	258.44
195	8° 18' 56.30"	315.00
196	8° 19' 08.31"	117.64
197	8° 19' 20.32"	189.22
198	8° 19' 32.33"	66.91
199	8° 19' 44.34"	40.38
200	8° 19' 56.35"	49.90
201	8° 20' 08.36"	189.22
202	8° 20' 20.37"	32.09
203	8° 20' 32.38"	34.23
204	8° 20' 44.39"	30.57
205	8° 20' 56.40"	30.57
206	8° 21' 08.41"	41.76
207	8° 21' 20.42"	41.76
208	8° 21' 32.43"	41.76
209	8° 21' 44.44"	43.96
210	8° 21' 56.45"	64.76
211	8° 22' 08.46"	67.58
212	8° 22' 20.47"	67.58
213	8° 22' 32.48"	81.23
214	8° 22' 44.49"	72.89
215	8° 22' 56.50"	72.89
216	8° 23' 08.51"	57.44
217	8° 23' 20.52"	72.08
218	8° 23' 32.53"	55.11
219	8° 23' 44.54"	55.11
220	8° 23' 56.55"	87.51
221	8° 24' 08.56"	50.32
222	8° 24' 20.57"	50.32
223	8° 24' 32.58"	50.32
224	8° 24' 44.59"	213.19
225	8° 24' 56.60"	192.46
226	8° 25' 08.61"	387.00
227	8° 25' 20.62"	114.01
228	8° 25' 32.63"	64.76
229	8° 25' 44.64"	117.64
230	8° 25' 56.65"	56.93
231	8° 26' 08.66"	76.97
232	8° 26' 20.67"	80.64
233	8° 26' 32.68"	80.64
234	8° 26' 44.69"	193.69
235	8° 26' 56.70"	209.43
236	8° 27' 08.71"	121.40
237	8° 27' 20.72"	121.40
238	8° 27' 32.73"	155.57
239	8° 27' 44.74"	94.91
240	8° 27' 56.75"	94.91
241	8° 28' 08.76"	115.16
242	8° 28' 20.77"	224.75
243	8° 28' 32.78"	157.59
244	8° 28' 44.79"	157.59
245	8° 28' 56.80"	181.91
246	8° 29' 08.81"	172.48
247	8° 29' 20.82"	172.48
248	8° 29' 32.83"	183.06
249	8° 29' 44.84"	183.06
250	8° 29' 56.85"	118.16
251	8° 30' 08.86"	105.20
252	8° 30' 20.87"	105.20
253	8° 30' 32.88"	78.52
254	8° 30' 44.89"	166.04
255	8° 30' 56.90"	176.65
256	8° 31' 08.91"	176.65
257	8° 31' 20.92"	85.48
258	8° 31' 32.93"	85.48
259	8° 31' 44.94"	69.50
260	8° 31' 56.95"	69.50
261	8° 32' 08.96"	54.43
262	8° 32' 20.97"	54.43

N.C. GRID, NAD 83/2011

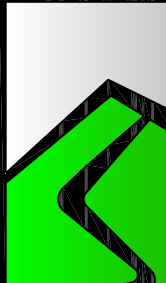
[illegible]

State of North Carolina
County of DAVIDSON

I, _____, Review Officer of
DAVIDSON County certify that the map or
plat to which this certification is affixed
meets all statutory requirements for recording.

Review Officer

UNLESS SIGNED, SEALED AND DATED, THIS IS A PRELIMINARY
PLAT NOT FOR RECORDING, SALES OR CONVEYANCES.



SSM
SACKS SURVEYING & MAPPING P.C.

Land Surveyors

3308-B Edgefield Road
Greensboro, NC 27409
(336) 931-0566
FAX 931-0558
WWW.SSM.LAND
FIRM LIC #C-2741

0.38 AC
SOUTHERN REGION INDUSTRIAL REALTY, INC
D.B. 541 PG. 867-TR 8
SOUTHERN RAIL TERMINALS OF NC, INC.

2.98 AC
SOUTHERN REGION INDUSTRIAL REALTY, INC
D.B. 541 PG. 866-TR 4
SOUTHERN RAIL TERMINALS OF NC, INC.
D.B. 541 PG. 867-TR 7
D.B. 572 PG. 54 (11)

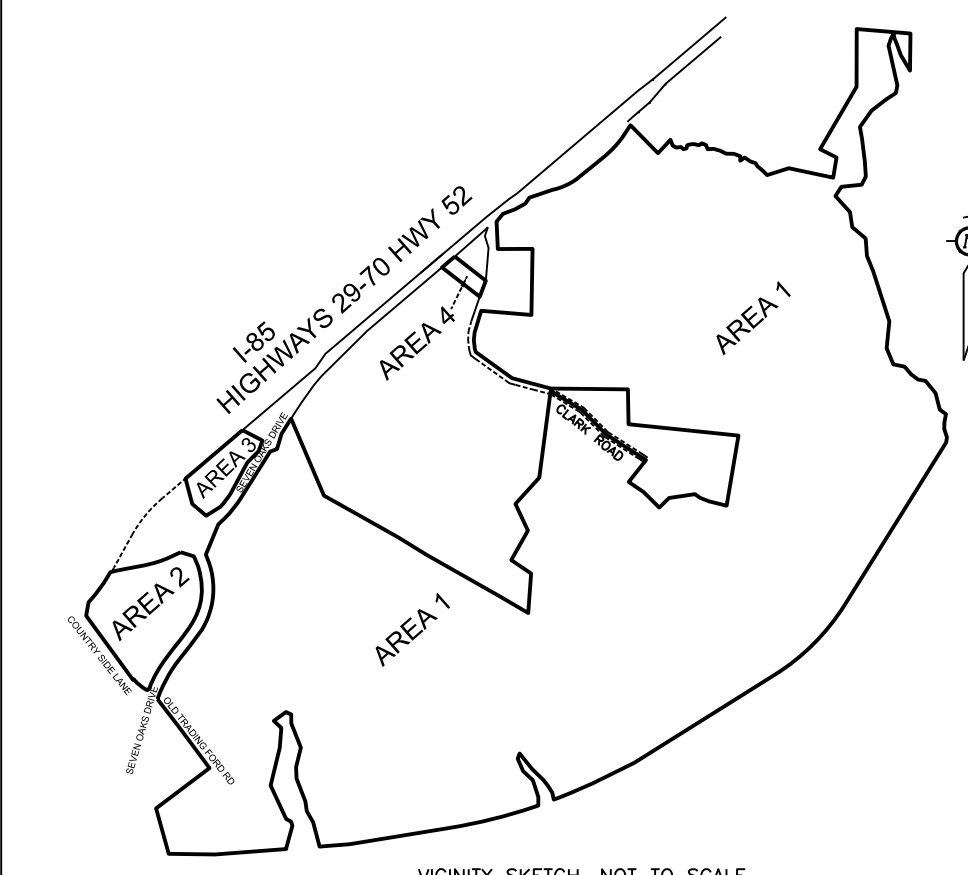
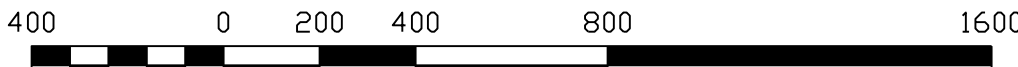
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D.B. 541 PG. 867-TR 7
SOUTHERN RAIL TERMINALS OF NC, INC.
D.B. 572 PG. 54 (11)

0.33AC
SOUTHERN REGION INDUSTRIAL REALTY, INC
D.B. 541 PG. 867-TR 6
SOUTHERN RAIL TERMINALS OF NC, INC.
D.B. 542 PG. 54 (11)

REVISED 10-22-21 PER ATTORNEY COMMENTS
REVISED 10-22-21 ADDED NOTES
REVISED 10-25-21 PER ATTORNEY COMMENTS
REVISED 10-25-21 (2) PER ATTORNEY COMMENTS

EXEMPT PLAT
SATELLITE ANNEXATION

BOONE TOWNSHIP
DAVIDSON COUNTY, NORTH CAROLINA
20 OCTOBER 2021 SCALE 1 INCH = 400 FEET



CURV	RADIUS	ARC LENGTH	CORR. LENGTH	CORR. BEARING	DELTA ANG.
C1	1141.20	175.07	174.90	S 37°48'49" E	8°47'23" S
C2	704.03	240.49	240.24	S 10°12'31" E	1°58'44" S
C3	847.85	240.68	239.87	S 01°33'12" W	16°15'52" E
C4	704.03	245.49	244.25	S 21°24'53" W	19°58'44" S
C5	1588.08	384.30	379.43	S 28°45'08" W	13°42'43" S
C6	1631.50	387.94	386.99	S 23°01'10" W	2°28'42" S
C7	1631.50	387.90	386.99	S 35°45'45" E	13°37'21" E
C8	1368.23	180.19	180.05	N 71°54'11" E	7°54'14" E
C9	3769.63	457.91	457.63	N 35°47'35" E	6°35'35" E
C10	1467.88	63.11	63.11	N 04°12'58" E	0°12'58" E
C11	1467.88	63.11	63.11	N 20°22'58" E	0°27'29" E
C12	1467.87	64.66	244.58	N 14°25'37" E	9°37'49" E
C13	1548.86	268.70	268.32	N 30°23'37" E	10°54'02" E
C14	1548.86	268.70	268.32	N 30°23'37" E	10°54'02" E
C15	824.22	431.41	426.50	N 03°38'07" W	29°39'22" W
C16	1256.21	265.25	264.86	N 38°21'52" E	12°06'10" E
C17	642.19	219.27	219.27	N 38°21'52" E	29°39'22" W
C18	1039.31	271.27	270.11	N 18°58'52" E	17°09'00" E
C19	5725.63	575.07	572.83	S 66°30'12" W	5°43'50" W
C20	2291.94	515.93	514.84	S 38°34'01" W	12°53'51" W

AREA 1
+/- 746.61 ACRES
1.167 SQ MILES
AREA 2
+/- 24.02 ACRES
0.0375 SQ MILES
AREA 3
+/- 7.667 ACRES
0.0120 SQ MILES
AREA 4
+/- 1.788 ACRES
0.0028 SQ MILES

TOTAL ANNEXATION AREA
+/- 780.08 ACRES
1 2189 SQ MILES

ORDINANCE NO. 21-025

**AN ORDINANCE TO APPROVE AN ANNEXATION AGREEMENT
BETWEEN THE CITY OF LEXINGTON, NORTH CAROLINA
AND THE TOWN OF SPENCER, NORTH CAROLINA**

WHEREAS, N.C.G.S. §160A-58.24 authorizes participating cities to enter into annexation agreements concerning future annexation in order to enhance orderly planning by such cities; and

WHEREAS, N.C.G.S. §160A-58.23 provides that two or more cities may enter into annexation agreements in order to designate one or more areas which are not subject to annexation by one or more of the participating cities; and

WHEREAS, the City of Lexington, as a participating city, has requested that the Town of Spencer, as a participating city, enter into an annexation agreement concerning the annexation area set forth in the Annexation Agreement attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, the Annexation Agreement provides that the Town of Spencer may not annex the area as described in paragraph 3 of the Annexation Agreement (hereinafter the “Annexation Area”); and

WHEREAS, annexation agreements are approved by the adoption of an ordinance by the Board of Aldermen; and

WHEREAS, the Board of Aldermen held a first reading of this Ordinance and called for a public hearing on the question of adoption of this Ordinance at their regular meeting on the 12th day of October, 2021; and

WHEREAS, notice of the public hearing was published in the Salisbury Post as required by N.C.G.S. §160A-31; and

WHEREAS, the Board of Aldermen held a second reading of this Ordinance and a public hearing on the question of the approval of the Annexation Agreement at Town Hall at 6:00 p.m. on November 9, 2021 after due notice as required by law; and

WHEREAS, Board of Aldermen finds that the Town of Spencer does not oppose the annexation by the City of Lexington of the Annexation Area as described in the Annexation Agreement, and further finds that the terms and conditions of the Annexation Agreement should be approved by the adoption of this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Spencer, North Carolina that:

1. The Annexation Agreement attached hereto as Exhibit A by and between the Town of Spencer and the City of Lexington is hereby approved.
2. The Board of Aldermen hereby authorizes the Mayor to execute the Annexation Agreement in the form attached hereto as Exhibit A.
3. This Ordinance approving the attached Annexation Agreement shall be effective immediately.

Adopted this the 9th day of November, 2021.

TOWN OF SPENCER

By: _____

Name: _____

Title: Mayor

ATTEST:

_____, Town Clerk



Rowan's Original Gateway.

LAND MANAGEMENT – PLANNING & ZONING

Post Office Box 45 Spencer, NC 28159-0045

704.633.2231 Ext. 28 Ofc.

704.633.3837 Fax

Monthly Report – October 2021

This report is a summary of all development, planning, and zoning-related activity occurring in the Town of Spencer during the month of October. The report describes the issuance of any zoning permits, event permits, subdivision permits, as well as the activities of the Planning & Zoning Board, Historic Preservation Commission, and Community Appearance Commission. For more information on any of the activities described, please contact the Planning & Zoning Administrator.

Permit Applications (Issued or Pending)

Date Approved	Permit #	Description	Street Address	Permit Type
10/18/21	COA-21-020	Certificate of Appropriateness (New Windows)	749 4 th Street	COA
Pending	Z-21-069	Zoning Permit for Detached Accessory Structure	453 Steeple. Tr.	Zoning
Pending	Z-21-070	Zoning Permit for New Permanent Dumpster	300 N. Salis. Ave.	Zoning/COA
Pending	CZ-21-001	Rezoning from C-29 to VSR	200 S. Salis. Ave.	Rezoning
10/14/21	Z-21-070	Zoning Permit for Level 1 Solar Energy System	1355 Hollywood	Zoning
10/05/21	Z-21-072	Zoning Permit for New In-Ground Pool	213 Sowers Ferry	Zoning
10/21/21	Z-21-073	Zoning Permit for Detached Accessory Structure	459 Steeplechase	Zoning
10/28/21	Z-21-074	Exempt Subdivision (Bethamy Retirement)	901 N. Salis. Ave.	Subdivision
Pending		Minor Subdivision (Whitehead)		Subdivision
Pending		Minor Subdivision (Meadow Street)		Subdivision
Approved	Z-21-073-B	Zoning Permit for Interior Renovation	107 Alexander St.	Zoning
Pending	COA-21-014	Certificate of Appropriateness (Fence, Shed)	509 S. Carol. Ave.	Zoning/COA
10/18/21	COA-21-023	Certificate of Appropriateness (Major Rehab)	208 S. Rowan Ave.	COA
10/18/21	COA-21-024	Certificate of Appropriateness (Rear Yard Fence)	601 S. Carol. Ave.	COA
10/20/21	COA-21-025	Certificate of Appropriateness (Minor Work)	121-123 5 th Street	COA
Pending	COA-21-026	Certificate of Appropriateness (New Const.)	0 6 th Street	COA
Pending	COA-21-027	Certificate of Appropriateness (New Const.)	119 6 th Street	COA

Pending	COA-21-028	Certificate of Appropriateness (Minor Work)	704 4 th Street	COA
Approved	E-21-008	October Cruise-in & Fall Festival		Event
Pending	E-21-009	Winterfest (Special Event)		Event
Pending	E-21-010	Christmas/Thanksgiving Parade (Special Event)		Event
Pending	E-21-011	Spring 2022 Cycling Competition		Event

Other Highlights:

- Conditional Rezoning Case # CZ-21-001 (*see staff agenda item for more details*).
- Planning Board has interviewed two (2) candidates for the board and is attempting to schedule an interview with a third candidate. Once the third candidate is interviewed, the board will deliberate and make a recommendation to Board of Aldermen.
- 2021-22 Hometown Innovation Grant ongoing. I have received about a half-dozen inquiries so far and directly consulted with 4 of them on project ideas and application process. I sent direct mailers to the owners of seventy (70) eligible properties. I intend to tour the eligible area soon to handout flyers and meet with individuals and businesses who may be eligible to apply. Deadline to submit is December 1, 2021.
- CAC will explore plan for improvements to the Salisbury Avenue/Jefferson Street intersection, such as new signage, landscaping, and other improvements. CAC will also consider options to replace crepe myrtles in downtown planter boxes.
- HPC and CAC both interested in vintage sign restoration program. Staff have discussed the feasibility of starting with restoration of the Stanback mural and Rowan Drug Co. mural on side of building at 121 5th Street.
- Staff working with organizers of Winterfest and Christmas/Thanksgiving parade to ensure smooth and successful events.

Respectfully Submitted,

Kyle Harris
Planning & Zoning Administrator



CODE ENFORCEMENT

Post Office Box 45 Spencer, NC 28159-0045

704.633.3574 Ofc.

704.633.3837 Fax

<http://www.ci.spencer.nc.us>

AGENDA ITEM

Council Meeting Date: 11/09/2021

(Attach relevant documentation)

Agenda Item No: TBD	Code Enforcement Monthly
Issue under Consideration:	
Current Status:	
Points to Consider:	
Financial Impact:	
Options:	
Recommendations:	
Department:	Police Department/Code Enforcement

ACTION TAKEN BY THE BOARD OF ALDERMEN

Motion Made By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Motion Seconded By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Results of Voting

For: _____

Against: _____

Passes: _____

Fails: _____



Code Enforcement Office

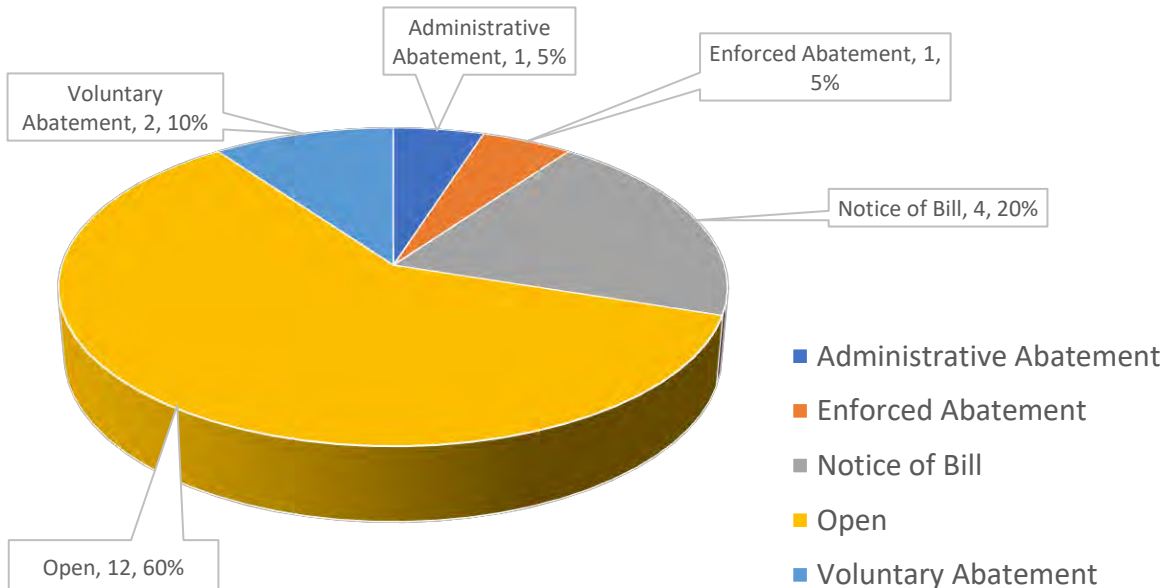
MH - Minimum Housing / OL - Overgrown Lot / HD - Historic District/ JV - Junk Vehicle / JP - Junk Pile / AWG - Abandoned White Goods / AC - Animal Control / IP - Illegal Parking /AB - Abandoned Building / ZV - Zoning Violation / CM - Commercial Maintenance/ Open Red - Open Active Case / Abated Green - Case Closed & Cleared / Unfounded Blue - No Violation Found,

Monthly Report

October Highlights

- October: 20 total Cases, 12 Open, 8 Abated
- Enforced Abatement: 1
- 2021 Total Cases: 408
- Notices of Violations Issued: 7
- Notices of Bill: 4
- Code Enforcement Citizen Portal developed, in final revisions

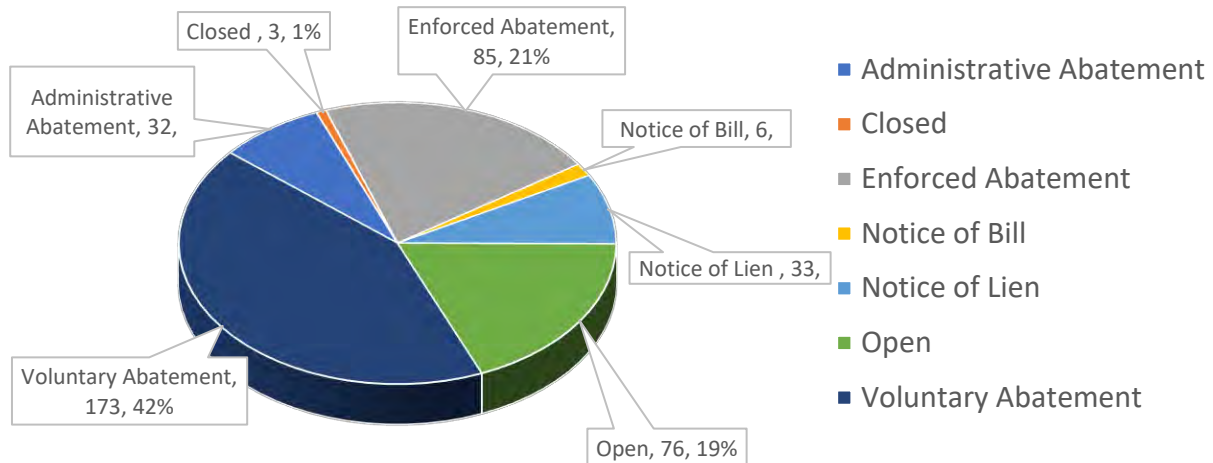
OCTOBER 2021 TOTAL: 20





Code Enforcement Office

2021 OVERVIEW



2020 Open Cases

Case Number	Address	Violation	Status
202001014	403 S Rowan Ave	MH	OPEN
202001016	600 3rd St	MH	OPEN
202001017	409 S Rowan Ave	MH	OPEN
202001055	411 S Iredell	JP ©	OPEN
202002071	414 S Carolina	MH	OPEN
202008018	155 Lee St ©	JP	OPEN
202010017	502 S Carolina	JP	OPEN
202012010	115 Alexander St	AB	OPEN
202012011	504 1st St	MH	OPEN
202012012	116 11th St	MH	OPEN
202012014	155 Lee St	JP	OPEN

2019 Open Cases

Case Number	Address	Violation	Status
201906025	613 5th St (HD)	MH	OPEN
201909032	303 S Iredell (HD)	MH/OL	OPEN
201906004	119 N Salisbury Ave (HD)	MH	OPEN
201909034	509 S Iredell (HD)	MH/OL	OPEN



October Monthly Report

10/1/2021 - 10/25/2021

Case #	Violation Address	Violation Name	Main Status
--------	-------------------	----------------	-------------

Group: JP - Junk Pile

202107121	403 N. Yadkin Ave	JP - Junk Pile	Open
202107122	406 N. Salisbury Ave	JP - Junk Pile	Open
202107108	320 S Whitehead Ave	JP - Junk Pile	Open

Group Total: 3

Group: JV - Junk Vehicle

202107117	419 S Spencer Ave	JV - Junk Vehicle	Open

Group Total: 1

Group: MH - Minimum Housing 160.53

202107127	314 N Rowan Ave	MH - Minimum Housing 160.53	Open
202107128	307 N Yadkin Ave	MH - Minimum Housing 160.53	Open
202107124	206 W Henderson St	MH - Minimum Housing 160.53	Open

Group Total: 3

Group: OL - Overgrowth Lot

202107125	314 N Rowan Ave	OL - Overgrowth Lot	Open
202107126	315 N Rowan Ave	OL - Overgrowth Lot	Open
202107123	406 N. Salisbury Ave	OL - Overgrowth Lot	Open
202107120	600 3rd St	OL - Overgrowth Lot	Notice of Bill
202107119	709 4th St	OL - Overgrowth Lot	Voluntary Abatement
202107118	609 3rd St	OL - Overgrowth Lot	Open
202107114	816 5th St	OL - Overgrowth Lot	Notice of Bill
202107112	510 4th St	OL - Overgrowth Lot	Open
202107110	505 4th st	OL - Overgrowth Lot	Voluntary Abatement
202107111	221 4th St	OL - Overgrowth Lot	Enforced Abatement

Group Total: 10

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Total Records: 17

10/25/2021



Year to Date Open Case Report

01/01/2021 - 10/25/2021

Case #	Violation Address	Nature of Complaint	Main Status
202107128	307 N Yadkin Ave	Front door damaged and window in back next to kitchen broken	Open
202107127	314 N Rowan Ave	Garage roof in backyard is sagging	Open
202107126	315 N Rowan Ave	High Grass and weeds and overgrowth from fence encroaching on the home	Open
202107125	314 N Rowan Ave	High grass and weeds	Open
202107124	206 W Henderson St	Siding no installed on exterior walls and brick walkway wall is falling apart	Open
202107123	406 N. Salisbury Ave	High grass and weeds in backyard	Open
202107122	406 N. Salisbury Ave	Junk pile in backyard	Open
202107121	403 N. Yadkin Ave	Junk pile in backyard and alley	Open
202107118	609 3rd St	Overgrowth blocking sidewalk	Open
202107117	419 S Spencer Ave	Junk vehicle	Open
202107112	510 4th St	High grass	Open
202107108	320 S Whitehead Ave	Large pile of trash on the side of the road	Open
202107106	107 Alexander Ave	Broken window and damaged screens and gutters full of pine needles	Open
202107097	307 N Yadkin Ave	Camper parked in the alleyway with confrontations with person living in trailer	Open
202107092	906 3rd St	High Grass	Open
202107085	510 S Yadkin Ave	Damaged and rotting fascia board on front porch	Open
202107084	1102 Charles St	Junk Vehicle on side of yard preventing yard maintenance	Open
202107080	408 S Iredell Ave	Front porch ceiling shows water damage	Open
202107064	204 S. Iredell Ave	Damaged roof with a small hole	Open
202107053	109 6th St	Air Condition does not work, root cellar has 2 inches of water on it, downstairs bedroom has a sagging	Open

		floor, upstairs rooms in various states of repair, bathroom upstairs is gutted and has no fixtures	
202107043	202 S Rowan Ave	Rats inside the home	Open
202107042	600 S Rowan Ave	Missing shingles	Open
202107041	603 7th St	Missing shingles	Open
202107040	610 S. Carolina Ave	Minimum Housing, Bathroom not operational due to water damage from roof leaking, ceiling damaged in upstairs landing and both bedrooms due to water damage from leaking roof and potential mold issues upstairs	Open
202107039	608 S Yadkin Ave	Facia separating from eave right side of home, missing shingles on roof and damaged siding on left side of home	Open
202107037	307 S Spencer Ave	Holes floor and side and infestation of spiders, possible electrical issues	Open
202107032	611 4th St	Appliances and trash accumulated around home and a large pile of wood in the backyard	Open
202107031	611 4th St	Shingles falling from the back of the house	Open
202107030	405 S Hudson Ave	Damaged shingles on the lefthand side of the house	Open
202107009	419 S Spencer Ave	Roof has shingles missing and falling	Open
202107008	600 2nd St	water line leaking, falling ceiling in the Livingroom when it rains, front porch unsafe	Open
202107006	101 Sowers Ferry Rd	Refrigerator, Freezer and unused AC unit and accumulation of trash in yard	Open
202107004	104 Sower Ferrey Rd	High Grass and dead trees that need to be removed	Open
202107002	1107 N Salisbury Ave	Damaged or settling brick work on the porch, falling ceiling on porch and missing shingle siding	Open
202106071	400 Jordan Ave	Acura parked in driveway and uncovered without a tag	Open
202106066	501 6th St	Skirting wall with missing bricks or vent on left side and broken window for crawl space	Open
202106061	515 7th St	Broke down car in driveway in backyard without a cover	Open

202106057	1108 N Salisbury Ave	Exterior Siding has chipping paint exposing wood to weather	Open
202106056	1104 N Salisbury Ave	Chipping paint all over the home, siding that is falling	Open
202106045	306 S Carolina Ave	Many windows missing glass, skirting with many holes in the brick, damaged siding	Open
202106031	803 3rd St	Ceiling of the front porch has slats falling	Open
202106023	401 N Salisbury Ave	Leaking Roof, damaged ceilings from water damage, plumbing issues in first floor bathroom, wiring issues, 2nd floor air conditioning not operational, chipping paint in hallways, basement stays wet, tree next to Jefferson Ave infested with carpenter ants	Open
202106022	401 N Salisbury Ave	Trash and junk in the front and back yards	Open
202106015	318 Grant St	Air condition not operation and hallways have human feces on floor that staff will not clean up	Open
202106010	609 2nd St	High Grass	Open
202106008	909 S Carolina Ave Apt #2	Water flooding her apartment coming down from above the front door	Open
202105039	509 5th st	Chipping paint from wood siding	Open
202105038	407 N Salisbury Ave	Drainage pipe coming from home suspect it to be sewage	Open
202105036	315 N Rowan Ave	Junk piled in the backyard	Open
202105034	712 S Salisbury Ave	Retaining wall is falling apart	Open
202105030	135 Lee St Ext	Concrete drainage pipe is blocked and causing flooding of his driveway	Open
202105024	508 S Iredell Ave	Chipping paint on wood siding, missing and damaged siding, broken window	Open
202105018	706 S Rowan Ave	Yard is trashy and home give access to rats	Open
202105012	409 S Iredell Ave	High Grass	Open
202105006	1575 Long St	Home unsafe due to large tree that has fallen on the home	Open
202105004	437 N. Salisbury Ave	Building has a collapsed roof and unsafe	Open
202105003	613 5th St	High Grass	Open

202104070	411 N Rowan Ave Ext	Storage building in backyard that is falling apart	Open
202104060	404 S Carolina Ave	Backyard has trash and debris and clutter on the front porch	Open
202104059	419 S Spencer Ave	Rails installed on home without a COA	Open
202104020	411 S Iredell Ave	Junk vehicles in the backyard and a large accumulation of trash	Open
202104003	511 4th St	Junk vehicles in the backyard	Open
202103027	1216 S Salisbury Ave	Roof requires repair and broken windows	Open
202103026	1411 S Salisbury Ave	Roof requires repair on the left-hand side of the building	Open
202103014	509 3rd St	Front porch has slats pulling up and the front porch roof had water damage behind the gutter	Open
202103013	511 3rd St	Construction material piled up in the backyard and the home requires repair. Hole in roof	Open
202103007	500 7th St	Missing and damaged siding on home	Open
202103006	605 5th St	Front porch ceiling with falling wood and a deep deflection of roof	Open
202103004	1411 S Salisbury Ave	Towing company storing wrecked vehicles behind property without a screen	Open
202102013	127 5th St	Damaged exterior wall with graffiti	Open
21	510 5th St	Skirting wall removed leaving large hole for animals to enter home	Open
20	601 5th St	Broken window on left hand side skirting wall, S. Spencer Av side	Open
19	601 5th St	Two junk vehicles in backyard uncovered	Open
16	411 5th St	Broken window and missing bricks in skirting wall	Open
13	1106 N. Salisbury Ave	Exterior Siding has chipping paint exposing wood to weather	Open
12	902 N. Salisbury Ave	Electrical issues, damaged walls and toilet will not flush	Open

Total Records: 76

10/25/2021



SPENCER POLICE DEPARTMENT

Post Office Box 45 Spencer, NC 28159-0045

704.633.3574 Ofc.

704.633.3837 Fax

<http://www.ci.spencer.nc.us>

AGENDA ITEM

Council Meeting Date: 11/09/2021

(Attach relevant documentation)

Agenda Item No: TBD	Police Department Monthly
Issue under Consideration:	N/A
Current Status:	N/A
Points to Consider:	N/A
Financial Impact:	N/A
Options:	For Information Only
Recommendations:	N/A
Department:	Police Department

ACTION TAKEN BY THE BOARD OF ALDERMEN

Motion Made By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Motion Seconded By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Results of Voting

For: _____

Against: _____

Passes: _____

Fails: _____



Activity Log Event Summary (Totals)

Spencer Police Department

(10/01/2021 - 10/24/2021)

911 Hang-Up	5	Administrative Work	25
Alarm - Bank	2	Alarm - Other	13
Animal Complaint	1	Assault - In-Progress	2
Assault - Report	1	Assault - Sexual	1
Assist - East Spencer Police	15	Assist - EMS	4
Assist - Fire Department	6	Assist - Motorist/Public	3
Assist - Other Agency	5	Assist - Other Officer	21
Assist - Sheriff's Office	7	B&E/Burglary - Residential, In-Progress	3
B&E/Burglary - Residential, Report	2	Business Check-Drive Through	141
Calls For Service (General)	1	Communicating Threats	2
Community Event	1	Disturbance	13
Disturbance- Verbal	7	Disturbance-Physical	5
Domestic - Property Pick-up	1	Domestic Dispute	6
Escort - Funeral	1	Escort - Motorist/Public	1
Follow-up Investigation- Spencer	4	Foot Patrol - Business	81
Foot Patrol - Residential	1	Foot Patrol - School	1
Found Property	3	Fraud - Report	3
House Check	41	Intoxicated Person	2
Involuntary Commitment	5	Juvenile Complaint	4
Larceny - In-Progress	1	Larceny - Report	10
Maintenance - Vehicle	5	Meeting	22
Missing Juvenile	2	NCTM - Drive Through	138
NCTM - Foot Patrol	30	Noise Complaint	3
NRES- School Check Drive Through	19	NRHS-School Check Drive Through	26
NRMS-School Check Drive Through	18	Park Check	153
Possess Firearm on School Property	1	Property - Recovered Stolen	1
Property Damage - Report	2	Public Service	8
Security Check/Standby	3	Shots Fired	6
Special Assignment - Other	1	SRO Duties	31
Subpoena Service	10	Suspicious - Activity	3
Suspicious - Person	6	Suspicious - Vehicle	2
Traffic Accident - PD	3	Traffic Accident - PI	2
Traffic Complaint	4	Traffic Control	1

Activity Log Event Summary (Totals)

Spencer Police Department

(10/01/2021 - 10/24/2021)

Training - FD	3
Training - Range	3
Trespassing - In-Progress	4
Unlock Vehicle	2
Vehicle Stop	5
Welfare Check	14

Training - PD	12
Training-Virtual Zoom Web-Ex, etc.	3
Unattended Death	1
Vehicle Pursuit	1
Warrant Service	11

Total Number Of Events: 1,010



OFFICE OF THE FIRE CHIEF

Post Office Box 45 Spencer, NC 28159-0045

704.637.6135

<http://www.ci.spencer.nc.us/fire>

AGENDA ITEM

Council Meeting Date: 11/09/2021

(Attach relevant documentation)

Agenda Item No: TBD	November 2021 Fire Department Board Report
Issue under Consideration:	November 2021 Monthly Board Report
Current Status:	N/A
Points to Consider:	N/A
Financial Impact:	N/A
Options:	Review Only
Recommendations:	N/A
Department:	Fire Department

ACTION TAKEN BY THE BOARD OF ALDERMEN

Motion Made By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Motion Seconded By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Results of Voting

For: _____

Against: _____

Passes: _____

Fails: _____





OFFICE OF THE FIRE CHIEF

Post Office Box 45 Spencer, NC 28159-0045

704.637.6135

<http://www.ci.spencer.nc.us/fire>

Nov Monthly Report

Calls for service-As of 10/27/21

Fire: 32

EMS: 45

Total: 77

2021 Total: 553

ATTENTION

To avoid unneeded exposure to COVID-19 positive patients, Spencer Fire Department will stage approximately one block away on any call that has a positive screening. We will remain staged unless EMS needs assistance or they clear us from the call.

Apparatus:

Ladder 75 OOS-Indefinitely

Our departmental truck committee met with 2 fire truck manufactures to begin the specification and fire truck design process. Still planning to meet with at least 1 other manufacturer.

Equipment:

N/A.

Special Events:

Presentation of ISO Grade-November 8th at 1000 at Spencer Fire Station. State Insurance Commissioner and Fire Marshal Mike Causey will be present to present the results of our August 2021 inspection.

Public Education

- Coffee with the Chief- Tuesday November 9th at 0900.

Personnel:

Currently staffed with 25 personnel. Recent addition of 2 part-time staff members, 1 junior firefighter as well as offers extended to 2 more part time staff members.

Recent promotional process held, promotion of the following members:



We're on the Right Track

Dustin Baker, Dakota Anderson, Jason Ussery, all were promoted to the rank of Captain.

Continuous posting for staff positions.

Station:

No Updates.

Special Information:



Public Works Department

Post Office Box 45 Spencer, NC 28159-0045
704.633.2231 Ofc.
704.633.3837 Fax
<http://www.ci.spencer.nc.us>

AGENDA ITEM

Council Meeting Date: 11 /09/2021

(Attach relevant documentation)

Agenda Item No:	Public Works Monthly Report
Issue under Consideration:	Board of Alderman Review
Current Status:	N/A
Points to Consider:	N/A
Financial Impact:	N/A
Options:	No approval needed. This item is for information only.
Recommendations:	N/A
Department:	Public Works Department

ACTION TAKEN BY THE BOARD OF ALDERMEN

Motion Made By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Motion Seconded By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Results of Voting

For: _____
Against: _____

Passes: _____
Fails: _____



DIRECTOR OF PUBLIC WORKS

Post Office Box 45 Spencer, NC 28159-0045

704.633.2231 Ext. 50 Ofc.

704.633.3837 Fax

<http://www.ci.spencer.nc.us>

November 2021 Board of Alderman Meeting

- 1) Regular services (Sanitation, Brush, Mowing and Leaf pick-up) are running on schedule.
- 2) **Reminder:** Thursday's bulky service will be running one day late this week due to Veteran's Day. Bulky Service will run on Friday.
Holiday Trash Schedule for the remainder of the year:

Veteran's Day	Thursday November 11th	Monday will run on regular schedule Tuesday will run on regular schedule Wednesday will run on regular schedule
		*** Bulky Items will be picked up on Friday (Nov. 12th)
Thanksgiving	Thursday / Friday November 25th & 26th	Town Hall Closed, No change in Trash Schedule *** NO BULKY ITEM PICK-UP THIS WEEK***
Christmas	Friday December 24th	Town Hall Closed. No change in Trash Schedule
	Monday December 27th	*** Monday will run on Tuesday (December 28th)
		*** Tuesday will run on Wednesday (December 29th)
		*** Wednesday will run on Thursday (December 30th)
		NO BULKY ITEM PICK-UP THIS WEEK
New Year's	Friday December 31st	Town Hall Closed, No change in Trash Schedule

*** Denotes change from regular schedule

- 3) The leaf vac is operating on full schedule, and will continue to run until the end of the year. All loose materials can be placed at the curb for pick-up until December 31st.

NOTE: Please make sure to stack all leaves, and loose material, on top of the curb and not in the gutter. This is so when it rains the leaves do not wash and stop up the storm drains.

- 4) A great deal of time this month will be spent on decorating the Town for Christmas. We have already begun to test lights and get things prepared to start decorating the Town. We have received the lights for the New Town Hall building, and they will be installed as soon as the building contractor is finished with the front of the building, and gives us the go ahead.



- 5) The culverts for the new houses on 17th Street have been completed, with all of the credit going to Cindy for this, to make sure that the crossings were installed correctly. This is to ensure not to impede the other drainage work we are planning. We continue to work with the residents to get their permission to begin work on the creek widening and rehabilitation, where we will be working out of our right of way. I will let the board know where we stand in this process at the regular meeting.
- 6) The bus shelter is on the way, for 5th Street. Once it is received, we will get it installed as soon as possible.
- 7) The cruise in event was held on October 23rd. The weather was great and we had a great evening, but participation was lower than the previous event.
- 8) The Trunk or Treat event that is usually held at the 8th Street Park, which was going to be held at Town Hall this year, was cancelled due to lack of participation. Wes and I discussed, and he is sure that the event will take place next year.
- 9) We continue to work with the events committee, in preparation for the Winter Festival that will be located in the parking lot at the New Town Hall. We are making preparations to get the storefronts, and Christmas tree set up the week after Thanksgiving.
- 10) The project that was scheduled to begin on 17th Street is still on hold, waiting on supplies. I have spoken with Donald, and he is still working with his suppliers, so as soon as he can get his hands on the materials, this project will begin. I will have an update on this at the regular meeting.
- 11) We continue to spray curbs, and Town maintained areas as we can. We want to get a good spraying in before winter so the curbs are clear for the Leaf Vacs. We continue to monitor and only spray as needed.
- 12) We continue doing some trimming over streets, sidewalks, and at intersections throughout Town. If you see an area that needs attention, Please, let Public Works or Town Hall know.

Since last report:

There were 4 abatements issued for Chronic Properties.

There were 2 abatements issued for other properties.

Work Orders were completed as necessary.

Monthly Events:

October 23rd	- Fall Cruise In
November 11th	- Veteran's Day Holiday
November 24th	- Parade Day
November 25th	- Thanksgiving (Holiday)
November 26th	- Thanksgiving Holiday
December 3rd	- Christmas Tree lighting (Start Winterfest)

Town of Spencer

Fiscal Period - FY 2021-2022 Date Range - 2021-07-01 - 2021-10-26

[illegible]

Town of Spencer

Fiscal Period - FY 2021-2022 Date Range - 2021-07-01 - 2021-10-26

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
10-3841-000 STATE SHARED REVENUE	\$14,116.00	\$14,116.00	\$0.00	\$0.00	\$0.00	\$14,116.00	0
10-3920-000 Lease Proceeds-Suntr	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3984-000 PROCEEDS FROM LOAN	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3984-050 TRF.FROM SEWER FUND	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3984-060 RES EQTY TRF-SOL WAS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3984-070 TRF FROM CAPITAL RES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3985-000 FEDERAL GRANT - COPS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3985-001 OTHER FIN.SOR-CAP LE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3985-002 OTHER GRANTS	\$20,000.00	\$30,000.00	\$0.00	\$10,250.00	\$0.00	\$19,750.00	34
10-3985-003 GRANTS-STANBACK FORE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3985-050 RES.EQUITY TRF.-SEWE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3985-060 TRANSF FROM POWELL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3985-070 RESTRICTED REVENUE F	\$0.00	\$0.00	\$0.00	\$518,998.79	\$0.00	\$518,998.79	0
10-3986-001 SCHOOL RESOURCE OFFI	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3991-000 APPROPRIATED FUND BA	\$287,349.00	\$287,349.00	\$0.00	\$0.00	\$0.00	\$287,349.00	0
10-3991-001 APPROPRIATED CAPITAL	\$185,245.00	\$185,245.00	\$0.00	\$0.00	\$0.00	\$185,245.00	0
0000-10-Revs	\$3,720,649.00	\$3,754,409.00	\$0.00	\$1,893,121.62	\$333,348.13	\$3,051,677.68	50

Town of Spencer

Fiscal Period - FY 2021-2022 Date Range - 2021-07-01 - 2021-10-26

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
4110-10-GOVERNING BODY							
10-4110-121 SALARIES/WAGES-REGUL	\$23,501.00	\$23,501.00	\$0.00	\$7,833.36	\$1,958.34	\$15,667.64	33
10-4110-181 FICA	\$1,798.00	\$1,798.00	\$0.00	\$599.32	\$149.83	\$1,198.68	33
10-4110-185 WORKERS COMPENSATION	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-186 UNEMPLOYMENT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-191 SERVICES-ACCOUNTING	\$10,100.00	\$10,100.00	\$0.00	\$3,563.00	\$0.00	\$6,537.00	35
10-4110-192 SERVICES-LEGAL	\$27,500.00	\$27,500.00	\$0.00	\$1,384.44	\$0.00	\$26,115.56	5
10-4110-194 CONTRACT SERVICES	\$9,000.00	\$9,000.00	\$0.00	\$0.00	\$0.00	\$9,000.00	0
10-4110-212 UNIFORMS	\$280.00	\$280.00	\$0.00	\$0.00	\$0.00	\$280.00	0
10-4110-291 SUPPLIES DATA PROCES	\$2,000.00	\$2,000.00	\$2,247.00	\$0.00	\$0.00	(\$247.00)	0
10-4110-299 SUPPLIES AND MATERIA	\$500.00	\$500.00	\$0.00	\$42.16	\$33.74	\$457.84	8
10-4110-311 TRAVEL	\$4,500.00	\$4,500.00	\$0.00	\$0.00	\$0.00	\$4,500.00	0
10-4110-321 TELEPHONE & INTERNET	\$300.00	\$300.00	\$0.00	\$0.00	\$0.00	\$300.00	0
10-4110-329 OTHER COMMUNICATION	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-370 ADVERTISING	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-395 TRAINING	\$2,700.00	\$2,700.00	\$0.00	\$132.32	\$132.32	\$2,567.68	5
10-4110-399 OTHER SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-451 INSURANCE-PROP/GEN/P	\$1,815.00	\$1,815.00	\$0.00	\$1,815.00	\$0.00	\$0.00	100
10-4110-491 DUES AND SUBSCRIPTIO	\$11,530.00	\$11,530.00	\$0.00	\$10,295.68	\$4,791.00	\$1,234.32	89
10-4110-498 Spencer Business Ass	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-499 MISCELLANEOUS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-550 CO-EQUIPMENT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-570 CO-LAND	\$5,000.00	\$5,000.00	\$0.00	\$5,000.00	\$0.00	\$0.00	100
10-4110-580 CO-INFRASTRUCTURE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-600 NONPROFIT GRANTS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-610 COMMUNITY APPEARANCE	\$10,000.00	\$10,000.00	\$0.00	\$500.00	\$0.00	\$9,500.00	5
10-4110-620 HISTORIC PRESERVATIO	\$10,300.00	\$10,300.00	\$0.00	\$0.00	\$0.00	\$10,300.00	0
10-4110-625 DONATION-LIBRARY PAR	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-630 ROWAN COUNTY ELECTIO	\$3,200.00	\$3,200.00	\$0.00	\$0.00	\$0.00	\$3,200.00	0
10-4110-631 ROWAN COUNTY TAX COL	\$13,000.00	\$13,000.00	\$0.00	\$6,825.70	\$0.00	\$6,174.30	53
10-4110-640 TOURISM AND EVENTS	\$15,000.00	\$15,000.00	\$0.00	\$8,007.64	\$0.00	\$6,992.36	53
10-4110-645 SPENCER PARTNERSHIP	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-650 FACADE GRANT -COMM	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-651 FACADE GRANT-RESIDEN	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-660 TRF TO SOLID WASTE F	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-665 RES EQUITY TRF-FLEET	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-983 TRF TO CAP.RES.(FIRE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-999 CONTINGENCIES	\$25,000.00	\$25,000.00	\$0.00	\$0.00	\$0.00	\$25,000.00	0
4110-10-GOVERNING BODY	\$177,024.00	\$177,024.00	\$2,247.00	\$45,998.62	\$7,065.23	\$128,778.38	27

Town of Spencer

Fiscal Period - FY 2021-2022 Date Range - 2021-07-01 - 2021-10-26

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
4130-10-ADMINISTRATION							
10-4130-121 SALARIES/WAGES-REGUL	\$242,398.00	\$242,398.00	\$0.00	\$71,411.55	\$18,629.97	\$170,986.45	29
10-4130-122 SALARIES/WAGES-OVERT	\$13,476.00	\$0.00	\$0.00	\$0.00	(\$869.95)	\$0.00	0
10-4130-126 SALARIES/WAGES/TEMPO	\$0.00	\$10,688.00	\$0.00	\$869.95	\$869.95	\$9,818.05	8
10-4130-127 SALARIES/WAGES-BONUS	\$2,700.00	\$2,700.00	\$0.00	\$0.00	\$0.00	\$2,700.00	0
10-4130-133 401K Town Match	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-181 FICA	\$19,785.00	\$19,785.00	\$0.00	\$5,396.66	\$1,379.61	\$14,388.34	27
10-4130-182 RETIREMENT	\$28,050.00	\$28,050.00	\$0.00	\$8,261.10	\$2,150.28	\$19,788.90	29
10-4130-183 GROUP INSURANCE	\$39,800.00	\$39,800.00	\$0.00	\$12,387.89	\$3,725.13	\$27,412.11	31
10-4130-184 401K CONTRIBUTION	\$12,300.00	\$12,300.00	\$0.00	\$3,283.00	\$853.66	\$9,017.00	27
10-4130-185 WORKERS COMPENSATION	\$900.00	\$900.00	\$0.00	\$815.99	\$0.00	\$84.01	91
10-4130-186 UNEMPLOYMENT	\$2,000.00	\$2,000.00	\$0.00	\$0.00	\$0.00	\$2,000.00	0
10-4130-191 SERVICES-ACCOUNTING	\$2,400.00	\$2,400.00	\$0.00	\$0.00	\$0.00	\$2,400.00	0
10-4130-193 MEDICAL SERVICES	\$2,800.00	\$2,800.00	\$0.00	\$360.00	\$0.00	\$2,440.00	13
10-4130-194 CONTRACT SERVICES	\$142,490.00	\$141,978.00	\$41,820.00	\$30,667.66	\$7,401.25	\$69,490.34	22
10-4130-198 SERVICES-ENGINEERING	\$10,000.00	\$10,000.00	\$0.00	\$0.00	\$0.00	\$10,000.00	0
10-4130-211 JANITORIAL SUPPLIES	\$1,000.00	\$1,000.00	\$0.00	\$179.05	\$0.00	\$820.95	18
10-4130-212 UNIFORMS	\$320.00	\$320.00	\$0.00	\$0.00	\$0.00	\$320.00	0
10-4130-220 FOOD & PROVISIONS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-260 SUPPLIES-OFFICE	\$4,500.00	\$4,500.00	\$0.00	\$1,161.39	\$316.77	\$3,338.61	26
10-4130-270 COVID	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-291 SUPPLIES-DATA PROCES	\$5,250.00	\$5,250.00	\$0.00	\$0.00	\$0.00	\$5,250.00	0
10-4130-296 SUPPLIES-MEDICAL	\$500.00	\$500.00	\$0.00	\$0.00	\$0.00	\$500.00	0
10-4130-299 MISCELLANEOUS SUPPLI	\$2,300.00	\$2,300.00	\$1,995.50	\$71.19	\$31.35	\$233.31	3
10-4130-311 TRAVEL	\$3,250.00	\$3,250.00	\$0.00	\$16.74	\$0.00	\$3,233.26	1
10-4130-321 TELEPHONE AND INTERN	\$6,235.00	\$6,235.00	\$0.00	\$2,135.80	\$663.63	\$4,099.20	34
10-4130-325 POSTAGE	\$4,800.00	\$4,800.00	\$0.00	\$1,378.84	\$0.00	\$3,421.16	29
10-4130-329 OTHER COMMUNICATION	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-331 UTILITIES	\$19,200.00	\$19,200.00	\$0.00	\$4,892.22	\$1,164.76	\$14,307.78	25
10-4130-332 WATER/SEWER	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-341 PRINTING	\$1,100.00	\$1,100.00	\$0.00	\$0.00	\$0.00	\$1,100.00	0
10-4130-351 MAINTENANCE-BUILDING	\$2,500.00	\$2,500.00	\$0.00	\$27.56	\$0.00	\$2,472.44	1
10-4130-352 MAINT & REPAIRS - EQ	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-370 ADVERTISING	\$2,000.00	\$2,000.00	\$0.00	\$591.52	\$0.00	\$1,408.48	30
10-4130-394 CLEANING SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-395 TRAINING	\$4,200.00	\$4,200.00	\$0.00	\$2,897.00	\$80.00	\$1,303.00	69
10-4130-396 MEDICAL SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-397 TECHNOLOGY SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-398 PROFESSIONAL SERVICE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-399 OTHER SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-400 DAVID TREME EDUCATIO	\$3,000.00	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00	0
10-4130-439 EQUIPMENT RENTAL	\$0.00	\$3,300.00	\$0.00	\$881.60	\$0.00	\$2,418.40	27
10-4130-440 MAINTENANCE CONTRACT	\$16,200.00	\$16,200.00	\$0.00	\$6,949.00	\$324.75	\$9,251.00	43
10-4130-441 LICENSE FEE	\$22,197.00	\$22,197.00	\$4,879.00	\$14,798.00	\$168.00	\$2,520.00	67
10-4130-451 INSURANCE-PROP/GEN/P	\$10,026.00	\$10,026.00	\$0.00	\$9,503.69	\$0.00	\$522.31	95
10-4130-453 INSURANCE - BONDS	\$550.00	\$550.00	\$0.00	\$550.00	\$0.00	\$0.00	100
10-4130-491 DUES AND SUBSCRIPTIO	\$1,525.00	\$1,525.00	\$0.00	\$140.00	\$60.00	\$1,385.00	9
10-4130-492 WATER/SEWER	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-499 MISCELLANEOUS	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$0.00	\$1,000.00	0
10-4130-521 CAPITAL SOFTWARE	\$12,695.00	\$12,695.00	\$3,312.50	\$9,382.50	\$0.00	\$0.00	74
10-4130-540 BOND PRINCIPAL/INTER	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-550 CAP. OUTLAY-OTHER EQ	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-580 CAP.OUT-BLDG.STRUCT,	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0

Town of Spencer

Fiscal Period - FY 2021-2022 Date Range - 2021-07-01 - 2021-10-26

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
10-4130-590 PARK PLAZA	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-610 ECONOMIC DEV.COMM.	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-620 ECON.DEV.ACTIVITIES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-710 PRINICPAL	\$51,920.00	\$51,920.00	\$0.00	\$0.00	\$0.00	\$51,920.00	0
10-4130-720 INTEREST	\$108,565.00	\$108,565.00	\$0.00	\$0.00	\$0.00	\$108,565.00	0
10-4130-740 PARK PLAZZA	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-750 LEASE PAYMENTS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-800 DEPRECIATION EXPENSE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-850 TRANSFER TO PARK PLA	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-851 TRANSFER TO CORONAVI	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-999 CREDIT CARD CHARGES	\$0.00	\$0.00	\$0.00	(\$1,000.00)	(\$1,000.00)	\$1,000.00	0
4130-10-ADMINISTRATION	\$803,932.00	\$803,932.00	\$52,007.00	\$188,009.90	\$35,949.16	\$563,915.10	30

Town of Spencer

Fiscal Period - FY 2021-2022 Date Range - 2021-07-01 - 2021-10-26

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
4310-10-POLICE OPERATIONS							
10-4310-121 SALARIES/WAGES-REGUL	\$682,118.00	\$677,118.00	\$0.00	\$199,946.51	\$58,070.74	\$477,171.49	30
10-4310-122 SALARIES/WAGES-OVERT	\$0.00	\$5,000.00	\$0.00	\$78.24	\$0.00	\$4,921.76	2
10-4310-126 PART-TIME/TEMPORARY	\$2,000.00	\$1,760.00	\$0.00	\$192.00	\$192.00	\$1,568.00	11
10-4310-127 SALARIES/WAGES-BONUS	\$9,600.00	\$9,600.00	\$0.00	\$0.00	\$0.00	\$9,600.00	0
10-4310-131 SUPPLEMENTAL LAW RET	\$7,108.00	\$7,108.00	\$0.00	\$2,105.00	\$546.76	\$5,003.00	30
10-4310-133 LAW ENF.OFFICERS-401	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4310-181 FICA	\$53,650.00	\$53,650.00	\$0.00	\$15,131.20	\$4,408.94	\$38,518.80	28
10-4310-182 RETIREMENT	\$83,300.00	\$83,300.00	\$0.00	\$23,928.04	\$6,948.76	\$59,371.96	29
10-4310-183 GROUP INSURANCE	\$133,650.00	\$133,650.00	\$0.00	\$42,019.64	\$12,862.83	\$91,630.36	31
10-4310-184 401K CONTRIBUTION	\$34,600.00	\$34,600.00	\$0.00	\$9,682.14	\$2,812.80	\$24,917.86	28
10-4310-185 WORKERS COMPENSATION	\$23,000.00	\$23,000.00	\$0.00	\$16,813.25	\$0.00	\$6,186.75	73
10-4310-193 SERVICES-MEDICAL	\$3,500.00	\$3,500.00	\$0.00	\$0.00	\$0.00	\$3,500.00	0
10-4310-194 CONTRACT SERVICES	\$10,000.00	\$10,240.00	\$900.00	\$271.68	\$271.68	\$9,068.32	3
10-4310-212 UNIFORMS	\$10,700.00	\$10,700.00	\$634.68	\$2,838.24	\$2,670.11	\$7,227.08	27
10-4310-213 SUPPLIES-SAFETY	\$1,900.00	\$1,900.00	\$0.00	\$0.00	\$0.00	\$1,900.00	0
10-4310-231 DARE PROGRAM	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4310-241 K-9 PROGRAM	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4310-251 MOTOR FUEL AND LUBRI	\$24,000.00	\$24,000.00	\$0.00	\$8,633.05	\$2,642.85	\$15,366.95	36
10-4310-259 OTHER VEHICLE SUPPLI	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4310-260 SUPPLIES-OFFICE	\$2,500.00	\$2,500.00	\$0.00	\$117.69	\$87.74	\$2,382.31	5
10-4310-292 SAFETY SUPPLIES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4310-299 SUPPLIES AND MATERIA	\$9,600.00	\$9,600.00	\$525.00	\$3,959.14	\$1,068.41	\$5,115.86	41
10-4310-311 TRAVEL	\$1,500.00	\$1,500.00	\$0.00	\$367.80	\$0.00	\$1,132.20	25
10-4310-321 TELEPHONE AND INTERN	\$14,500.00	\$14,500.00	\$0.00	\$2,082.99	\$96.75	\$12,417.01	14
10-4310-329 OTHER COMMUNICATION	\$4,000.00	\$4,000.00	\$0.00	\$3,044.58	\$824.68	\$955.42	76
10-4310-352 MAINTENANCE-EQUIPMEN	\$4,500.00	\$4,500.00	\$0.00	\$0.00	\$0.00	\$4,500.00	0
10-4310-353 MAINTENANCE-VEHICLES	\$11,000.00	\$11,000.00	\$0.00	\$1,130.24	\$558.86	\$9,869.76	10
10-4310-370 ADVERTISING	\$200.00	\$200.00	\$0.00	\$0.00	\$0.00	\$200.00	0
10-4310-395 TRAINING	\$8,025.00	\$8,025.00	\$0.00	(\$370.00)	(\$500.00)	\$8,395.00	-5
10-4310-396 MEDICAL SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4310-440 MAINTENANCE CONTRACT	\$24,948.00	\$24,948.00	\$1.68	\$11,798.12	\$75.00	\$13,148.20	47
10-4310-441 LICENSE FEE	\$3,204.00	\$3,204.00	\$0.00	\$3,204.00	\$0.00	\$0.00	100
10-4310-451 INSURANCE-PROP/GEN/P	\$10,416.00	\$10,416.00	\$0.00	\$10,415.70	\$0.00	\$0.30	100
10-4310-452 INSURANCE-VEHICLES	\$13,208.00	\$13,208.00	\$0.00	\$12,686.32	\$0.00	\$521.68	96
10-4310-491 DUES AND SUBSCRIPTIO	\$380.00	\$380.00	\$0.00	\$0.00	\$0.00	\$380.00	0
10-4310-499 MISCELLANEOUS	\$1,000.00	\$1,000.00	\$0.00	\$32.44	\$0.00	\$967.56	3
10-4310-540 CO-VEHICLES	\$49,100.00	\$49,100.00	\$0.00	\$5,020.00	\$0.00	\$44,080.00	10
10-4310-550 CAP.OUTLAY-OTHER EQU	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4310-560 CAPITAL OUTLAY-BLDG.	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4310-750 LEASE PYMTS-COMPUTER	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4310-760 LEASE PYMTS-VEHICLES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4310-765 LEASE PYMTS-RADIOS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4310-770 STATE DRUG SEIZURE E	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4310-771 FED DRUG SEIZURE EXP	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4310-800 DEPRECIATION EXPENSE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
4310-10-POLICE OPERATIONS	\$1,237,207.00	\$1,237,207.00	\$2,061.36	\$375,128.01	\$93,638.91	\$860,017.63	30

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
4340-10-FIRE OPERATIONS							
10-4340-121 SALARIES/WAGES-REGUL	\$51,479.00	\$51,479.00	\$0.00	\$15,205.71	\$3,959.88	\$36,273.29	30
10-4340-122 OVERTIME	\$0.00	\$3,000.00	\$0.00	\$2,027.76	\$2,027.76	\$972.24	68
10-4340-125 SALARIES/WAGES-VOL F	\$18,370.00	\$18,370.00	\$0.00	\$3,425.47	\$860.00	\$14,944.53	19
10-4340-126 PART-TIME/TEMPORARY	\$174,105.00	\$171,105.00	\$0.00	\$34,699.63	\$9,453.88	\$136,405.37	20
10-4340-127 SALARIES/WAGES-BONUS	\$4,800.00	\$4,800.00	\$0.00	\$0.00	\$0.00	\$4,800.00	0
10-4340-180 FIREFIGHTER LIFE INS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-181 FICA	\$19,034.00	\$19,034.00	\$0.00	\$4,224.33	\$1,243.38	\$14,809.67	22
10-4340-182 RETIREMENT	\$6,046.00	\$6,046.00	\$0.00	\$1,739.54	\$453.02	\$4,306.46	29
10-4340-183 GROUP INSURANCE	\$8,010.00	\$8,010.00	\$0.00	\$2,643.28	\$817.86	\$5,366.72	33
10-4340-184 401K CONTRIBUTION	\$2,645.00	\$2,645.00	\$0.00	\$760.27	\$198.00	\$1,884.73	29
10-4340-185 WORKERS COMPENSATION	\$15,000.00	\$15,000.00	\$0.00	\$13,341.89	\$0.00	\$1,658.11	89
10-4340-194 CONTRACT SERVICES	\$5,600.00	\$5,600.00	\$0.00	\$0.00	\$0.00	\$5,600.00	0
10-4340-211 JANITORIAL SUPPLIES	\$1,800.00	\$1,800.00	\$0.00	\$267.93	\$137.66	\$1,532.07	15
10-4340-212 UNIFORMS	\$5,850.00	\$5,850.00	\$595.00	\$814.00	\$814.00	\$4,441.00	14
10-4340-213 SUPPLIES-SAFETY	\$19,605.00	\$19,605.00	\$12,087.00	\$281.21	\$0.00	\$7,236.79	1
10-4340-214 FEMA-PERS.PROTECTIVE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-215 PERSONAL PROTECTION	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-220 FOOD & PROVISIONS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-230 SUPPLIES-EDUCATIONAL	\$1,150.00	\$1,150.00	\$0.00	\$0.00	\$0.00	\$1,150.00	0
10-4340-251 MOTOR FUEL AND LUBRI	\$4,500.00	\$4,500.00	\$0.00	\$2,031.58	\$805.80	\$2,468.42	45
10-4340-259 OTHER VEHICLE SUPPLI	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-260 SUPPLIES-OFFICE	\$1,000.00	\$1,000.00	\$0.00	\$323.44	\$194.73	\$676.56	32
10-4340-265 POSTAGE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-270 DUES & SUBSCRIPTIONS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-291 SUPPLIES-DATA PROCES	\$1,000.00	\$1,000.00	\$0.00	\$619.99	\$0.00	\$380.01	62
10-4340-292 SAFETY SUPPLIES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-296 SUPPLIES-MEDICAL	\$2,340.00	\$2,340.00	\$1,000.00	\$0.00	\$0.00	\$1,340.00	0
10-4340-299 SUPPLIES AND MATERIA	\$3,800.00	\$3,800.00	\$0.00	\$1,012.64	\$41.10	\$2,787.36	27
10-4340-311 TRAVEL	\$300.00	\$300.00	\$0.00	\$0.00	\$0.00	\$300.00	0
10-4340-321 TELEPHONE AND INTE	\$7,500.00	\$7,500.00	\$0.00	\$1,872.78	\$651.43	\$5,627.22	25
10-4340-329 OTHER COMMUNICATION	\$3,280.00	\$3,280.00	\$0.00	\$149.90	\$149.90	\$3,130.10	5
10-4340-331 UTILITIES	\$7,160.00	\$7,160.00	\$0.00	\$1,440.79	\$455.35	\$5,719.21	20
10-4340-333 NATURAL GAS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-351 MAINTENANCE-BUILDING	\$3,000.00	\$26,760.00	\$3,359.65	\$22,465.32	\$0.00	\$935.03	84
10-4340-352 MAINTENANCE-EQUIPMEN	\$5,000.00	\$5,000.00	\$40.62	\$2,908.79	\$1,499.41	\$2,050.59	58
10-4340-353 MAINTENANCE-VEHICLES	\$15,500.00	\$15,500.00	\$72.74	\$1,213.86	\$139.72	\$14,213.40	8
10-4340-354 MAINTENANCE-GROUNDS	\$500.00	\$500.00	\$0.00	\$153.97	\$0.00	\$346.03	31
10-4340-370 ADVERTISING	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-375 PUBLIC ED.PREV.MATER	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-395 TRAINING	\$4,250.00	\$4,250.00	\$1,540.29	\$228.62	\$0.00	\$2,481.09	5
10-4340-396 MEDICAL SERVICES	\$500.00	\$500.00	\$0.00	\$0.00	\$0.00	\$500.00	0
10-4340-440 MAINTENANCE CONTRACT	\$2,588.00	\$2,588.00	\$0.00	\$150.89	\$0.00	\$2,437.11	6
10-4340-441 LICENSE FEE	\$2,250.00	\$3,365.00	\$3,365.00	\$0.00	\$0.00	\$0.00	0
10-4340-451 INSURANCE-PROP/GEN/P	\$5,120.00	\$5,120.00	\$0.00	\$3,435.33	\$0.00	\$1,684.67	67
10-4340-452 INSURANCE - VEHICLES	\$4,741.00	\$4,741.00	\$0.00	\$4,741.00	\$0.00	\$0.00	100
10-4340-491 DUES AND SUBSCRIPTIO	\$2,185.00	\$2,185.00	\$0.00	\$0.00	\$0.00	\$2,185.00	0
10-4340-499 MISCELLANEOUS	\$500.00	\$500.00	\$0.00	\$233.85	\$215.97	\$266.15	47
10-4340-540 CAPITAL OUTLAY-MOTOR	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-550 CO-EQUIPMENT	\$5,000.00	\$5,000.00	\$425.00	\$3,952.87	\$0.00	\$622.13	79
10-4340-560 CO-BUILDING AND IMPR	\$20,000.00	\$18,885.00	\$0.00	\$0.00	\$0.00	\$18,885.00	0
10-4340-570 CO-LAND	\$75,000.00	\$75,000.00	\$0.00	\$0.00	\$0.00	\$75,000.00	0
10-4340-670 MILLER FERRY F.D.CON	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0

Town of Spencer

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Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
10-4340-750 LEASE PAYMENTS	\$18,251.00	\$18,251.00	\$0.00	\$18,250.71	\$0.00	\$0.29	100
10-4340-752 LEASE PMTS-UTILITY T	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-753 LEASE PAYMENTS-RADIO	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-755 LEASE PAYMENTS-FIRE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-765 LEASE PYMT-RADIOS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-775 LEASE PYMTS - EQUIPM	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-785 LEASE PAYMT-UTILITY	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-800 FIRE STATION LEASE P	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-810 DEPRECIATION EXPENSE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
4340-10-FIRE OPERATIONS	\$528,759.00	\$552,519.00	\$22,485.30	\$144,617.35	\$24,118.85	\$385,416.35	30

Town of Spencer

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Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
10-4510-580 CO-INFRASTRUCTURE	\$37,000.00	\$37,000.00	\$0.00	\$0.00	\$0.00	\$37,000.00	0
10-4510-591 ROADWAY & PAVING	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-593 LANDSCAPING	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-750 LEASE PAYMENTS-COMPU	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-770 LEASE PAYMENTS-BACKH	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-775 LEASE PAYMENTS-EQUIP	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-800 DEPRECIATION EXPENSE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
4510-10-STREETS OPERATIONS	\$455,230.00	\$455,230.00	\$43.90	\$93,596.73	\$17,392.01	\$361,589.37	21

Town of Spencer

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Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
4710-10-SOLID/YARD OPERATIONS							
10-4710-121 SALARIES/WAGES-REGUL	\$199,635.00	\$199,635.00	\$0.00	\$52,909.63	\$13,618.85	\$146,725.37	27
10-4710-122 SALARIES/WAGES-OVERT	\$1,500.00	\$1,500.00	\$0.00	\$553.12	\$204.04	\$946.88	37
10-4710-127 SALARIES/WAGES-BONUS	\$3,255.00	\$3,255.00	\$0.00	\$0.00	\$0.00	\$3,255.00	0
10-4710-133 401-K MATCH	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-181 FICA	\$15,650.00	\$15,650.00	\$0.00	\$3,762.54	\$974.79	\$11,887.46	24
10-4710-182 RETIREMENT	\$23,400.00	\$23,400.00	\$0.00	\$6,140.51	\$1,587.68	\$17,259.49	26
10-4710-183 GROUP INSURANCE	\$59,500.00	\$59,500.00	\$0.00	\$14,755.34	\$4,465.69	\$44,744.66	25
10-4710-184 401K CONTRIBUTION	\$9,800.00	\$9,800.00	\$0.00	\$1,740.03	\$450.16	\$8,059.97	18
10-4710-185 WORKERS COMPENSATION	\$11,000.00	\$11,000.00	\$0.00	\$10,041.20	\$0.00	\$958.80	91
10-4710-193 SERVICES-MEDICAL	\$250.00	\$250.00	\$0.00	\$0.00	\$0.00	\$250.00	0
10-4710-211 JANITORIAL SUPPLIES	\$500.00	\$500.00	\$0.00	\$0.00	\$0.00	\$500.00	0
10-4710-212 UNIFORMS	\$3,250.00	\$3,250.00	\$0.00	\$885.46	\$204.57	\$2,364.54	27
10-4710-213 SAFETY SUPPLIES	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$0.00	\$1,000.00	0
10-4710-230 SUPPLIES-EDUCATIONAL	\$200.00	\$200.00	\$0.00	\$0.00	\$0.00	\$200.00	0
10-4710-240 CONSTRUCT./REPAIR SU	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-251 MOTOR FUEL AND LUBRI	\$11,000.00	\$11,000.00	\$0.00	\$4,128.01	\$1,072.44	\$6,871.99	38
10-4710-252 TIRES & TUBES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-253 PARTS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-260 OFFICE SUPPLIES/MATE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-270 CARTS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-293 SAFETY SUPPLIES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-299 SUPPLIES AND MATERIA	\$400.00	\$400.00	\$0.00	\$0.00	\$0.00	\$400.00	0
10-4710-311 TR AVEL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-321 TELEPHONE AND INTERN	\$2,250.00	\$2,250.00	\$0.00	\$350.64	\$76.06	\$1,899.36	16
10-4710-329 OTHER COMMUNICATION	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-352 MAINTENANCE-EQUIPMEN	\$4,200.00	\$4,200.00	\$341.04	\$1,374.32	\$712.40	\$2,484.64	33
10-4710-353 MAINTENANCE-VEHILCES	\$8,100.00	\$8,100.00	\$7,114.94	(\$220.50)	\$0.00	\$1,205.56	-3
10-4710-370 ADVERTISING	\$150.00	\$150.00	\$0.00	\$0.00	\$0.00	\$150.00	0
10-4710-395 TRAINING	\$250.00	\$250.00	\$0.00	\$0.00	\$0.00	\$250.00	0
10-4710-396 MEDICAL SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-397 LANDFILL SER TIPPING	\$50,000.00	\$50,000.00	\$0.00	\$15,217.86	\$4,701.24	\$34,782.14	30
10-4710-398 LANDFILL SER RECYCLI	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-399 OTHER SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-438 TREE WORK	\$1,675.00	\$1,675.00	\$0.00	\$0.00	\$0.00	\$1,675.00	0
10-4710-440 MAINTENANCE CONTRACT	\$10,500.00	\$10,500.00	\$0.00	\$15.00	\$0.00	\$10,485.00	0
10-4710-451 INSURANCE-PROP/GEN/P	\$1,758.00	\$1,758.00	\$0.00	\$792.72	\$0.00	\$965.28	45
10-4710-452 INSURANCE-VEHICLES	\$3,300.00	\$3,300.00	\$0.00	\$1,364.96	\$0.00	\$1,935.04	41
10-4710-499 MISCELLANEOUS	\$325.00	\$325.00	\$0.00	\$0.00	\$0.00	\$325.00	0
10-4710-540 CAP OUT-MOTOR VEH	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-550 CAP. OUTLAY-OTHER EQU	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-580 CAPITAL OUTLAY-BLDG,	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-750 LEASE PAYMENTS	\$14,885.00	\$14,885.00	\$0.00	\$4,961.64	\$1,240.41	\$9,923.36	33
10-4710-760 LEASE PAYMENTS-VEHIC	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-775 LEASE PAYMENTS-EQUIP	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-800 DEPRECIATION EXPENSE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
4710-10-SOLID/YARD OPERATIONS	\$437,733.00	\$437,733.00	\$7,455.98	\$118,772.48	\$29,308.33	\$311,504.54	29

Town of Spencer

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Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
6110-10-LIBRARY							
10-6110-121 SALARIES & WAGES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6110-126 PART-TIME/TEMPORARY	\$14,625.00	\$14,625.00	\$0.00	\$4,143.31	\$1,063.34	\$10,481.69	28
10-6110-127 SALARIES/WAGES-BONUS	\$600.00	\$600.00	\$0.00	\$0.00	\$0.00	\$600.00	0
10-6110-181 FICA	\$1,200.00	\$1,200.00	\$0.00	\$316.96	\$81.35	\$883.04	26
10-6110-194 CONTRACT SERVICES	\$1,700.00	\$1,680.00	\$0.00	\$0.00	\$0.00	\$1,680.00	0
10-6110-260 SUPPLIES-OFFICE	\$550.00	\$550.00	\$0.00	\$130.43	\$61.04	\$419.57	24
10-6110-291 SUPPLIES-DATA PROCES	\$1,650.00	\$1,650.00	\$0.00	\$8.50	\$8.50	\$1,641.50	1
10-6110-293 SAFETY SUPPLIES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6110-299 SUPPLIES	\$1,600.00	\$1,600.00	\$0.00	\$266.66	\$0.00	\$1,333.34	17
10-6110-311 TRAVEL	\$0.00	\$20.00	\$0.00	\$15.68	\$15.68	\$4.32	78
10-6110-321 TELEPHONE AND INTERN	\$2,000.00	\$2,000.00	\$0.00	\$435.57	\$247.78	\$1,564.43	22
10-6110-331 UTILITIES	\$8,300.00	\$8,300.00	\$0.00	\$1,919.35	\$586.27	\$6,380.65	23
10-6110-333 NATURAL GAS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6110-351 MAINTENANCE-BUILDING	\$26,900.00	\$26,900.00	\$0.00	\$0.00	\$0.00	\$26,900.00	0
10-6110-370 ADVERTISING	\$500.00	\$500.00	\$0.00	\$0.00	\$0.00	\$500.00	0
10-6110-395 TRAINING	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6110-440 MAINTENANCE CONTRACT	\$1,300.00	\$1,300.00	\$0.00	\$194.75	\$0.00	\$1,105.25	15
10-6110-451 INSURANCE-PRO/GEN/PR	\$1,893.00	\$1,893.00	\$0.00	\$1,892.75	\$0.00	\$0.25	100
10-6110-491 DUES & SUBSCRIPTIONS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6110-495 BOOKS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6110-497 PROGRAMS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6110-499 MISCELLANEOUS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6110-550 CAPITAL OUTLAY-BLDG	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6110-580 CAPITAL OUTLAY-BLDG	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6110-800 LIBRARY REPAIR LEASE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6110-999 Transfer To Cap. Fun	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
6110-10-LIBRARY	\$62,818.00	\$62,818.00	\$0.00	\$9,323.96	\$2,063.96	\$53,494.04	15

Town of Spencer

Fiscal Period - FY 2021-2022 Date Range - 2021-07-01 - 2021-10-26

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
6120-10-RECREATION							
10-6120-126 SALARIES-TEMP/PART-T	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-181 SOCIAL SECURITY	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-299 SUPPLIES AND MATERIA	\$750.00	\$750.00	\$0.00	\$0.00	\$0.00	\$750.00	0
10-6120-331 UTILITIES	\$2,500.00	\$2,500.00	\$0.00	\$316.19	\$43.90	\$2,183.81	13
10-6120-355 MAINT & REPAIR-SPENC	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-356 MAINT & REPAIR-ROWAN	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-357 MAINTENANCE-PARKS AN	\$8,596.00	\$18,596.00	\$0.00	\$0.00	\$0.00	\$18,596.00	0
10-6120-358 MAINT & REPAIR-LIBRA	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-359 MAINT. & REPAIR - OT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-399 OTHER SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-451 INSURANCE-PROP/GEN/P	\$100.00	\$100.00	\$0.00	\$100.00	\$0.00	\$0.00	100
10-6120-499 MISCELLANEOUS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-500 MAINT.LIBRARY PARK	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-501 MAINT SPENCER WOODS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-525 SENIOR CITIZEN PROGR	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-550 CAP.OUTLAY-OTHER EQU	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-570 CAP OUT-LAND ACQ & D	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-580 CAPITAL OUTLAY-IMPRO	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-625 SENIOR CITIZENS COUN	\$6,000.00	\$6,000.00	\$0.00	\$0.00	\$0.00	\$6,000.00	0
10-6120-800 DEPRECIATION EXPENSE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-850 TRANSFER TO DOWNTOWN	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
6120-10-RECREATION	\$17,946.00	\$27,946.00	\$0.00	\$416.19	\$43.90	\$27,529.81	1

Town of Spencer

Fiscal Period - FY 2021-2022 Date Range - 2021-07-01 - 2021-10-26

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
Reporting Fund: 10-GENERAL FUND							
FundRevTot	\$3,720,649.00	\$3,754,409.00	\$0.00	\$1,893,121.62	\$333,348.13	\$3,051,677.68	50
FundExpTot	\$3,720,649.00	\$3,754,409.00	\$86,300.54	\$975,863.24	\$209,580.35	\$2,692,245.22	28
Reporting Fund: 20-POWELL BILL							
0000-20-Revs							
-							
20-3197-102 MUNICIPAL VEHICLE TA	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
20-3328-000 POWELL BILL REVENUE	\$92,300.00	\$92,300.00	\$0.00	\$47,837.24	\$0.00	\$44,462.76	52
20-3831-000 INVESTMENT EARNINGS	\$70.00	\$70.00	\$0.00	\$7.06	\$0.00	\$62.94	10
20-3839-000 MISCELLANEOUS REVENUE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
20-3991-000 APPROPRIATED FUND BA	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
0000-20-Revs	\$92,370.00	\$92,370.00	\$0.00	\$47,844.30	\$0.00	\$44,525.70	52

Town of Spencer

Fiscal Period - FY 2021-2022 Date Range - 2021-07-01 - 2021-10-26

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
4510-20-STREETS OPERATIONS							
20-4510-000 TRANS TO/FROM GEN FU	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
20-4510-121 SALARIES/WAGES-REGUL	\$9,680.00	\$9,680.00	\$0.00	\$3,422.47	\$766.10	\$6,257.53	35
20-4510-127 SALARIES/WAGES-BONUS	\$90.00	\$90.00	\$0.00	\$0.00	\$0.00	\$90.00	0
20-4510-181 FICA	\$740.00	\$740.00	\$0.00	\$261.78	\$58.60	\$478.22	35
20-4510-182 RETIREMENT	\$1,079.00	\$1,079.00	\$0.00	\$387.08	\$87.64	\$691.92	36
20-4510-183 GROUP INSURANCE	\$2,167.00	\$2,167.00	\$0.00	\$552.67	\$172.89	\$1,614.33	26
20-4510-184 401K CONTRIBUTION	\$489.00	\$489.00	\$0.00	\$171.11	\$38.30	\$317.89	35
20-4510-191 PROF.SERV.-ENGIN. FE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
20-4510-198 SERVICES-ENGINEERING	\$4,000.00	\$4,000.00	\$0.00	\$0.00	\$0.00	\$4,000.00	0
20-4510-294 STREET SUPPLIES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
20-4510-299 SUPPLIES AND MATERIA	\$2,000.00	\$2,000.00	\$0.00	\$0.00	\$0.00	\$2,000.00	0
20-4510-355 MAINTENANCE-SIDEWALK	\$12,000.00	\$12,000.00	\$0.00	\$0.00	\$0.00	\$12,000.00	0
20-4510-356 MAINTENANCE-STREETS	\$16,000.00	\$16,000.00	\$0.00	\$8,250.00	\$0.00	\$7,750.00	52
20-4510-540 CAP OUTLAY - VEHICLE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
20-4510-580 CO-INFRASTRUCTURE	\$44,125.00	\$44,125.00	\$0.00	\$0.00	\$0.00	\$44,125.00	0
4510-20-STREETS OPERATIONS	\$92,370.00	\$92,370.00	\$0.00	\$13,045.11	\$1,123.53	\$79,324.89	14

Town of Spencer

Fiscal Period - FY 2021-2022 Date Range - 2021-07-01 - 2021-10-26

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
Reporting Fund: 20-POWELL BILL							
FundRevTot	\$92,370.00	\$92,370.00	\$0.00	\$47,844.30	\$0.00	\$44,525.70	52
FundExpTot	\$92,370.00	\$92,370.00	\$0.00	\$13,045.11	\$1,123.53	\$79,324.89	14
Reporting Fund: 70-HEALTH INSURANCE REIMBURSEMENT							
0000-70-Revs							

70-3839-000 Miscellaneous Revenue	\$0.00	\$0.00	\$0.00	\$20,000.00	\$10,000.00	\$20,000.00	0
0000-70-Revs	\$0.00	\$0.00	\$0.00	\$20,000.00	\$10,000.00	\$20,000.00	0

Town of Spencer

Fiscal Period - FY 2021-2022 Date Range - 2021-07-01 - 2021-10-26

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
4130-70-ADMINISTRATION							
-							
70-4130-187 INSURANCE REIMBURSEM	\$0.00	\$0.00	\$0.00	\$16,013.47	\$0.00	(\$16,013.47)	0
4130-70-ADMINISTRATION	\$0.00	\$0.00	\$0.00	\$16,013.47	\$0.00	(\$16,013.47)	0

Town of Spencer

Fiscal Period - FY 2021-2022 Date Range - 2021-07-01 - 2021-10-26

Account		Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
Reporting Fund: 70-HEALTH INSURANCE REIMBURSEMENT								
	FundRevTot	\$0.00	\$0.00	\$0.00	\$20,000.00	\$10,000.00	\$20,000.00	0
	FundExpTot	\$0.00	\$0.00	\$0.00	\$16,013.47	\$0.00	(\$16,013.47)	0
Grand Totals:								
	TotalRev	\$3,813,019.00	\$3,846,779.00	\$0.00	\$1,960,965.92	\$343,348.13	\$3,116,203.38	51
	TotalExp	\$3,813,019.00	\$3,846,779.00	\$86,300.54	\$1,004,921.82	\$210,703.88	\$2,755,556.64	28

Town of Spencer

Fiscal Period - Park Plaza Municipal Project Date Range - 2020-12-01 - 2021-10-26

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
<u>Reporting Fund: 80-PARK PLAZA MUNICIPAL COMPLEX PROJECT</u>							
<u>0000-80-Revs</u>							
80-3831-000 INVESTMENT EARNINGS	\$0.00	\$0.00	\$0.00	\$205.86	\$0.00	\$205.86	0
80-3894-010 CANNON FOUNDATION GR	\$222,974.00	\$75,000.00	\$0.00	\$75,000.00	\$0.00	\$0.00	100
80-3984-000 INSTALLMENT DEBT PRO	\$2,826,202.00	\$2,826,202.00	\$0.00	\$2,820,302.00	\$0.00	\$5,900.00	100
80-3984-010 GENERAL FUND CONTRIB	\$0.00	\$157,974.00	\$0.00	\$100,000.00	\$0.00	\$57,974.00	63
0000-80-Revs	\$3,049,176.00	\$3,059,176.00	\$0.00	\$2,995,507.86	\$0.00	\$64,079.86	98

Town of Spencer

Fiscal Period - Park Plaza Municipal Project Date Range - 2020-12-01 - 2021-10-26

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
4200-80-PARK PLAZA							
-							
80-4200-192 PROFESSIONAL SERV-LE	\$20,000.00	\$20,000.00	\$0.00	\$6,759.37	\$0.00	\$13,240.63	34
80-4200-193 ADMINISTRATIVE SERVI	\$10,000.00	\$10,000.00	\$0.00	\$2,000.00	\$0.00	\$8,000.00	20
80-4200-555 FURNISHINGS AND EQUI	\$274,900.00	\$274,900.00	\$215,680.64	\$43,171.58	\$0.00	\$16,047.78	16
80-4200-580 CAPITAL OUTLAY-BLDG,	\$2,526,489.00	\$2,636,359.00	\$856,824.50	\$1,698,673.50	\$332,742.28	\$80,861.00	64
80-4200-585 ARCHITECT FEES	\$27,130.00	\$27,130.00	\$5,406.90	\$21,723.10	\$1,540.15	\$0.00	80
80-4200-594 SPECIAL INSPECTIONS	\$0.00	\$15,721.00	\$0.00	\$8,446.75	\$0.00	\$7,274.25	54
80-4200-780 INTEREST	\$50,657.00	\$50,657.00	\$0.00	\$0.00	\$0.00	\$50,657.00	0
80-4200-999 CONTINGENCY	\$140,000.00	\$24,409.00	\$0.00	\$0.00	\$0.00	\$24,409.00	0
4200-80-PARK PLAZA	\$3,049,176.00	\$3,059,176.00	\$1,077,912.04	\$1,780,774.30	\$334,282.43	\$200,489.66	93

Town of Spencer

Fiscal Period - Park Plaza Municipal Project Date Range - 2020-12-01 - 2021-10-26

Account		Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
Reporting Fund: 80-PARK PLAZA MUNICIPAL COMPLEX PROECT								
	FundRevTot	\$3,049,176.00	\$3,059,176.00	\$0.00	\$2,995,507.86	\$0.00	\$64,079.86	98
	FundExpTot	\$3,049,176.00	\$3,059,176.00	\$1,077,912.04	\$1,780,774.30	\$334,282.43	\$200,489.66	93
Grand Totals:								
	TotalRev	\$3,049,176.00	\$3,059,176.00	\$0.00	\$2,995,507.86	\$0.00	\$64,079.86	98
	TotalExp	\$3,049,176.00	\$3,059,176.00	\$1,077,912.04	\$1,780,774.30	\$334,282.43	\$200,489.66	93

Town of Spencer

Fiscal Period - YADKIN RIVER TRAILHEAD Date Range - 2020-07-01 - 2021-10-26

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
<u>Reporting Fund: 90-YADKIN RIVER TRAIL</u>							
0000-90-Revs							
90-3985-240 YADKIN RIVER TRAIL D	\$20,559.00	\$270,659.00	\$0.00	\$271,259.13	\$200.00	\$600.13	100
90-3985-850 GENERAL FUND TRANSFE	\$114,258.00	\$114,258.00	\$0.00	\$114,258.00	\$0.00	\$0.00	100
0000-90-Revs	\$134,817.00	\$384,917.00	\$0.00	\$385,517.13	\$200.00	\$600.13	100

Town of Spencer

Fiscal Period - YADKIN RIVER TRAILHEAD Date Range - 2020-07-01 - 2021-10-26

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
4910-90-LAND MANAGEMENT							
-							
90-4910-194 CONTRACT SERVICES	\$4,800.00	\$7,550.00	\$0.00	\$7,550.00	\$2,500.00	\$0.00	100
90-4910-580 CO-INFRASTRUCTURE	\$130,017.00	\$377,367.00	\$0.00	\$1,643.75	\$0.00	\$375,723.25	0
4910-90-LAND MANAGEMENT	\$134,817.00	\$384,917.00	\$0.00	\$9,193.75	\$2,500.00	\$375,723.25	2

Town of Spencer

Fiscal Period - YADKIN RIVER TRAILHEAD Date Range - 2020-07-01 - 2021-10-26

Account		Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
Reporting Fund: 90-YADKIN RIVER TRAIL								
	FundRevTot	\$134,817.00	\$384,917.00	\$0.00	\$385,517.13	\$200.00	\$600.13	100
	FundExpTot	\$134,817.00	\$384,917.00	\$0.00	\$9,193.75	\$2,500.00	\$375,723.25	2
Grand Totals:	TotalRev	\$134,817.00	\$384,917.00	\$0.00	\$385,517.13	\$200.00	\$600.13	100
	TotalExp	\$134,817.00	\$384,917.00	\$0.00	\$9,193.75	\$2,500.00	\$375,723.25	2

Life Pathways Event at Spencer Public Library

Two school groups from Essie Academy and North Rowan Middle School attended the Life Pathways Event sponsored by Spencer Public Library. Local specialists in the areas of art, music, law enforcement and education presented their passions for each chosen path in life.

Lady Sara Paris, world-traveler, artist, poet and dramatist and recent transplant to Spencer, shared her philosophy of art with the students. Examples of her art which she displayed were a gorgeous giant rose and a portrait of her adorable dog. After Lady Sara's purchase of a vintage theater, dating from the thirties on Fifth Street in Spencer, she discussed her future plans of restoring life and art to this iconic spot. Lady Sara affirmed in each student the potential for great creativity and art.

Livingstone College music professor, opera singer and concert vocalist, Teresa Moore-Mitchell sang several operatic portions in Italian, French and German. She explained how her love of music and professional training opened up many doors of opportunity to travel the world and meet many famous people. She impressed the students with her powerful voice and wide range of high notes. She gave them a mini-lesson in proper breathing techniques for effortless singing.

Rebecca Stinson, author and blues and jazz artist, has been well-known in the Salisbury and China Grove area for her piano and voice expertise. She sang a few lines of a song which showed the emotions of sadness over losing a loved one in the blues tradition. The library hopes to invite her back for a more extended concert for

cars, Bell Tower in Salisbury and various other venues. The time to enjoy all of these details, unfortunately , evaporated too quickly.

The next event at the library will be open to parents, children, teachers and interested patrons as we host two children's authors, Dicey McCullough and Sherri Kepley. Both women have written new books which they will share with the audience and sign purchased books. Refreshments will be served and the time starts at 4 pm on November 16th and will finish at 5:30. The age range for these books start at the age of 3 and will interest older elementary students. Please RSVP by calling the library phone at 704-636-9072.

Facebook Report for October

Since changing some of our FB format and adding innovative videos and pictures with Canva, our FB followers have increased from 417 to 444 by the last day of October 19th. Our likes have increased from 413 to 425 this past month. We have begun sharing posts to other groups such as We Love Spencer, NC and Spencer Women's Club pages. Our post reach has climbed considerably as noted on the attached chart. Please like and follow us on our FB page.

[illegible]

11/2/2021 Tues.	0	0	0	0	0	0	0	11/16/2021
11/3/2021 Wed.	0	0	0	0	0	0	0	11/17/2021
11/4/2021 Thurs.	0	0	0	0	0	0	0	11/18/2021
11/5/2021 Fri.	0	0	0	0	0	0	0	11/19/2021
WEEK TOTAL:	0	0	0	0	0	0	0	_____

MONTH TOTAL:	85	50	10	2	8	3	5	_____
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Add week of 9/28-9/30	$\frac{18}{103}$	$\frac{13}{63}$	$\frac{22}{32}$	$\frac{7}{9}$	$\frac{28}{36}$	$\frac{1}{4}$	$\frac{2}{7}$	
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Report covers 9/28 - 10/20/2021

DAY		Door Count	Adult Circulation	Children Circulation	Research Questions	New Cards Issued	Students Tutored	Volunteers/Tutors	Corres. Due Date
MONTH NAME 2021 STATISTICS									
	Mon.	0	0	0	0	0	0	0	
	Tues.	0	0	0	0	0	0	0	
9/1/2021	Wed.	6	0	0	0	0	0	0	9/15/2021
9/2/2021	Thurs.	0	0	0	0	0	0	0	9/16/2021
9/3/2021	Fri.	0	0	0	0	0	0	0	9/17/2021
WEEK TOTAL:		6	0	0	0	0	0	0	
9/6/2021	Mon.	closed	0	0	0	0	0	0	9/20/2021
9/7/2021	Tues.	5	0	0	3	0	0	0	9/21/2021
9/8/2021	Wed.	6	0	0	2	0	0	0	9/22/2021
9/9/2021	Thurs.	5	0	10	2	4	0	0	9/23/2021
9/10/2021	Fri.	0	0	0	0	0	0	0	9/24/2021
WEEK TOTAL:		16	0	10	7	4	0	0	
9/13/2021	Mon.	2	0	0	0	0	0	0	9/27/2021
9/14/2021	Tues.	2	0	0	0	0	0	0	9/28/2021
9/15/2021	Wed.	26	0	16	0	14	0	1	9/29/2021
9/16/2021	Thurs.	0	0	0	0	0	0	0	9/30/2021
9/17/2021	Fri.	0	0	0	0	0	0	0	10/1/2021
WEEK TOTAL:		30	0	16	0	14	0	1	
9/20/2021	Mon.	2	0	0	0	0	0	0	10/4/2021
9/21/2021	Tues.	2	0	0	0	0	0	0	10/5/2021
9/22/2021	Wed.	6	8	0	0	2	1	1	10/6/2021
9/23/2021	Thurs.	0	0	0	0	0	0	0	10/7/2021
9/24/2021	Fri.	0	0	0	0	0	0	0	10/8/2021
WEEK TOTAL:		10	8	0	0	2	1	1	
9/27/2021	Mon.	10	5	22	0	8	0	0	10/11/2021
9/28/2021	Tues.	3	4	0	0	0	0	0	10/12/2021
9/29/2021	Wed.	5	4	0	0	0	0	0	10/13/2021
9/30/2021	Thurs.	0	0	0	0	0	0	0	10/14/2021
10/1/2021	Fri.	0	0	0	0	0	0	0	10/15/2021
WEEK TOTAL:		18	13	22	0	8	0	0	
MONTH TOTAL:		80	21	48	7	28	1	2	

add this week

o set report



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Posts

Events

Videos

 Promote

Introducing Your New Insights Tool

You can track paid and organic reach, learn about your current and potential audience, and see how your content is performing on Facebook and Instagram.

[See All Insights](#)

Daily data is recorded in the Pacific time zone.

1W 1M 1Q

Start:

End:

Total Page Likes: 425 - started month at 413

Total Page Likes

BENCI
Comp.
perfor

Total F

Page Likes

The number of organic Page likes, paid Page likes and unlikes.

Unlikes

Organic Likes

Paid Likes

BENCI
Comp.
for

Unlike



Spencer Public Library > Page Insights

Page Insights

Overview

Business Suite

Creator Studio

Followers

Ads

Likes

Reach

Page Views

Actions on Page

Posts

Events

Videos

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Introducing Your New Insights Tool

You can track paid and organic reach, learn about your current and potential audience, and see how your content is performing on Facebook and Instagram.

See All Insights

Daily data is recorded in the Pacific time zone.

1W 1M 1Q

Start:

End:

Total Page Followers: 444

Total Page Followers

BENCI
Comp.
perform

Total F

444

0

417

Total Page Followers

426

Oct 8, 2021

Click or drag to select

Page Followers

The number of organic Page follows, paid Page follows and unfollows.

Unfollows

Organic Followers

Paid Followers

BENCI
Comp.
for

Unfolk



Spencer Public Library > Page Insights

Page Insights

Overview

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You can track paid and organic reach, learn about your current and potential audience, and see how your content is performing on Facebook and Instagram.

[See All Insights](#)

Daily data is recorded in the Pacific time zone.

1W 1M 1Q

Start:
End:

Post Reach

The number of people who saw any of your posts at least once. This metric is estimated.

Organic Paid BENCI
Comp. perform
Organ
Paid

Story Reach

The number of people who had your Page's stories on their screen. This number is an estimate and may not be precise.

704-633-2231
townofspencer.com



Post Office Box 45
Spencer, NC 28159-0045

AGENDA ITEM

Board Meeting Date: 11/9/2021

(Attach relevant documentation)

Issue under Consideration:	Town Manager Report
Current Status:	N/A
Points to Consider:	N/A
Financial Impact:	N/A
Options:	N/A
Recommendations:	For Information & Discussion
Department:	Town Manager

704-633-2231
townofspencer.com



Post Office Box 45
Spencer, NC 28159-0045

To: Mayor Williams and Members of the Board of Aldermen
From: Peter Franzese, Town Manager
Date: October 28, 2021
Re: November 2021 Town Manager Report

Kickoff with Kimley Horn

In October, staff met with Kimley-Horn to kick off their work assisting the Town with scoping the EB 5861 project, known as the "Third Street Greenway." To summarize, several years ago, NCDOT agreed to provide the Town \$3.5 million towards constructing a proposed greenway along Third Street and then along Salisbury Avenue North to the Wil-Cox Bridge. The original project estimate was about \$4.4 million, requiring a match from the Town of approximately \$900,000. In order to proceed with this project, the Town must enter into a municipal agreement with NCDOT, and we need to confirm the scope and cost of the project. Our work with Kimley-Horn will provide an updated cost estimate for the project, as well as identifying right-of-way, engineering, or other costs that could be programmed into the municipal agreement. Kimley-Horn will also provide analysis of design alternatives for pavement markings on Salisbury Avenue, in coordination with NCDOT, to include strategies and planned facilities for event traffic management. The results of this analysis will likely dovetail into the concept for the greenway alignment along Salisbury Avenue.

New Town Hall and Police Dept Open House and moving date

The construction project for our new Town Hall and Police Department is moving into the final stages, and the timeframe for substantial completion and project close out remains November 19. However, due to the delay in the natural gas generator, we will need to execute a contract addendum to note substantial completion other than the generator. The manufacturer is planning to begin another production line in April of 2022 to address its backlog of orders, and so it will be after that date before the generator would be available. The County would issue a Temporary CO until the generator is in place and we would receive a final CO once it is connected.

The organizers of Winterfest have planned to kick off the event with an open house for our new building. This will be Friday, December 3 from 3-6pm. Staff is coordinating with Sherry Mason Brown and the committee, and the concept includes guided tour by the Mayor for invited guests in advance of a 3:00 ribbon cutting ceremony. The building will then be open for the public to have guided tours by staff until 6:00 p.m.

We will facilitate having the December Board of Aldermen meetings in the new building and hold our moving process for staff until December 15. This would allow us to focus on the open house and first board meetings, and then allow staff to move equipment/files as needed after that time frame. This will include working with Memory Bank to move technology/server/phones, etc.

Email Transition

We are also working with Memory Bank on transitioning to a single email system using the spencernc.gov domain, rather than our current two systems using ci.spencer.nc.us and townofspencer.com. The new system will allow current email addresses to be forwarded to the new address, and all email data will be migrated to the new system. Email users will need to manually repopulate contact and calendar data. We will provide more information about this process, but anticipate launching the new email system on Monday, December 20.

Update on ARPA CSLFRF

In October the UNC School of Government and several partner agencies hosted a six-day [Basics of the American Rescue Plan Act](#) virtual course. This course, provided at no cost to local governments, covered a range of topics ranging from foundational information to compliance, and community engagement to performance management. The layers of compliance requirements involved in this funding opportunity are staggering, and small units like ours are highly encouraged to work with partners on administering these funds. To this effect, Town staff have been meeting with Centralina to discuss their technical assistance and program administration offerings. The ARPA Basics course highly encouraged local units to work with their Council of Government organization due to their staffing and familiarity with administering state and federal funds, including compliance with Uniform Guidance and reporting requirements. As we continue learning about their offerings, we will keep you updated on next steps and any recommendations for your consideration.



Strategic Services: ARPA Implementation

The \$1.9 trillion COVID relief package, the American Rescue Plan Act (ARPA), is a historic opportunity for communities to support recovery from COVID-19 through a range of strategic investments in housing, economic development, education, food and nutrition, unemployment assistance, vaccines and testing.

In addition to competitive grants, direct emergency relief has been allocated to states, local governments, tribes and territories. Approximately \$800 million dollars in ARPA funding will flow to our region's local governments. For some communities managing federal funds, this will be a new experience. Other communities may require support for strategic planning, project management and fund administration.

HOW CENTRALINA CAN HELP

- 📍 **Free Member Benefits:** Information on our [member portal](#), one-hour strategy sessions, peer chats , grant alerts and more!
- 📍 **Level 1:** Contracted technical assistance for recovery planning and spending plan development for full allocation, 2021 allocation and/or 2022 allocation.
- 📍 **Level 2:** Contracted technical assistance for specific aspects of program implementation, i.e., project management, financial monitoring and reporting.
- 📍 **Level 3:** Full-service administration of funds on behalf of a local government.

Member Strategy Sessions

Not sure where to start or what you need? No problem, we'll meet with you and your team one on one to discuss the options for support and brainstorm next steps.

Level 1 Support

This level is designed for our local governments who want assistance with thinking strategically about how ARPA funds can be best used in their communities. Centralina can facilitate internal planning sessions, help design community engagement and support Council/Commission engagement. We'll work with you to customize a limited engagement assistance project to accomplish your objectives.

Level 2 Support

Some local governments may need technical assistance in specific areas to fill gaps in internal capacity. Based on Centralina's track record of successfully managing federal funds, we can provide contracted support to local governments for the following:

- Project Design
- Project Management
- RFP/RFQ Administration
- Federal Regulation Compliance & Monitoring
- Reporting

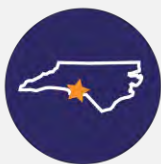
**Scope of services and pricing to be determined based on member needs*

Level 3 Support

This is the most comprehensive level of support and includes the full administration of ARPA funds in partnership with a local government.

In all support levels, Centralina serves in an advisory capacity. For levels two and three support, all funds will remain with the local government. Due to limited capacity, ARPA implementation services are available only to Centralina members.

WHY WORK WITH US?



We're Local:

We live, work and play here. This region is our home and we are deeply committed to supporting our neighboring communities.



We're Nimble:

Our team is resourceful, flexible and forward thinking. We will find the optimal path forward to meet your needs.



We Take The Long View:

For over half a century, we've been dedicated to public service and will continue to help communities think about today's needs and tomorrow's opportunities.



We Collaborate:

We build lasting partnerships and collaborate to gain insights, synergize activity and bring different viewpoints to the table.

READY FOR A QUOTE?

If you'd like to talk with us about ARPA services, please email memberliaison@centralina.org and we'll set up a discussion.



FINANCE DEPARTMENT

Post Office Box 45 Spencer, NC 28159-0045
704.633.2231 Ofc.
704.633.3837 Fax
<http://www.ci.spencer.nc.us>

AGENDA ITEM

Council Meeting Date: 11/09/2021

(Attach relevant documentation)

Agenda Item No: TBD	Budget Ordinance 21-020
Issue under Consideration:	To amend the FY21-22 Contingencies and expense appropriations for Christmas lights at the new Town Hall location
Current Status:	N/A
Points to Consider:	Motion was made at October board meeting to spend up to \$1,000 for Christmas lights and for funds to come from Contingencies
Financial Impact:	No change to budget-reallocating funds from Contingencies 10-4110-999 to Miscellaneous Supplies 10-4130-299-\$1,000
Options:	(Approve/Amend/Deny/NA)
Recommendations:	Approve
Department:	Finance Department

ACTION TAKEN BY THE BOARD OF ALDERMEN

Motion Made By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Motion Seconded By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Results of Voting

For: _____
Against: _____

Passes: _____
Fails: _____



Jonathan Williams, Mayor



FINANCE DEPARTMENT

Post Office Box 45 Spencer, NC 28159-0045
704.633.2231 Ofc.
704.633.3837 Fax
<http://www.ci.spencer.nc.us>

AGENDA ITEM

Council Meeting Date: 11/09/2021

(Attach relevant documentation)

Agenda Item No: TBD	Project Budget Ordinance 21-021
Issue under Consideration:	To amend budget for donation received from Foundation For The Carolinas, Fred Stanback Donor Advised Fund for the Downtown Park
Current Status:	N/A
Points to Consider:	N/A
Financial Impact:	Donation received from Foundation For The Carolinas, Fred Stanback Donor Advised Fund for the Downtown Park, Spencer NC-\$100,000
Options:	(Approve/Amend/Deny/NA)
Recommendations:	Approve
Department:	Finance Department

ACTION TAKEN BY THE BOARD OF ALDERMEN

Motion Made By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Motion Seconded By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Results of Voting

For: _____
Against: _____

Passes: _____
Fails: _____



AN ORDINANCE AMENDING
THE TOWN OF SPENCER, NORTH CAROLINA
GENERAL FUND FY 21-22 BUDGET
ORDINANCE 21-021
NOVEMBER 9, 2021

BE IT ORDAINED, by the Governing Board of the Town of Spencer, North Carolina, that the following amendment of anticipated fund revenues and departmental expenditures, certain Fee and Charge Schedules, and with certain restrictions and authorizations, are hereby appropriated and approved for the operation of Town Government and its activities for the Fiscal Year beginning July 1, 2021 and ending on June 30, 2022:

Section 1. To amend the FY 21-22 revenues and expense appropriations as follows: Appropriate a donation received from Foundation For The Carolinas, Fred Stanback Donor Advised Fund, Downtown Park.

Section 2. The following expenditure line items are amended as follows:

Revenues

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
10-3839-000	Misc. Revenues	\$24,500	\$124,500	\$100,000

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
10-6120-850	Transfer to Downtown Park Project	\$0	\$100,000	\$100,000

Section 3. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Town Manager and the Finance Officer for record-keeping.

Adopted this 9th, day of November 2021.

Stacy Craven, Town Clerk

Jonathan Williams, Mayor



FINANCE DEPARTMENT

Post Office Box 45 Spencer, NC 28159-0045

704.633.2231 Ofc.

704.633.3837 Fax

<http://www.ci.spencer.nc.us>

AGENDA ITEM

Council Meeting Date: 11/09/2021

(Attach relevant documentation)

Agenda Item No: TBD	Project Budget Ordinance 21-022
Issue under Consideration:	To establish a project fund for Downtown Park Project
Current Status:	N/A
Points to Consider:	N/A
Financial Impact:	To appropriate funds in the General Fund to the Downtown Park Project-Donation received from Foundation For The Carolinas, Fred Stanback Donor Advised Fund for the Downtown Park, Spencer NC- \$100,000
Options:	(Approve/Amend/Deny/NA)
Recommendations:	Approve
Department:	Finance Department

ACTION TAKEN BY THE BOARD OF ALDERMEN

Motion Made By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Motion Seconded By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Results of Voting

For: _____

Against: _____

Passes: _____

Fails: _____



DOWNTOWN PARK PROJECT BUDGET
ORDINANCE AMENDMENT FOR THE
TOWN OF SPENCER,
NORTH CAROLINA
PROJECT BUDGET ORDINANCE 21-022
NOVEMBER 9, 2021

BE IT ORDAINED by the Governing Board of the Town of Spencer, North Carolina, the following Downtown Park project ordinance is hereby adopted:

Section 1. To appropriate the revenues and expenses for the Downtown Park Project.

Section 2. The following amounts are appropriated for the project:

Capital Outlay-Infrastructure	<u>\$100,000</u>
-------------------------------	------------------

Total	<u>\$100,000</u>
-------	------------------

Section 3. The following amount is appropriated from General Fund:

Transfer from General Fund	<u>\$100,000</u>
----------------------------	------------------

Section 4. Copies of this project budget amendment shall be furnished to the Clerk to the Governing Board, and to the Town Manager and the Finance Manager for record-keeping.

Adopted this 9th day of November 2021.

Stacy Craven, Town Clerk

Jonathan Williams, Mayor



CODE ENFORCEMENT

Post Office Box 45 Spencer, NC 28159-0045

704.633.3574 Ofc.

704.633.3837 Fax

<http://www.ci.spencer.nc.us>

AGENDA ITEM

Council Meeting Date: 11/09/2021

(Attach relevant documentation)

Agenda Item No: TBD	Code Enforcement Monthly
Issue under Consideration:	Confirmation of Liens (6) Six Chronic Violators, (2) Two for 510 4 th St and 803 3 rd St
Current Status:	Pending Board confirmation
Points to Consider:	No response from property owner or heirs
Financial Impact:	\$1504.50
Options:	NA
Recommendations:	Confirm Liens
Department:	Police Department/Code Enforcement

ACTION TAKEN BY THE BOARD OF ALDERMEN

Motion Made By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Motion Seconded By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Results of Voting

For: _____

Against: _____

Passes: _____

Fails: _____



Notice of Lien

10/19/2021

MALONE TEKISHA J
7610 TIMBER COMMONS LN APT 3
CHARLOTTE, NC 28212

The Town of Spencer
VS
MALONE TEKISHA J

Re: Case Number 202107060
Subject Property: 510 4TH ST, SPENCER, NC
Property ID Number: 033 270

Dear Property Owner:

Take notice that the Town of Spencer, a municipal corporation, hereby claims a statutory lien pursuant to North Carolina General Statute 160A-193 and the Spencer Code of Ordinances, Chapter 93, against the above-named party or parties and upon the property of said owner or owners, hereinafter described and said claimants show:

1. That the property of the above-named owner or owners upon which notice of lien is filed is in the Spencer Township, Rowan County, State of North Carolina and is described as follows: **510 4TH ST, Parcel 033 270**
2. That the said lien is authorized by General Statute 160A-193 of the General Statutes of North Carolina, as implemented by the Code of Ordinances of the Town of Spencer as set forth in Chapter 93 of the Code of Ordinances.
3. That pursuant to the above-cited code, a violation of overgrown lot was abated and said work was finished on **09/20/2021**.
4. That the cost of said work for which this Notice of Lien is filed is **\$362.50** plus **\$6.00** filing fee. Total cost of lien removal is **\$368.50**.

Sincerely,

James Osborne
Code Enforcement Officer
Town of Spencer



Notice of Lien

10/19/2021

BALDWIN PATRICIA DARLYN &HUS
803 3RD ST
SPENCER, NC 28159-1607

The Town of Spencer
VS
BALDWIN PATRICIA DARLYN &HUS

Re: Case Number 202107066
Subject Property: 803 3RD ST, SPENCER, NC
Property ID Number: 033 043

Dear Property Owner:

Take notice that the Town of Spencer, a municipal corporation, hereby claims a statutory lien pursuant to North Carolina General Statute 160A-193 and the Spencer Code of Ordinances, Chapter 93, against the above-named party or parties and upon the property of said owner or owners, hereinafter described and said claimants show:

1. That the property of the above-named owner or owners upon which notice of lien is filed is in the Spencer Township, Rowan County, State of North Carolina and is described as follows: **803 3RD ST, Parcel 033 043**
2. That the said lien is authorized by General Statute 160A-193 of the General Statutes of North Carolina, as implemented by the Code of Ordinances of the Town of Spencer as set forth in Chapter 93 of the Code of Ordinances.
3. That pursuant to the above-cited code, a violation of overgrown lot was abated and said work was finished on **09/17/2021**.
4. That the cost of said work for which this Notice of Lien is filed is **\$237.50** plus **\$6.00** filing fee. Total cost of lien removal is **\$243.50**.

Sincerely,

A handwritten signature in black ink, appearing to read "James Osborne", is written over a horizontal line.

James Osborne
Code Enforcement Officer
Town of Spencer



Notice of Lien

10/19/2021

LANE LILLIE B
PO BOX 71
SPENCER, NC 28159

The Town of Spencer
VS
LANE LILLIE B

Re: Case Number 202107057
Subject Property: 600 3RD ST, SPENCER, NC
Property ID Number: 033 294

Dear Property Owner:

Take notice that the Town of Spencer, a municipal corporation, hereby claims a statutory lien pursuant to North Carolina General Statute 160A-193 and the Spencer Code of Ordinances, Chapter 93, against the above-named party or parties and upon the property of said owner or owners, hereinafter described and said claimants show:

1. That the property of the above-named owner or owners upon which notice of lien is filed is in the Spencer Township, Rowan County, State of North Carolina and is described as follows: **600 3RD ST, Parcel 033 294**
2. That the said lien is authorized by General Statute 160A-193 of the General Statutes of North Carolina, as implemented by the Code of Ordinances of the Town of Spencer as set forth in Chapter 93 of the Code of Ordinances.
3. That pursuant to the above-cited code, a violation of overgrown lot was abated and said work was finished on **08/23/2021**.
4. That the cost of said work for which this Notice of Lien is filed is **\$237.50** plus **\$6.00** filing fee. Total cost of lien removal is **\$243.50**.

Sincerely,

James Osborne
Code Enforcement Officer
Town of Spencer



Notice of Lien

10/19/2021

RUMMAGE SYBIL K
619 N CALDWELL ST
SALISBURY, NC 28144

The Town of Spencer
VS
RUMMAGE SYBIL K

Re: Case Number 202107056
Subject Property: 704 5TH ST, SPENCER, NC
Property ID Number: 033 152

Dear Property Owner:

Take notice that the Town of Spencer, a municipal corporation, hereby claims a statutory lien pursuant to North Carolina General Statute 160A-193 and the Spencer Code of Ordinances, Chapter 93, against the above-named party or parties and upon the property of said owner or owners, hereinafter described and said claimants show:

1. That the property of the above-named owner or owners upon which notice of lien is filed is in the Spencer Township, Rowan County, State of North Carolina and is described as follows: **704 5TH ST, Parcel 033 152**
2. That the said lien is authorized by General Statute 160A-193 of the General Statutes of North Carolina, as implemented by the Code of Ordinances of the Town of Spencer as set forth in Chapter 93 of the Code of Ordinances.
3. That pursuant to the above-cited code, a violation of overgrown lot was abated and said work was finished on **08/23/2021**.
4. That the cost of said work for which this Notice of Lien is filed is **\$237.50** plus **\$6.00** filing fee. Total cost of lien removal is **\$243.50**.

Sincerely,

A handwritten signature in black ink, appearing to read "James Osborne", written over a horizontal line.

James Osborne
Code Enforcement Officer
Town of Spencer



Notice of Lien

10/19/2021

ZUNINO MICHAEL G
46 SPRING ST APT 19
NASHUA, NH 03060

The Town of Spencer
VS
ZUNINO MICHAEL G

Re: Case Number 202107054
Subject Property: 816 5TH ST, SPENCER, NC
Property ID Number: 033 096

Dear Property Owner:

Take notice that the Town of Spencer, a municipal corporation, hereby claims a statutory lien pursuant to North Carolina General Statute 160A-193 and the Spencer Code of Ordinances, Chapter 93, against the above-named party or parties and upon the property of said owner or owners, hereinafter described and said claimants show:

1. That the property of the above-named owner or owners upon which notice of lien is filed is in the Spencer Township, Rowan County, State of North Carolina and is described as follows: **816 5TH ST, Parcel 033 096**
2. That the said lien is authorized by General Statute 160A-193 of the General Statutes of North Carolina, as implemented by the Code of Ordinances of the Town of Spencer as set forth in Chapter 93 of the Code of Ordinances.
3. That pursuant to the above-cited code, a violation of overgrown lot was abated and said work was finished on **08/23/2021**.
4. That the cost of said work for which this Notice of Lien is filed is **\$237.50** plus **\$6.00** filing fee. Total cost of lien removal is **\$243.50**.

Sincerely,

A handwritten signature in black ink, appearing to read "James Osborne", is written over a horizontal line.

James Osborne
Code Enforcement Officer
Town of Spencer



Notice of Lien

10/19/2021

PAINTER MICHAEL JOHN
700 4TH ST
SPENCER, NC 28159

The Town of Spencer
VS
PAINTER MICHAEL JOHN

Re: Case Number 202107076
Subject Property: 700 4TH ST, SPENCER, NC
Property ID Number: 033 160

Dear Property Owner:

Take notice that the Town of Spencer, a municipal corporation, hereby claims a statutory lien pursuant to North Carolina General Statute 160A-193 and the Spencer Code of Ordinances, Chapter 93, against the above-named party or parties and upon the property of said owner or owners, hereinafter described and said claimants show:

1. That the property of the above-named owner or owners upon which notice of lien is filed is in the Spencer Township, Rowan County, State of North Carolina and is described as follows: **700 4TH ST, Parcel 033 160**
2. That the said lien is authorized by General Statute 160A-193 of the General Statutes of North Carolina, as implemented by the Code of Ordinances of the Town of Spencer as set forth in Chapter 93 of the Code of Ordinances.
3. That pursuant to the above-cited code, a violation of overgrown lot was abated and said work was finished on **09/07/2021**.
4. That the cost of said work for which this Notice of Lien is filed is **\$237.50** plus **\$6.00** filing fee. Total cost of lien removal is **\$243.50**.

Sincerely,

A handwritten signature in black ink, appearing to read "James Osborne".

James Osborne
Code Enforcement Officer
Town of Spencer



Notice of Lien

10/19/2021

ZUNINO MICHAEL G
46 SPRING ST APT 19
NASHUA, NH 03060

The Town of Spencer
VS
ZUNINO MICHAEL G

Re: Case Number 202107077
Subject Property: 816 5TH ST, SPENCER, NC
Property ID Number: 033 096

Dear Property Owner:

Take notice that the Town of Spencer, a municipal corporation, hereby claims a statutory lien pursuant to North Carolina General Statute 160A-193 and the Spencer Code of Ordinances, Chapter 93, against the above-named party or parties and upon the property of said owner or owners, hereinafter described and said claimants show:

1. That the property of the above-named owner or owners upon which notice of lien is filed is in the Spencer Township, Rowan County, State of North Carolina and is described as follows: **816 5TH ST, Parcel 033 096**
2. That the said lien is authorized by General Statute 160A-193 of the General Statutes of North Carolina, as implemented by the Code of Ordinances of the Town of Spencer as set forth in Chapter 93 of the Code of Ordinances.
3. That pursuant to the above-cited code, a violation of overgrown lot was abated and said work was finished on **09/07/2021**.
4. That the cost of said work for which this Notice of Lien is filed is **\$237.50** plus **\$6.00** filing fee. Total cost of lien removal is **\$243.50**.

Sincerely,

A handwritten signature in black ink, appearing to read "James Osborne", is written over a horizontal line.

James Osborne
Code Enforcement Officer
Town of Spencer



Notice of Lien

10/22/2021

MOFFATT ALLEN HEIRS
PO BOX 216
SALISBURY, NC 28145

The Town of Spencer
VS
MOFFATT ALLEN HEIRS

Re: Case Number 202107078
Subject Property: 1300 LEE ST, SPENCER, NC
Property ID Number: 030 141

Dear Property Owner:

Take notice that the Town of Spencer, a municipal corporation, hereby claims a statutory lien pursuant to North Carolina General Statute 160A-193 and the Spencer Code of Ordinances, Chapter 93, against the above-named party or parties and upon the property of said owner or owners, hereinafter described and said claimants show:

1. That the property of the above-named owner or owners upon which notice of lien is filed is in the Spencer Township, Rowan County, State of North Carolina and is described as follows: **1300 LEE ST, Parcel 030 141**
2. That the said lien is authorized by General Statute 160A-193 of the General Statutes of North Carolina, as implemented by the Code of Ordinances of the Town of Spencer as set forth in Chapter 93 of the Code of Ordinances.
3. That pursuant to the above-cited code, a violation of overgrown lot was abated and said work was finished on **09/07/2021**.
4. That the cost of said work for which this Notice of Lien is filed is **\$237.50** plus **\$6.00** filing fee. Total cost of lien removal is **\$243.50**.

Sincerely,



James Osborne
Code Enforcement Officer
Town of Spencer

704-633-2231
townofspencer.com



Post Office Box 45
Spencer, NC 28159-0045

AGENDA ITEM

Board Meeting Date: 11/9/2021

(Attach relevant documentation)

Issue under Consideration:	Consider adopting a resolution authorizing the Town Manager to execute an interlocal undertaking agreement with Rowan County regarding mutual assistance of law enforcement services.
Current Status:	Current vacancies and officers in training in the Spencer Police Department are at a level where mutual assistance is needed to cover shifts at the appropriate level. The Rowan County Sheriff's Office is willing to provide deputies to assist in covering shifts on a temporary basis.
Points to Consider:	The proposed agreement and authorizing resolution were modeled after a similar agreement in 2016 between Rowan County and the City of Salisbury.
Financial Impact:	For each sheriff's deputy provided to the Town under this Agreement, the Town shall pay the County \$50 for each hour of service to the Town, with service of less than one hour to be paid on a pro rata basis. This payment covers the deputy's salary and benefits, vehicle, vehicle fuel, uniform, and regular equipment. Funding currently available in personal services and fuel accounts that would be unspent due to vacancies can cover this amount.
Options:	
Recommendations:	Motion to adopt a resolution authorizing the Town Manager to execute an interlocal undertaking agreement with Rowan County regarding mutual assistance of law enforcement services.
Department:	Town Manager and Police

TOWN OF SPENCER, NORTH CAROLINA

**RESOLUTION AUTHORIZING AN INTERLOCAL UNDERTAKING AGREEMENT
REGARDING MUTUAL ASSISTANCE OF LAW ENFORCEMENT SERVICES**

WHEREAS, pursuant to North Carolina General Statutes Section 160A-288, the head of any law enforcement agency may temporarily provide assistance to another agency in enforcing the laws of North Carolina if so requested in writing by the head of the requesting agency; and

WHEREAS, under Article 20 of Chapter 160A of the North Carolina General Statutes, units of local government, including, but not limited to, cities and counties, are authorized to enter into interlocal undertaking agreements with other units of local government for the joint exercise or the contractual exercise by one unit for another unit, of any power, function, public enterprise, right, privilege, or immunity of local governments in North Carolina; and

WHEREAS, North Carolina General Statute Section 160A-460 defines “undertakings” and “unit of local government” as used in the Interlocal Agreement; and

WHEREAS, North Carolina General Statute Section 160A-461 provides specific authorization for the Interlocal Agreement; and

WHEREAS, the Interlocal Agreement is intended to comply with the requirements set forth in North Carolina General Statute Section 160A-464; and

WHEREAS, in response to a shortage in law enforcement officers, the Town is requesting temporary law enforcement assistance from Rowan County and Rowan County is willing to provide temporary law enforcement assistance to the Town.

NOW, THEREFORE, BE IT RESOLVED that the Spencer Board of Aldermen authorizes the Town Manager to execute an Interlocal Undertaking Agreement with Rowan County and the Sherriff of Rowan County to provide law enforcement services to the Town of Spencer.

This the 9th day of November 2021.

Jonathan D. Williams, Mayor

ATTEST:

Stacy H. Craven, Town Clerk

RESOLUTION 21-026

INTERLOCAL UNDERTAKING AGREEMENT

This is an Interlocal Undertaking Agreement between the TOWN OF SPENCER, a North Carolina municipal corporation (hereinafter "Town"), and the COUNTY OF ROWAN, a political subdivision of the State of North Carolina (hereinafter "County") and the SHERIFF OF ROWAN COUNTY, a constitutional office of the State of North Carolina (hereinafter "Sheriff"), collectively referred to as "Parties". This Agreement is made pursuant to North Carolina General Statutes Sections 160A-288 and 160A-460 through 160A-466. The Date of this Interlocal Undertaking Agreement is _____ (hereinafter "Agreement").

Authority

The Parties are entering into this Agreement for the purpose of establishing an undertaking in which the County will provide temporary law enforcement assistance to the Town pursuant to specific terms outlined herein.

Terms

The Sheriff will provide law enforcement services to the Town on an as needed basis by providing qualified sheriff's deputies, including proper vehicles, uniforms and equipment, under the following terms:

- 1) For each sheriff's deputy provided to the Town under this Agreement, the Town shall pay the County \$50 for each hour of service to the Town, with service of less than one hour to be paid on a pro rata basis. This payment covers the deputy's salary and benefits, vehicle, vehicle fuel, uniform and regular equipment.
- 2) While working with the Town, sheriff's deputies shall have the same jurisdiction, powers, rights, privileges, and immunities (including those relating to the defense of civil actions and payments of judgments) as the officers of the Town, in addition to those the sheriff's deputy normally possesses.
- 3) While on duty with the requesting agency, sheriff's deputies shall be subject to the lawful operational commands of the deputy's superior officers in the Town, but the deputy shall for personnel and administrative purposes, remain under the control of the Sheriff, including for purposes of pay. The Town shall be responsible for, and agrees to reimburse the County, up to the first \$500,000 of each worker's compensation claim by a loaned sheriff's deputy arising out of claimed activities by the loaned deputy while on duty with the Town as provided by this Agreement. The Town also shall be responsible for, and agrees to reimburse the County, up to the first \$50,000 of any general liability claim by loaned sheriff's deputies for claimed activities while on duty with the Town.
- 4) When temporary assistance is needed pursuant to this agreement, the Town shall notify the County of the need for such assistance and the assistance shall be provided if feasible to do so. The Town shall notify the County of such need in writing, when possible. In an emergency situation, the notification of the need for temporary assistance need not be in writing, but a written notification shall be provided as soon thereafter as possible.
- 5) Any disciplinary actions arising out of the temporary work assignment of sheriff's deputies under this Agreement will remain the responsibility of the Sheriff.
- 6) The Town specifically covenants and agrees to assume all liability for any act committed by the sheriff's deputy within the course and scope of the sheriff's deputy's temporary assignment or damage or injury caused by the use or misuse of loaned equipment, and further agrees to hold harmless and indemnify the County, Sheriff and sheriff's deputy for any damages, including the payment of attorney's fees, incurred by the County and Sheriff pursuant to such temporary assignment under this Agreement.
- 7) The Town agrees to hold harmless the County, Sheriff and sheriff's deputy for any damage to the property of the Town incurred in the scope and course of the sheriff's deputy's duties. Further, the County, Sheriff and sheriff's deputy agree to hold the Town harmless for any damage to the property of the County and Sheriff occasioned by such act(s). The agreement shall not be construed as a bar to any other rights or claims, either direct or by subrogation, which either agency shall have against any other party.

Other Terms

No personnel shall be appointed to execute the undertaking evidenced by this Agreement, and no joint agency is established by this Agreement. The undertaking evidenced by this Agreement does not involve conveyance of real property between the parties hereto at any time.

Effective Date of Agreement

This Agreement shall become effective and enforceable by the Parties upon the full execution of this Agreement and the full ratification of resolutions by the governing bodies of both the Town and the County as outlined below. This date shall be the "Effective Date" for purposes of this Agreement.

Duration of Agreement and Amendment/Termination Thereof

This Agreement shall remain in effect for six (6) months from the Effective Date. However, the contents of this Agreement can be amended, and/or the duration of this Agreement can be extended, at any time prior to its expiration six (6) months from the Effective Date upon the execution of a written amendment executed by the undersigned (or other duly-authorized representatives) on behalf of their respective governing bodies following ratification by resolution of the governing board of the Town and the County. Similarly, the Agreement can be terminated by either the County or the Town by providing five (5) business days' written notice to the other party following ratification by resolution of the governing board of the terminating party.

IN WITNESS WHEREOF, the Town, County, and Sheriff have authorized this Agreement to be executed and attested by their undersigned officers and to be ratified by resolution of the governing boards of the Town and County.

ATTEST:

COUNTY OF ROWAN

Carolyn M. Barger, Clerk to the Board

M. Aaron Church, County Manager

THE SHERIFF of ROWAN COUNTY

Kevin L. Auten, Sheriff

ATTEST:

TOWN OF SPENCER

Stacy H. Craven, Town Clerk

Peter L. Franzese, Town Manager

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act

M. Faith Wilson
Town of Spencer Finance Officer

State of North Carolina
Rowan County

I, _____, a Notary Public of Rowan County, NC,
do hereby certify that _____ of the County of Rowan, and
_____ of the Rowan County Sheriff's Office, and
_____ of the Town of Spencer personally appeared before me
this day and acknowledged the due execution of the foregoing Interlocal Undertaking Agreement.
Witness my hand and notarial seal, this the _____ day of _____, 2021.

Notary Public

My commission expires: _____

AGENDA ITEM

Council Meeting Date: 11/09/2021

Agenda Item No: TBD	INSERT AGENDA ITEM HERE
Issue under Consideration:	Board to consider fixing the date of a legislative hearing on a proposed zoning map amendment (Conditional Rezoning Case # CZ-21-001) to rezone the property at 200 South Salisbury Avenue (PID 032 164) from C-29 (Commercial) to VSR (Vehicle Service & Repair), pursuant to SDO Sec. 5.3-3.
Current Status:	On September 21, 2021, Mike King (business tenant at 200 South Salisbury Avenue) submitted a Conditional Rezoning Application (CZ-21-001) to rezone the property from C-29 to VSR. On November 3, 2021, at 6:00 P.M., a neighborhood meeting will be held at Town Hall to allow impacted property owners an opportunity to provide input and hear more information about the proposed rezoning.
Points to Consider:	The legislative hearing is a requirement per § 160D-601 for any amendment to the Official Zoning Map.
Financial Impact:	N/A
Options:	The Board can fix the date of the hearing at the regular meeting on December 14, 2021, or at a future regular or called meeting.
Recommendations:	Planning & Development Services recommends that the governing board fix the date of the hearing on December 14, 2021, during the regular Board of Aldermen meeting.
Department:	PLANNING & DEVELOPMENT SERVICES

ACTION TAKEN BY THE BOARD OF ALDERMEN

Motion Made By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Motion Seconded By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Results of Voting

For: _____

Against: _____

Passes: _____

Fails: _____

EXHIBITS (ATTACHED)

1. Staff Memorandum
 - a. Explanation and additional details regarding proposed Conditional Rezoning Case # CZ-21-001.
 - b. *See “Staff Memorandum Exhibits” listed alphabetically, below.*
2. Proposed Resolution Fixing Date of Legislative Hearing on CZ-21-001 for December 14, 2021;
3. Proposed Notice of Legislative Hearing (to be published in Salisbury Post)
 - Applicant-Submitted Rezoning Application (*see Exhibit I*)
 - Applicant-Submitted List of Proposed Conditions & Limitations (*see Exhibit I-1*)
 - Notice of November 3, 2021, Neighborhood Meeting (*See Exhibit O*)

Staff Memorandum Exhibits

- A. Email Correspondence from Jay Dees to Town Staff (May 5, 2021)
- B. Email Correspondence from Kyle Harris to Tyler Weant (May 7)
- C. Zoning Verification Letter (May 7)
- D. Police Operations Report (July 21)
- E. Email Correspondence from Kyle Harris to Tyler Weant (July 21)
- F. Email Correspondence from Kyle Harris to Tyler Weant (August 13)
- G. First Notice of Violation (August 13)
- H. Second Notice of Violation (September 9)
- I. Applicant-Submitted Rezoning Application (September 21)
 - Owner’s Affidavit
- J. Conditional Rezoning Proposed Conditions
- K. Email Correspondence from Kyle Harris to Mike King (September 21)
- L. Email Correspondence from Kyle Harris to Mike King (September 30)
- M. Email Correspondence from Kyle Harris to Mike King (October 8)
- N. Mike King Agrees to Proposed Conditions (October 8)
- O. Notice of Neighborhood Meeting (October 21)
- P. SDO Sec. 10.1-4 (Automobile/Boat/Equipment Repair Service)
- Q. Email Correspondence from Jason Wilson to Kyle Harris (October 27)
 - Includes GIS Map of Waterline



Date: October 27, 2021

To: Peter Franzese, Town Manager

From: Kyle Harris, Planning & Zoning Administrator

Re: **Conditional Rezoning Application (Case # CZ-21-001)**

Proposal to Fix Date of Legislative Hearing for December 14, 2021

Attachments: *See List of Exhibits on Agenda Submittal Form.*

The purpose of this Memorandum is to provide a general overview of the background and current status of the Conditional Rezoning Application for 200 South Salisbury Avenue. The Board of Aldermen will not formally review this case until December 14, 2021, at the earliest. However, because you are being asked to set the date of the legislative hearing, Town staff believes it is now prudent to set down certain relevant facts for your edification.

This Memorandum begins with a list of upcoming dates relevant to the case, followed by a detailed chronological record of the case, with reference to meetings, written correspondence, and other relevant exhibits, from the earliest relevant record on May 5, 2021, to today, October 27, a period spanning 175 days. The final section outlines certain additional relevant details.

I. Upcoming Dates:

- A neighborhood meeting, required per SDO Sec. 5.3-1(B), is scheduled for Wednesday, November 3, 2021, at 6:00 P.M. at Town Hall. The purpose of the meeting is for the rezoning applicant, staff, and impacted neighbors, to discuss the potential rezoning, including the nature of the proposed land use and to explore ways to ensure compatibility with surrounding uses and properties. The applicant, Mike King, is required to attend and to meet with representatives and landowners of the neighborhood. (A copy of the notice is attached as Exhibit O.)
 - The notice was mailed to forty (40) property owners in the area.
- The Planning Board is scheduled to review the proposed rezoning at their regular meeting on November 8, 2021, beginning at 7:00 P.M. The Planning Board will review all relevant evidence and make a recommendation to approve or deny the rezoning to Board of Aldermen. The Planning Board is not required to hold a hearing.
- The Board of Aldermen will conduct a legislative hearing and consider approving or denying the proposed rezoning at your regular meeting on December 14. Staff will prepare a detailed staff report and relevant information for your prior review.

II. Chronological Record of Case # CZ-21-001:

On May 5, 2021, I received an email from Jay Dees, Town Attorney, who informed me that the owner of the property at 200 South Salisbury Avenue, Tyler Weant, “has a potential tenant for the space” (who I would later learn was Michael King) and that he was requesting a “zoning determination/letter” for the property. Mr. Dees added that “Tyler will respond to this email with the address and an explanation of the proposed use”. A copy of the referenced email is attached as Exhibit A.

At some point between May 5 and May 7, I received a phone call from Mr. Weant, during which he asked if the property could be used for “classic vehicle restoration”. On May 7, I followed-up on his request and provided a Zoning Verification Letter, in which I informed him that the property was not zoned for any vehicle service uses, and that a rezoning would be necessary to support any such use.

In the Zoning Verification Letter, I wrote to the owner, in part, “I understand that you are in conversations with a prospective tenant who is interested in using the property to conduct ‘classic vehicle restoration’. You mentioned to me that the tenant would not use the property for intensive auto body repairs per se but would instead use it for lower-intensity classical vehicle restoration. However, our current ordinance does not distinguish between different types or intensities of automobile repair. Based on a plain reading of Spencer’s current zoning ordinance, the Table of Uses...does not appear to support your prospective tenant’s intended use. *Automobile repair, painting, and upholstery* is not listed as a Permitted (P) Use within the NB District.”

In the letter, which again was dated May 7, I informed Mr. Weant that the Town was “currently in the process of repealing and replacing its zoning ordinance with a new Unified Development Ordinance (UDO). Town staff anticipates that the new ordinance will come into effect July 1, 2021”. I continued, stating that, “according to the proposed new zoning map, parcel 032 164 would be located in the new C-29 (US Highway 29) Commercial District. According to the proposed new Table of Uses, *Automobile Repair Services (Minor)* is also not listed as permitted (or Listed, L) use in C-29”.

Therefore, I summarized, that even after the new SDO came into effect on July 1, “it would still remain necessary for you to apply for a legislative rezoning of the subject parcel to VSR (Vehicle Services/Repair)”.

I concluded the letter by saying, “in general, it does not appear that parcel 032 164 is suitable for automobile repair uses given its proximity to a historic residential neighborhood. Your option both prior to and subsequent to July 1, when the new UDO comes into effect, is to apply for a rezoning to a district that supports your proposed use. At that time, the Board of Aldermen will consider the appropriateness of the proposed rezoning. If you decide to move forward with the rezoning, I will be happy to work with you to facilitate the required process. At that time, I will provide additional information about the application process”.

Exhibit 1: Staff Memorandum

A copy of the referenced email is attached as Exhibit B, and a copy of the referenced Zoning Verification Letter is attached as Exhibit C.

On July 21, which was 75 days after the date of my Zoning Verification Letter, the Spencer Police Department (SPD) provided to me a copy of an operations report which made reference to a “body shop in Spencer near the Fire Department”. A copy of the referenced police report is attached as Exhibit D.

It was at that time that I first became aware that a vehicle service business was operating out of 200 South Salisbury Avenue, in violation of the ordinance.

On July 21, the same day I received the report, I emailed the property owner: “I’m reaching out to let you know that the Spencer Police Department has informed me that automobile repair services are currently being carried out by the business tenants at your property at 200 South Salisbury Avenue (PID 032 164). Per my Zoning Verification Letter dated May 7, the parcel is not currently zoned for any automobile repair services. If you wish to petition for a rezoning of this property to support automobile repair services, I can assist you with that. However, as I mentioned in my letter, the proximity of the parcel to a historic residential area may not favor your rezoning petition. In my opinion, it would be best to identify a tenant who would use the building in a way that is compatible with the area.” A copy of the referenced email is attached as Exhibit E.

On Friday, July 23, Mr. Weant met with me at Town Hall. During that meeting, he indicated he wished to rezone the property to VSR (Vehicle Service & Repair). As I recall, he communicated that he had experienced difficulty in finding tenants for the building, and he hoped that rezoning it to VSR would allow him to be more accommodating toward the current tenant and prospective future tenants. I advised him that because the current use of the property as an auto repair shop was not in compliance with the zoning district, I would be issuing him a Notice of Violation and would be imposing a timeline for him to bring the property into compliance with the Town’s zoning ordinance. I also advised him on the rezoning process and general procedural requirements.

On August 13, 2021, I issued, by certified first-class mail, a Notice of Violation (NOV) to Mr. Weant, informing him (formally) that the use of the property as a vehicle service business was not in compliance with the zoning ordinance.

In the NOV, I stated that “as long as you are working with the Town in good faith to bring the use into compliance with the Spencer Development Ordinance (SDO), the Town will not take action against you for the non-compliant use of the property.”

I continued: “To correct the violation, you must do the following: submit to the Planning & Zoning Administrator by 09/01/21 a Rezoning Application (Petition to Amend the Official Zoning Map) requesting to rezone the property from C-29 to VSR. Because the property is located near a residential zone, I am encouraging you to pursue the Conditional Zoning process, which allows the Town to negotiate with you certain restrictions or limitations on the use of the property

Exhibit 1: Staff Memorandum

Exhibit 1: Staff Memorandum

to ensure there are not any harmful impacts to the surrounding neighborhood. These conditions may include, for example, limitations on the location of parked vehicles awaiting service; limitations on hours of operation; restrictions on noise level, etc.”

I conclude the NOV by adding, “for the record, I do want to remind you that I issued a Zoning Verification Letter on May 7, 2021, informing you that the property was not zoned for any Automobile Repair use...Therefore, the Town is extending you a courtesy by providing you an opportunity to correct the violation without taking action against you.”

A copy of the above-referenced email is attached as Exhibit F, and a copy of the referenced Notice of Violation is attached as Exhibit G.

On August 26, 34 days after my initial meeting with Mr. Weant, I was approached by Mike King, the tenant/business owner of the shop at 200 South Salisbury Avenue, who told me that Mr. Weant had only recently handed him the rezoning application to submit by the deadline, which was then rapidly approaching (on September 1st). Mr. King asked for an extension to the deadline because he was unfamiliar with the process and was unaware of the applicable standards/regulations.

At that time, I made a judgement, perhaps ill-advised, that it would be fruitless to enforce the original deadline because it was obvious that neither Mr. Weant nor Mr. King had even begun the process of filling out the rezoning application. I judged that it would be better to provide some flexibility so that I could carefully work through the process with Mr. King. Additionally, I was also personally behind on my workload at that time, and I did not have any prior experience working on a rezoning case, and I was therefore happy to accommodate an extension to the deadline for both my benefit and the applicant’s.

To that effect, on September 9, 2021, I issued a second Notice of Violation to Mr. Weant in which I extended the deadline for the submittal of the required Rezoning Application from September 1st to October 27, 2021. In the NOV, I stated that “the purpose of the extension is to allow the tenant of the property, Michael King, additional time to complete the application.”

A copy of the above-referenced NOV is attached as Exhibit H.

On September 19, Mr. King submitted the Rezoning Application. (A total of 53 days passed between my initial conversation with Mr. Weant, on July 23, in which I informed him that he must submit a rezoning application, and September 19, when I finally received it.)

A copy of the Rezoning Application (Case # CZ-21-001) is attached as Exhibit I. The application included an affidavit from the owner Mr. Weant, authorizing Mr. King to “submit to the Town of Spencer an application to rezone” the property. A copy of the affidavit is Exhibit I-1.

During our meeting on September 19, the day he submitted the application, Mr. King and I discussed, in particular, Page 3 of the rezoning application, which requires applicants for Conditional Rezonings to “propose conditions to ensure compatibility with surrounding uses and

Exhibit 1: Staff Memorandum

Exhibit 1: Staff Memorandum

consistency with adopted plans”. I reiterated to Mr. King a point that I had made from the beginning, that because the proposed vehicle service shop is located in such close proximity to a historic residential neighborhood, it would be critical for him to propose a list of conditions or limitations on the use that would mitigate adverse impacts to surrounding property owners. During our conversation, we discussed a variety of potential conditions, including limitations on the automobile work area; limitations on vehicle storage areas; limitations on hours of operation; site and landscape improvements; and other topics related to screening and buffering of vehicle storage and auto repair areas.

Based on Mr. King’s proposals during our conversation, and based on detailed notes that I took during that conversation, I developed a “draft” list of proposed conditions, a copy of which is attached as Exhibit J.

On September 21, two days after our meeting, I emailed Mr. King the draft of the proposed conditions. In the email, I wrote “I’ve attached a list of the conditions we discussed. Please review the list and edit the list as needed. Feel free to add, remove, or change any conditions. Ultimately, you should only propose conditions that you can commit to. You should only propose conditions that you can reasonably carry out of your rezoning is approved.” I continued, “the purpose of these conditions is to ensure compatibility with surrounding uses. You can offer any conditions that would limit the use or development of the property for the purpose of convincing the Planning Board and Board of Aldermen that the rezoning would not negatively impact surrounding properties or otherwise harm the public interest”.

In the same email, I also advised Mr. King that that it would be necessary for him to agree to a final list of proposed conditions *prior* to the neighborhood meeting, which is required per SDO Sec. 5.3-1(B). I asked Mr. King to approve a final version of the proposed conditions by Wednesday, September 29, so that I could then schedule a neighborhood meeting and mail notices to adjacent property owners.

A copy of the above-referenced email is attached as Exhibit K.

I did not receive any correspondence from Mr. King by the established deadline.

On Thursday, September 30, a day after the deadline, I sent a reminder to Mr. King, writing, “I will need written confirmation from you that you agree to these proposed conditions, before we can organize the neighborhood meeting. Please carefully review the attached document, which reflects the proposed conditions we discussed at our in-person meeting. This is your opportunity to modify, delete, add, or otherwise amend that list of proposed conditions before we bring them to the neighborhood meeting. As I mentioned, you should only agree to conditions that you are able and willing to offer and which you believe you can reasonably follow through on. At your convenience, please follow-up with me by email, with a written (typed) statement that you agree to these proposed conditions, as presented, or that you otherwise would like to modify them.”

A copy of the above-referenced email is attached as Exhibit L.

Exhibit 1: Staff Memorandum

Exhibit 1: Staff Memorandum

I did not receive any correspondence from Mr. King over the next week.

On Friday, October 8, I sent another email to Mr. King, with more forceful language, writing: "In order to place your rezoning application onto the Planning Board's November 8th meeting agenda (just one month away), it is very important that you send me written confirmation that you agree to the conditions we discussed at our meeting on September 21st. Like I mentioned in my previous email, now is your opportunity to "modify, delete, add, or otherwise amend that list of proposed conditions before we bring them to the neighborhood meeting. As I mentioned, you should only agree to conditions that you are able and willing to offer and which you believe you can reasonably follow through on". I've attached a copy of the proposed conditions to this email (Word doc).

"In order to proceed on schedule, I am establishing a deadline for you to get me the requested information. You have until Monday, 10/11/21, to do the following: email me a written confirmation of the conditions you are willing to agree to as part of your proposed rezoning application. Please note: if you fail to submit written confirmation by 10/11/21, the Town may take further steps to enforce the Town's ordinances, including civil penalties or a court order -- let's try to avoid this!"

A copy of the above-referenced email is attached as Exhibit M.

On that same Friday, October 8, Mr. King met with me at Town Hall to confirm that he agreed to the proposed conditions. He provided a written statement by email: "I agree to all these conditions right now." A copy of this email is attached as Exhibit N.

With the requested information finally in hand, I proceeded to schedule the required neighborhood meeting and mail notices to property owners in the vicinity. The neighborhood meeting is scheduled for Wednesday, November 3, at 6:00 P.M. at Town Hall. A copy of the notice is attached as Exhibit O. Notices were mailed out the week of October 18.

As of today (10/27), the next step will be to conduct the neighborhood meeting on 11/03, followed by Planning Board review on 11/08. I anticipate there may be some pushback from impacted neighbors at the neighborhood meeting; their contact information and feedback will be written down for the record, for your reference.

Exhibit 1: Staff Memorandum

III. Additional Relevant Details

SDO Standards for Screening & Buffering Vehicle Service Land Uses

- Sec. 10.1-4 of the Spencer Development Ordinance (attached as Exhibit P) establishes the regulations and standards for “Automobile/Boat/Equipment Repair Service” land uses. Sec. 10.1-4(B.) establishes the following standards:
 - (1.) Vehicles awaiting repair shall not be parked in public right-of-way.
 - (2.) No outdoor automobile/boat work areas are to be located in front yard setback area.
 - (3.) All outdoor automobile/boat work areas and/or vehicle storage areas shall be screened from adjacent uses with a six (6) foot tall opaque fence and a type D buffer (see Article 11); plantings shall be on the exterior side of the fence.
- Therefore, Mr. King’s proposed use of the property for a vehicle service use will meet the Town’s standards *only* if *all* of the above standards are met, including the requirements for complete screening of the vehicle storage/repair areas from adjacent uses. Mr. King has started the process of building screening fencing, but the project has been complicated by the presence of a public alley behind the property, which cannot be obstructed.

Fence Permit Application (Privacy Fence to Screen Vehicle Storage Areas)

- *Excluded* from the record outlined in the previous section are materials related to Mr. King’s application to install a fence on his property for the purpose of screening vehicle storage areas. Mr. King submitted a Fence Permit Application for two segments of 6-ft. wood privacy fencing, which were reviewed by the HPC at their September 20 meeting, to the following specifications:
 - Applicant Proposal: “Construct new 6’ solid wood plank privacy fence in rear and side yards. Fence to feature gates to match the solid wood plank fencing. The purpose of the proposed fencing is to screen parked vehicles associated with the use of the property as a vehicle service and repair business. All new fencing to be consistent with the Town’s adopted Fence Standards (See: SDO Article 2 – Sections 2.10, 2.11, and 2.13).”
- The above proposal was complicated by the fact that Mr. King initially proposed to construct fencing behind his property that would have obstructed an existing public alley. The HPC approved his fence plan, with the caveat that he could not build any fencing in the alley that would “in any way...block or obstruct...[the] public alley.
- Mr. King proceeded to construct the wood privacy fencing, as specified, which has partially helped to screen from view the existing vehicle storage areas. However, the existence of the public alley behind the property has made it difficult to properly screen the rear vehicle storage and auto repair work areas. For that reason, Mr. King and I have been in discussion about the process to close the alley.

Alley Closure

- In my professional opinion, the property will be unable to meet the screening requirements of Sec. 10.1-4 unless and until the rear alley is closed, which would allow Mr. King to build screening fencing meeting the Town's standards.
- However, the closure of the alley is further complicated by the presence of an existing 2" waterline in the alley. According to Jason Wilson, SRU Assistant Utilities Director, "an easement would be required if the alley is closed, in order for SRU to continue to operate and maintain the existing waterline."
- I presented Mr. Wilson with the proposed fence plan, to which he responded: "The proposed fencing, as shown, could potentially be agreeable to SRU due to the fact that the fence appears to be predominantly located at the edge of the current alley. I understand that a gate(s) is proposed that would allow access to the current alley, which would also allow SRU access to the waterline".
 - See email correspondence, which includes a GIS map showing the location of the waterline, from Mr. Wilson, attached as Exhibit Q.
- Although Mr. Wilson believes SRU could maintain access to the area for maintenance if the alley is closed, I am concerned because the area would be used for vehicle storage, which may block or otherwise hinder access to the waterline.
- To summarize, it remains unclear if closure of the alley is feasible given a variety of complicating factors. If the alley closure cannot be accomplished, it does not appear the applicant could meet the required screening/buffering standards.

I hope this Memorandum is helpful in establishing certain relevant facts. At this time, the information provided in this Memorandum is provided for informational purposes only. You are only being asked to set the date for the legislative hearing at this time. Please let me know if I can provide any additional support or information on this case.

Respectfully submitted,

Thomas Kyle Harris

Kyle Harris
Planning & Zoning Administrator
Town of Spencer, NC

RESOLUTION 21-029 FIXING DATE OF LEGISLATIVE HEARING ON PROPOSED ZONING MAP AMENDMENT (CONDITIONAL REZONING CASE # CZ-21-001) PURSUANT TO SEC. 5.3-3 OF THE SPENCER DEVELOPMENT ORDINANCE

WHEREAS, the owner of the property located at 200 South Salisbury Avenue (Rowan County Parcel ID # 032 164) has submitted through an authorized agent a Rezoning Application (Petition to Amend the Official Zoning Map) to conditionally rezone the subject property from C-29 (US HWY 29 Commercial) to VSR (Vehicle Service & Repair) for the purpose of operating a vehicle service business at that location. The Rezoning Application is attached hereto as Exhibit A; and

WHEREAS, pursuant to Section 5.3-3(A) of the Spencer Development Ordinance (SDO), before amending the Official Zoning Map, the Town Board of Aldermen must hold a legislative hearing on the proposed rezoning to obtain public comment(s).

NOW, THEREFORE, BE IT RESOLVED, by the Board of Aldermen of the Town of Spencer, North Carolina that:

Section 1. A legislative hearing on the question of the adoption of an amendment to the Official Zoning Map to conditionally rezone the property at 200 South Salisbury Avenue (Rowan County Parcel # 032 164) from C-29 to VSR, be held at Town Hall, 600 South Salisbury Avenue, Spencer, NC at 6:00 P.M. on Tuesday December 14, 2021.

Section 2. Notice of the legislative hearing shall be published in the Salisbury Post, a newspaper having general circulation in the Town of Spencer, North Carolina, once a week for two (2) successive calendar weeks. The notice shall be published the first time not less than 10 days nor more than 25 days before the date fixed for the hearing.

Section 3. Notice of the legislative hearing shall also be mailed by first class mail to the owner of the subject property and the owners of all parcels of land abutting the subject property as required by Section 5.3-3 of the Spencer Development Ordinance and as otherwise required by G.S 160D-601 and G.S. 160D-602.

Section 4. Notice shall also be published on the Town's website together with the Town's policies and remote access information during Covid.

Adopted this the ____ day of _____, 2021.

TOWN OF SPENCER

By: _____

Name: _____

Title: Mayor

ATTEST:

_____, Town Clerk

TOWN OF SPENCER
NOTICE OF LEGISLATIVE HEARING
PROPOSED ZONING MAP AMENDMENT
CONDITIONAL REZONING CASE # CZ-21-001

Pursuant to the provisions of N.C.G.S. §160D-601, §160D-602, and Section 5.3-3 of the Spencer Development Ordinance (SDO), NOTICE IS HEREBY GIVEN that the Board of Aldermen of the Town of Spencer (“Town”) has scheduled a legislative hearing to obtain public comment(s) on a proposed amendment to the Spencer Official Zoning Map.

The owner of the property located at 200 SOUTH SALISBURY AVENUE (ROWAN COUNTY PARCEL ID # 032 164) has authorized the tenant of the property, Michael King, to submit to the Town a Rezoning Application (Petition to Amend the Official Zoning Map) to rezone the property from C-29 (US HWY 29 Commercial) to VSR (Vehicle Service & Repair) for the purpose of operating a vehicle service business. If the rezoning application is approved, the use would be subject to the additional screening and buffering conditions established in SDO Section 10.1-4 and other limitations mutually agreed to by the applicant and the Town to ensure that the use is compatible with surrounding land uses.

The legislative hearing will take place at the regular meeting of the Board of Aldermen on Tuesday, December 14, 2021, beginning at 6:00 P.M. at Spencer Town Hall, 600 South Salisbury Avenue.

You may attend the meeting in person or view the meeting through the Town’s YouTube livestream at: <https://www.facebook.com/TownofSpencerNC/>.

If you are unable to attend the meeting in person, you may provide a written statement to the Town Clerk by email to scraven@townofspencer.com, or submit by mail to Stacy Craven, Town Clerk, P.O. Box 45, Spencer NC 28159, at least 48 hours prior to the hearing. You must provide your name and address for the record. The written statement will be delivered to the Board of Aldermen prior to their vote. Please include Case # CZ-21-001 in the subject line.

To access the live stream audio, visit the Town's Youtube Channel accessible from spencernc.gov

Inquiries regarding the proposed rezoning may be directed to Kyle Harris, Spencer Planning & Zoning Administrator, P.O. Box 45, Spencer, North Carolina; or by telephone at 704-633-2231 ext. 28; or by email at kharris@townofspencer.com.

This the X day of November, 2021

BOARD OF ALDERMEN
SPENCER, NORTH CAROLINA

By: Stacy Craven, Town Clerk

10/27/21, 4:04 PM

Town of Spencer Mail - Zoning Letter



Kyle Harris <kharris@townofspencer.com>

Zoning Letter

Jay Dees <jay.dees1966@gmail.com>

Wed, May 5, 2021 at 3:38 PM

To: tylerweant1@gmail.com, Peter Franzese <pfranzese@townofspencer.com>, Kyle Harris <kharris@townofspencer.com>

Kyle,

I am copying Tyler Weant, with whom the Town is discussing the purchase of his property on N. Salisbury avenue beside the fire station. Tyler has a potential tenant for the space and mentioned that he wanted to know that the proposed use was permitted as currently zoned. I suggested he needed a zoning letter.

To that end, Tyler will respond to this email with the address and an explanation of the proposed use and will be asking for a zoning determination/letter.

If you would please be on the lookout for Tyler's reply email, we will appreciate your attention to it.

Thank you,

Jay

--

Law Office
John W. Dees, II
[612 Mitchell Avenue](#)
[Salisbury, NC 28144](#)
704.281.1230 cell



Kyle Harris <kharris@townofspencer.com>

Zoning Letter

Kyle Harris <kharris@townofspencer.com>

Fri, May 7, 2021 at 12:49 PM

To: Jay Dees <jay.dees1966@gmail.com>

Cc: tylerweant1@gmail.com, Peter Franzese <pfranzese@townofspencer.com>

All:

By way of this email I am providing for Mr. Weant a zoning verification letter for the parcel 032 164 (200 South Salisbury Avenue). It does not appear that the current NB zoning allows for the intended use for classic vehicle restoration. The current ordinance does not distinguish between different types or intensities of automobile repair activities. It would likely be necessary for the owner to apply for a legislative rezoning to a district that supports the proposed use. Even after the new UDO comes into effect after July 1, the parcel would still not support the intended use without a rezoning. Please refer to the attached letter for more information.

Warm regards,

Kyle Harris
Planning & Zoning Administrator
Town of Spencer
Office: (704)-633-2231 ext. 28
Cell: (704)-989-9471



[Quoted text hidden]



Zoning Verification - 200 S SALISBURY AVE.pdf
144K



Date: May 7, 2021

To: Tyler Weant

From: Kyle Harris, Planning & Zoning Administrator

Re: Zoning Verification: 200 South Salisbury Avenue (PID 032 164)

Tyler:

This letter is provided to confirm that the parcel identified by the Rowan County Parcel ID # 032 164 (200 South Salisbury Avenue) is located in Spencer's NB (Neighborhood Business) District. The parcel immediately abuts a residential district (R-6). According to the Spencer Town Code § 155.022, the NB district is established for the following purpose:

This district is established for those uses which normally require a location close to residential areas and which provide merchandise and services to meet the everyday needs of a limited residential area. Permitted uses are contained in § [155.026](#). Notwithstanding that list of uses, it is not the intent of this district to utilize street-level floor space of a building clearly designed to be commercial or retail street frontage with a use other than commercial, retail or professional offices.

I understand that you are in conversations with a prospective tenant who is interested in using the property to conduct "classic vehicle restoration". You mentioned to me that the tenant would not use the property for intensive auto body repairs per se but would instead use it for lower-intensity classical vehicle restoration. However, our current ordinance does not distinguish between different types or intensities of automobile repair.

Based on a plain reading of Spencer's current zoning ordinance, the Table of Uses (§ 155.026) does not appear to support your prospective tenant's intended use. *Automobile repair, painting and upholstery* is not listed as a Permitted (P) Use within the NB district. See Table 1 on the following page.

Table 1. Automobile Repair in the current zoning ordinance			
Use	Zoning District		
	NB	CB	HB
Automobile repair, painting, and upholstery		C	C

Note on Table 1 above: where any cell in the Use Table is blank, the corresponding use is considered a prohibited use. Where a “C” is listed, the use requires the issuance of a Special Use Permit (SUP). The Spencer Zoning Board of Adjustment hears and decides SUP applications using a quasi-judicial process requiring an evidentiary hearing.

Under the current zoning ordinance, your best option would be to apply for a legislative rezoning of parcel 032 164 to either the CB (Central Business) or HB (Highway Business) district. Subsequent to the approval of a rezoning, you would apply for a Special Use Permit (SUP) for the specific use. The Spencer Board of Aldermen hears and decides rezoning applications. I cannot guarantee that they would approve the request.

Please be advised that the Town is currently in the process of repealing and replacing its zoning ordinance with a new Unified Development Ordinance (UDO). Town staff anticipates that the new ordinance will come into effect July 1, 2021. According to the proposed new zoning map, parcel 032 164 would be located in the new C-29 (US Highway 29) Commercial District. According to the proposed new Table of Uses, *Automobile Repair Services (Minor)* is also not listed as a permitted (or Listed, L) use in C-29:

Table 2. Automobile Repair in the proposed draft UDO (under review)		
Use	Zoning District	
	US 29 Commercial (C-29)	Vehicle Services/Repair (VSR)
Automobile Repair Services (Major)		A (10.1-4)
Automobile Repair Service (Minor)		A (10.1-4)

Under the proposed new zoning ordinance, it would remain necessary for you to apply for a legislative rezoning of the subject parcel to VSR (Vehicle Services/Repair). *A(10.1-4)* in the above table means that the use is allowed with additional standards. Those standards are listed below:

10.1-4 Automobile/Boat/Equipment Repair Service

(A.) Zoning Districts where the additional standards for this use below are applicable are identified in Article 8, Table 8.1 of this Ordinance.

(B). Standards.

(1.) Vehicles awaiting repair shall not be parked in public right-of-way.

(2.) No outdoor automobile/boat work areas are to be located in front yard setback area.

(3.) All outdoor automobile/boat work areas and/or vehicle service areas shall be screened from adjacent uses with a six (6) foot tall opaque fence and a type D buffer (see Article 11); plantings shall be on the exterior side of the fence.

Review

In general, it does not appear that parcel 032 164 is suitable for automobile repair uses given its immediate proximity to a historic residential neighborhood. Your option both prior to and subsequent to July 1, when the new UDO comes into effect, is to apply for a rezoning to a zoning district that supports your proposed use. At that time, the Board of Aldermen will consider the appropriateness of the proposed rezoning.

If you decide to move forward with a rezoning, I will be happy to work with you to facilitate the required process. At that time, I will provide additional information about the application process.

Warm regards,

Kyle Harris
Planning & Zoning Administrator

Planning, Zoning, & HPC Contact:

Kyle Harris, Planning & Zoning Administrator

Email: kharris@townofspencer.com

Phone: 704-633-2231 ext. 28

OPERATIONS REPORT

Exhibit D: Police Operations Report (July 21)



Kyle Harris <kharris@townofspencer.com>

Zoning Letter

Kyle Harris <kharris@townofspencer.com>

Wed, Jul 21, 2021 at 11:44 AM

To: Jay Dees <jay.dees1966@gmail.com>, Spencer Chief of Police <policechief@ci.spencer.nc.us>

Cc: tylerweant1@gmail.com, Peter Franzese <pfranzese@townofspencer.com>

Tyler:

I'm reaching out to let you know that the Spencer Police Department has informed me that automobile repair services are currently being carried out by the business tenants at your property at 200 South Salisbury Avenue (PID 032 164). Per my Zoning Verification Letter dated May 7, the parcel is not currently zoned for any automobile repair services. If you wish to petition for a rezoning of this property to support automobile repair services, I can assist you with that. However, as I mentioned in my letter, the proximity of the parcel to a historic residential neighborhood may not favor your rezoning petition. In my opinion, it would be best to identify a tenant who would use the building in a way that is compatible with the area.

Please reach out to me at your earliest convenience and we can discuss this.

Thanks,

Kyle Harris
Planning & Zoning Administrator
Town of Spencer
Office: (704)-633-2231 ext. 28
Cell: (704)-989-9471



[Quoted text hidden]



Zoning Verification - 200 S SALISBURY AVE.pdf
144K



Kyle Harris <kharris@townofspencer.com>

200 South Salisbury Avenue - Rezoning Process

2 messages

Kyle Harris <kharris@townofspencer.com>
To: tylerweant1@gmail.com

Fri, Aug 13, 2021 at 8:38 AM

Tyler,

I'm reaching out to help you navigate next steps as you consider petitioning for a rezoning of the property at 200 South Salisbury Avenue. As we discussed, the property is currently zoned C-29 which does not permit any automobile repair uses. In order to come into compliance with the Town's development ordinance, you will need to petition to rezone the property to VSR (Vehicle Services & Repair). I've established a deadline of Wednesday, September 1st, for you to submit a rezoning application.

Please find the Notice of Violation letter, attached. The letter is provided to establish the deadline and to provide guidance on the steps you need to take to come into compliance. As long as you are working with the Town in good faith, we will not take action against you. However, we do need to take the necessary steps to bring the property use into compliance with the Town Code.

Please reach out to me by email if you have any questions or need additional guidance or support. Please be advised that I am working for the Town on a part-time basis. Therefore, I can best be reached by email and will respond as soon as I can.

I am also sending a hard copy of the attached letter by mail.

Warm regards,

Kyle Harris
Planning & Zoning Administrator
Town of Spencer
Office: (704)-633-2231 ext. 28
Cell: (704)-989-9471



3 attachments



200 S SALISBURY AVE - Notice of Violation - Attachments.pdf
688K



Spencer - Article 5 - Amendments.pdf
160K



Rezoning Application (Fillable).pdf
381K

Tyler Weant <tylerweant1@gmail.com>
To: Kyle Harris <kharris@townofspencer.com>

Fri, Aug 13, 2021 at 11:13 AM

10/27/21, 3:43 PM

Town of Spencer Mail - 200 South Salisbury Avenue - Rezoning Process

Kyle,

Thank you for your assistance in this process. I will get on this right away to get this zoning request submitted as soon as possible.

Thank you,

Tyler Weant
770-856-2370

[Quoted text hidden]

[Quoted text hidden]

Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to request and review by anyone at any time.

704-633-2231
townofspencer.com



Post Office Box 45
Spencer, NC 28159-0045

NOTICE OF VIOLATION

FOXX PROPERTIES GROUP LLC
4965 PHILLIP CREEK LN
SUGAR HILL, GA 30518-7898

August 13, 2021

Tyler:

Thank you for meeting with on Friday, July 23 to discuss your proposal to rezone the property at 200 South Carolina Avenue (PID 032 164) from C-29 (US Highway 29 Commercial) to VSR (Vehicle Service and Repair). On Wednesday, August 4, Spencer's Code Enforcement Officer, James Osborne, and I visited the subject property and met with your tenant, Michael King, to discuss his business. Based on that conversation, it does appear he intends to use the premises for an automobile repair use, so it will be necessary for you to proceed with a rezoning petition to bring the use into compliance with the Town's zoning standards moving forward.

As long as you are working with the Town in good faith to bring the use into compliance with the Spencer Development Ordinance (SDO), the Town will not take action against you for the non-compliant use of the property. To that end, this letter is to inform you that the use of the property at **200 South Salisbury Avenue (Rowan County Parcel ID # 032 164)** is in violation of the SDO – specifically, **Article 8 (Districts) – Table 8.1 – Table of Uses – Section 1 – General Uses**, which establishes that "Automobile Repair Services" is not a permitted use in the current C-29 zoning district. The use is permitted in the Vehicle Services & Repair (VSR) District, and therefore it will be necessary for you to petition to rezone the property to VSR to bring the use into compliance moving forward.

As the owner of the property, **you have until Wednesday, September 1st (09/01/21) to submit to the Planning & Zoning Administrator a Rezoning Application (Petition to Amend the Official Zoning Map) requesting to rezone the property from C-29 to VSR. An application form is enclosed with this letter.** If the rezoning application is not submitted by the established deadline, the Town will take further steps to enforce the requirements of the Spencer Development Ordinance, which may include levying civil penalties and seeking a court order from the Rowan County Courts requiring you to correct the violation.

To correct the violation, you must do the following: **submit to the Planning & Zoning Administrator by 09/01/21 a Rezoning Application (Petition to Amend the Official Zoning Map) requesting to rezone the property from C-29 to VSR.** Because the property is located near a residential zone, I am encouraging you to pursue the Conditional Zoning process, which allows the Town to negotiate with you certain restrictions or limitations on the use of the property to ensure there are not any harmful impacts to the surrounding neighborhood. These conditions may include, for example, limitations on the location of parked vehicles awaiting service; limitations on hours of operation; restrictions on noise levels, etc.

704-633-2231
townofspencer.com



Post Office Box 45
Spencer, NC 28159-0045

Please be advised there is a \$650 fee to petition for a Conditional Zoning (\$600 + 50 for advertising costs). The fee must be paid at the time you submit your application. Additional details and instructions on completing the application can be found on the Rezoning Application form. More information on the rezoning process can be found in Article 5 (Amendments to Development Ordinance and Zoning Map) of the Spencer Development Ordinance. A copy of Article 5 is also enclosed with this letter.

For the record, I do want to remind you that I issued a Zoning Verification Letter on May 7, 2021, informing you that the property was not zoned for any Automobile Repair use. See Exhibit A, attached. Therefore, the Town is extending you a courtesy by providing you an opportunity to correct the violation without taking action against you.

If you have any questions, please do not hesitate to call me at (704) 633-2231 EXT: #28 or email me at kharris@townofspencer.com. To access the full text of the Spencer Development Ordinance, please visit our website at <https://spencernc.gov/business-and-development/permits-plan-review/>. You can navigate to the SDO by selecting "Spencer Development Ordinance" on the menu at the left of the page.

Kyle Harris
Planning & Zoning Administrator
Town of Spencer, NC

704-633-2231
townofspencer.com



Post Office Box 45
Spencer, NC 28159-0045

NOTICE OF VIOLATION

FOXX PROPERTIES GROUP LLC
4965 PHILLIP CREEK LN
SUGAR HILL, GA 30518-7898

September 9, 2021

Re: Extension of Deadline from 9/1/21 to 10/27/21

Tyler:

The purpose of this letter is to update you on the status of the rezoning of the property at 200 South Salisbury Avenue (PID 032 164) from C-29 to VSR. In my previous letter to you dated August 13, I established a deadline of Wednesday, September 1, 2021, for you to submit a Rezoning Application to the Town to correct the zoning violation. However, **I am extending the deadline to Wednesday, October 27th (10/27/21). The purpose of the extension is to allow the tenant of the property, Michael King, additional time to complete the application.** Be advised that although you have authorized Mr. King to complete the application and to fulfill the various procedural steps, as the property owner, you remain ultimately responsible for ensuring the correction of the violation.

Therefore, provided the above, as the owner of the property, **you have until Wednesday, October 27th (10/27/21) to submit to the Planning & Zoning Administrator a Rezoning Application (Petition to Amend the Official Zoning Map) requesting to rezone the property from C-29 to VSR.** If the rezoning application is not submitted by the established deadline, the Town will take further steps to enforce the requirements of the Spencer Development Ordinance, which may include levying civil penalties and seeking a court order from the Rowan County Courts requiring you to correct the violation.

To correct the violation, you must do the following: **submit to the Planning & Zoning Administrator by 10/27/21 a Rezoning Application (Petition to Amend the Official Zoning Map) requesting to rezone the property from C-29 to VSR.** For more important information, please reference my earlier letter to you dated August 13.

If you have any questions, please do not hesitate to call me at (704) 633-2231 EXT: #28 or email me at kharris@townofspencer.com.

Kyle Harris
Planning & Zoning Administrator
Town of Spencer, NC



PLANNING & DEVELOPMENT SERVICES

**Rezoning Application****Petition to Amend the Official Zoning Map**

Spencer Town Hall • 600 South Salisbury Ave, Spencer NC 28159

Office: (704)-633-2231 ext. 28 • kharris@townofspencer.com

Petitions to amend the Official Zoning Map are considered by the Town according to the procedures established in Article 5 of the Spencer Development Ordinance (SDO), *Amendments to Development Ordinance and Zoning Map*. Applicants are required to read Article 5 prior to initiating the rezoning process. (Available at www.spencernc.gov.)

Pre-Filing Meeting Required. Applicants are required to meet with the Town's Planning & Zoning Administrator before filing a rezoning application to become more familiar with the applicable requirements and approval procedures.

Filing Deadline. Completed applications must be submitted by 12:00 noon on the 15th day of any calendar month to be considered at the next month's regular meeting of the Spencer Planning Board.

Incomplete Applications Not Accepted. A rezoning application will not be considered complete unless it contains or is accompanied by all information required on this application form and all necessary fees have been paid.

OFFICE USE ONLY		Rezoning Fee: General Use Zoning \$500 + \$50 advertising costs	Rezoning Fee: Conditional Zoning \$600 + \$50 advertising costs
Filing Date:			
Case #			
Fees Per Town Budget Ordinance			
REZONING REQUEST			
Existing & Proposed Base Zoning District		Rezoning Type (select one)	
Existing Zoning District:	☐ General	☐ Conditional	
Proposed Zoning District:			
<u>Note:</u> For information on the difference between General Use and Conditional Zoning, see SDO Section 5.4.			
GENERAL INFORMATION			
Property Address:		Rowan County Parcel ID:	
Deed Reference (book/page):		Property Size (in acres):	
Property Owner Name:		Property Owner Phone:	
Property Owner Email:			
Property Owner Mailing Address (City, State, Zip):			
APPLICANT INFORMATION (if different from owner)			
Applicant Name:		Applicant Phone:	
Applicant Email:			
Property Owner Mailing Address (City, State, Zip):			
SIGNATURE			
Signature of Applicant:			
Printed Name:		Date:	
<u>Note:</u> If the applicant is not the property owner, then the owner's notarized affidavit is required. See additional owner authorization requirements on the following page.			

OWNER AUTHORIZATION	
Select one:	
☐	The applicant is the property owner having a legal or equitable interest in the property.
☐	The applicant is an agent acting on behalf of the property owner(s) with an executed owner's affidavit. The affidavit clearly authorizes the agent to submit this application and to act on the owner(s) behalf in pursuing this rezoning. A copy of the owner's affidavit is attached. See requirements below.
☐	The applicant is an attorney acting on behalf of the property owner with an executed power of attorney.
☐	The applicant has an option to purchase/lease the property. A copy of the offer to purchase/lease is attached. An executed owner's affidavit is also required (see requirements below).
☐	The applicant is a resident of the Town's jurisdiction having a legal or equitable interest in land affected by the proposed amendment.
☐	The application is being initiated by the <i>Spencer Town Board of Aldermen</i> , the <i>Spencer Planning Board</i> , or the <i>Spencer Planning, Zoning & Subdivision Administrator</i> .
Owner's Affidavit Checklist (if affidavit required) <i>An owner's affidavit must be made under oath, property notarized and, at minimum including the following information:</i>	
☐	The property owner's name and, if applicable, the property owner's title and organization name.
☐	The address, Rowan County Parcel ID (PID), and Deed Book/Page Number of the property.
☐	A statement that the person listed as the property owner is the legal owner of the property described.
☐	The name of the person authorized to act on behalf of the property owner as the applicant. If applicable, the authorized person's title and organization name.
☐	A statement that the property owner, as legal owner of the described property, hereby gives authorization and permission to the authorized person, to submit to the Town of Spencer an application to rezone the described property.
☐	A statement that the property owner understands and acknowledges that zoning conditions must be signed, approved, and consented to by the property owner.
☐	The property owner's signature and the date the property owner signed the affidavit.
OTHER PROJECT CONTACTS	
Contact 1 Name:	Contact 1 Phone:
Contact 1 Email:	
Contact 1 Role/Involvement (<i>Please Describe</i>):	
Contact 2 Name:	Contact 2 Phone:
Contact 2 Email:	
Contact 2 Role/Involvement (<i>Please Describe</i>):	
ADDITIONAL DETAILS	
Use the space below to provide any additional details or information about your proposed rezoning that is not captured or specified elsewhere on this application form: _____ _____ _____ _____ _____ _____	

[illegible]

[illegible]

 REZONING CHECKLIST			
Site Plan Requirements	Completed by Applicant	Completed by Planning & Development Staff	
General Requirements – General Use or Conditional Rezoning	YES	YES	NO
1. I have referenced this Rezoning Checklist and by using it as a guide, I have ensured that the application form will be complete when I submit it to the <i>Planning & Zoning Administrator</i> .	☐	☐	☐
2. I have read the entirety of Article 5 (Amendments to Development Ordinance and Zoning Map) of the Spencer Development Ordinance. (Available on Town's website at www.spencernc.gov .)	☐	☐	☐
3. Pre-filing meeting (required per SDO Sec. 5.3-1).	☐	☐	☐
4. If applicable, the owner's notarized affidavit or power of attorney is attached, meeting the requirements outlined on p. 2 of this form. Any person designated by the owner(s) of the property included in the petition to serve as agent for the owner shall submit such authorization in writing with the application.	☐	☐	☐
5. Neighborhood meeting (required per SDO Sec. 5.3-1(B)). (The neighborhood meeting must be conducted prior to the date of the Board of Aldermen legislative hearing. It is also recommended, but not required, that this meeting also be conducted prior to Planning Board review. It is not required that the neighborhood meeting be conducted prior to submittal of this application.)	☐	☐	☐
6. Zoning Map Amendment fee (per Town Budget Ordinance). <u>General Use Rezoning Fee:</u> \$500 + \$50 for advertising costs <u>Conditional Zoning Fee:</u> \$600 + \$50 for advertising costs	☐	☐	☐
7. Completed Future Land Use Plan Analysis (Addendum #1)	☐	☐	☐
8. Completed application submitted to the <i>Planning & Zoning Administrator</i> . Retain a copy for your records.	☐	☐	☐
9. Not required but recommended: a survey of the property or area involved, and/or a legal description of the property or area.	☐	☐	☐
For Conditional Zoning Applications			
10. Completed zoning conditions, signed by property owner(s).	☐	☐	☐
11. The application clearly specifies the nature of the proposed development or land use and proposes conditions to ensure compatibility with surrounding land uses and consistency with adopted Town plans.	☐	☐	☐

Template Letter to Adjacent Property Owners & Neighborhood Landowners

Note: It is the responsibility of the petitioner to draft a notification letter, using this template as a basis, and mail it to adjacent property owners and owners of nearby properties in the neighborhood. At least ten (10) days prior to the scheduled neighborhood meeting date, the applicant must notify the owners of property about the meeting using the mailing addresses listed on the county property tax cards. Notice must be by first class mail or certified mail return receipt. If notification is to be by first class mail, the applicant must deliver the sealed, addressed, and stamped envelopes to the *Planning & Zoning Administrator* prior to the aforementioned 10-day period. If notification is to be by certified mail return receipt, copies of the return receipts shall be given to the *Planning & Zoning Administrator*.

Per SDO Sec. 5.3-1(B), it is required that the applicant for a zoning map amendment (rezoning) meet with representatives and/or landowners of the neighborhood in which the property for which the proposed map amendment (rezoning) is located. The applicant shall coordinate the time and date of the meeting to enable the Planning, Zoning, & Subdivision Administrator to attend and address procedural questions that arise. The neighborhood meeting shall be conducted prior to the date of the legislative hearing at which comments on the application will be heard. This meeting may be held either before or after, but not on, the date of the meeting at which the Planning Board review and recommendation is scheduled.

Date:

Re: (SITE LOCATION)

Neighboring Property Owners and Tenants:

You are invited to attend a neighborhood meeting on (MEETING DATE). The meeting will be held at (MEETING LOCATION, INCLUDING ADDRESS) and will begin at (TIME).

The purpose of this meeting is to discuss a potential rezoning of the property located at (SITE ADDRESS, PROPERTY DESCRIPTION, IDENTIFYING NEARBY LANDMARKS). This property is currently zoned (CURRENT ZONING DISTRICT) and I am proposing to rezone the property to (PROPOSED ZONING DISTRICT).

(Please provide a clear and detailed description of your proposed rezoning petition, including the nature of the proposed land use or development for which you are proposing the rezoning. Please also include a statement regarding any conditions or limitations on the use or development that you are proposing to ensure compatibility with surrounding uses/properties and consistency with adopted Town plans, including the Future Land Use Plan.)

The Town of Spencer requires that I facilitate a neighborhood meeting to meet with representatives and/or landowners of the neighborhood. The purpose of the meeting is to discuss the proposed rezoning, including the nature of the proposed land use or development, and to explore ways to ensure compatibility with surrounding uses and properties.

If you have any concerns or questions I (we) can be reached at: (CONTACT INFORMATION)

If you have further questions about the rezoning process, please contact the Town of Spencer's Planning & Zoning Administrator at kharris@townofspencer.com or (704)-633-2231 ext. 28.

Thank you.

(SIGNATURE)

This image shows a full page of white paper with horizontal dashed lines. The lines are evenly spaced and run across the entire width of the page, providing a guide for handwriting or typing. There are no margins, text, or other markings on the page.

Name

Address

Exhibit I: Applicant-Submitted Rezoning Application (September 21)

August 13, 2021

Owner's Affidavit

To Whom it may concern;

Address of Subject Property:

200 S. Salisbury Ave.

Spencer, NC 28159

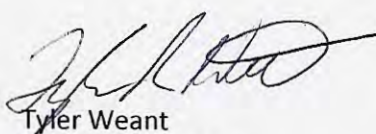
(PID) 032 164

(Deedbook/Page) 1234/859

Foxx Properties Group, LLC is the legal and rightful owner of the property located at 200 S. Salisbury Ave. Spencer, NC 28159, and as Managing partner Tyler Weant is authorized to act on behalf of Foxx Properties Group, LLC. The Owner, Foxx Properties Group, LLC., hereby grants authorization and permission to Michael King to submit to the Town of Spencer an application to rezone the above-described property.

The Property Owner, Foxx Properties Group, LLC., understands and acknowledges that zoning conditions must be signed, approved, and consented to by the property owner.

Authorized by:

 8/13/2021

Tyler Weant

Managing Partner

Foxx Properties Group, LLC

4965 Phillip Creek Ln.

Sugar Hill, GA 30518



Draft Conditions
(Not final language)
(Preliminary draft ONLY)

Case #: CZ-21-001

Address: 200 South Salisbury Avenue

Existing Zoning: C-29

Proposed Zoning: VSR

Clear & Detailed Statement(s) of Proposed Condition(s)

Limitation on Automobile Work Area:

- All auto work will be performed only in the work bay area located at the rear of the building. The work bay will be screened from view behind a 6' privacy fence or screening that meets the Town's standards. The work area will be totally screened from street view with fencing or a combination of fencing and screening vegetation, as permitted.
- No auto work will be carried out in the front or side yards of the building.
- No auto work will be performed in any location visible from the street or in any location that is not screened from view by an opaque privacy fence.

Limitation on Vehicle Storage Area(s):

- Applicant will remove all vehicles from the site that are not currently being serviced or awaiting service. Vehicles will not be parked or stored on the lot purely for display, except as provided below.
- There shall be a maximum of one (1) display car located on the property. The display car will be located in front of the building and will be parked on gravel or pavement (not on grass).
- The shop will implement a policy for vehicle storage. Specifically, the shop will have an internal written policy to store vehicles only in designated storage areas that are completely screened from view from the street. No cars will be parked on the 2nd Street side yard of the building in any circumstance.
- Cars being serviced will be located only in designated, properly screened vehicle storage areas on the west side of the building (screened with fencing) and in the rear of the building (screened with fencing, pending approval of a fence permit and alley closure request).

- The shop's front parking lot will be for employees or visitors only. The front parking lot will not be used for the storage of vehicles awaiting service.

Hours:

- The shop's hours will be limited from 10 AM to 5 PM, M-F, and 10 AM to 3 PM Saturday. The shop will be closed on Sundays. No work will be performed outside of these established hours.

Site & Landscape Improvements:

- Front parking area will be improved with paved concrete or crushed stone (gravel) meeting the Town's standards.
- Applicant will seek to close the existing front driveway (at corner of 2nd Street and Salisbury Avenue) and landscape the front side yard (corner) in a way that improves the overall appearance of the corner.
- (The Town will study making improvements to the 2nd Street/Salisbury Avenue intersection. The Town will study feasibility of installing planter or other landscaping improvements here.)
- Applicant will improve the 2nd Street side yard with additional landscaping, such as trees, bushes, flowers, etc.
- Applicant will plant bushes and other vegetation along any new portion of fencing to improve the appearance of and "soften" the fencing.

Public Alley Closure:

- Applicant will submit to the Town an alley closure petition and, if approved, will, with the consent of the adjacent property owner, install a fence to completely obstruct the rear storage/work area from view.



Kyle Harris <kharris@townofspencer.com>

Rezoning Meeting Follow-Up

Kyle Harris <kharris@townofspencer.com>
To: 704 customs <704customs@gmail.com>

Tue, Sep 21, 2021 at 3:06 PM

Mike,

Thanks for meeting with me today to discuss your proposed rezoning of the property at 200 South Salisbury Avenue from C-29 to VSR. As we discussed, the next step will be for you to facilitate a neighborhood meeting. In theory, you are responsible for organizing the meeting and meeting with neighbors to listen to their complaints. In practice, I will work with you to organize the meeting and I will offer to host the meeting at Town Hall. The meeting should ideally take place no later than mid-October. It should be in the early evening, maybe 6:00 or 6:30, preferably on a Tuesday or Wednesday.

The requirements for the meeting are outlined in SDO Sec. 5.3-1(B):

"(B.) Neighborhood meeting. It is required that the applicant for a zoning map amendment (rezoning) meet with representatives and/or landowners of the neighborhood in which the property for which the proposed map amendment (rezoning) is located as authorized by G.S. 160D-602(e). The applicant shall coordinate the time and date of the meeting to enable the Planning, Zoning & Subdivision Administrator to attend and address procedural questions that arise. The neighborhood meeting shall be conducted prior to the date of the legislative hearing at which comments on the application will be heard. This meeting may be held either before or after, but not on, the date of the meeting at which the Planning Board review and recommendation is scheduled."

Before the meeting takes place, you should determine the conditions you are willing to propose as part of the rezoning. The purpose of these conditions is to ensure compatibility with surrounding uses. You can offer any conditions that would limit the use or development of the property for the purpose of convincing the Planning Board and Board of Aldermen that the rezoning would not negatively impact surrounding properties or otherwise harm the public interest.

I've attached a list of the conditions we discussed. Please review the list and edit the list as needed. Feel free to add, remove, or change any conditions. Ultimately, you should only propose conditions that you can commit to. You should only propose conditions that you can reasonably carry out if your rezoning is approved. If you fail to carry through on these conditions, you (or the owner) risk fines and penalties from the Town.

Once we get the conditions nailed down, I will draft a letter to the neighborhood to organize the meeting. Please let me know by next Wednesday (9/29) your thoughts on the conditions. These don't have to be your FINAL list of conditions, but they should be a "starting point" to discuss with the neighborhood. The list we discussed is attached.

Finally, here's the general timeline moving forward:

- Mid-October: Neighborhood Meeting
- 11/08: Planning Board Review
- 12/14/21: Board of Aldermen decision (earliest)
- 1/11/21: Board of Aldermen decision (if delayed)

Let me know if I can provide any additional support or guidance in the meantime. I will circle back with you next week to decide on the list of conditions and maybe we can settle on a date for the neighborhood meeting in the next 1-2 weeks.

Thanks!

Kyle Harris
Planning & Zoning Administrator
Town of Spencer
Office: (704)-633-2231 ext. 28
Cell: (704)-989-9471 (text only)

Office Hours (Part Time): I am typically available on Mondays from 10:00-5:00, Tuesdays from 8:30-5:00, and Wednesdays from 8:30-12:00. If you are interested in submitting a permit or other land development application, please anticipate a lead time of about 2-3 weeks and plan your project well in advance. Spencer's Land Development Ordinance (SDO) and permit application forms are available on the Town's website at the following link: <https://spencernc.gov/business-and-development/permits-plan-review/>. If you have a permit, zoning, or development question, please send me a detailed email, including the property address and/or Parcel ID and all other relevant details.



2 attachments



Spencer - Article 5 - Amendments.pdf
160K



Proposed Conditions (Septmeber 21 2021.docx
17K



Kyle Harris <kharris@townofspencer.com>

Rezoning Meeting Follow-Up

Kyle Harris <kharris@townofspencer.com>
To: 704 customs <704customs@gmail.com>

Thu, Sep 30, 2021 at 11:33 AM

Hey Mike,

Just a reminder that I will need written confirmation from you that you agree to these proposed conditions, before we can organize the neighborhood meeting. Please carefully review the attached document, which reflects the proposed conditions we discussed at our in-person meeting. This is your opportunity to modify, delete, add, or otherwise amend that list of proposed conditions before we bring them to the neighborhood meeting. As I mentioned, you should only agree to conditions that you are able and willing to offer and which you believe you can reasonably follow through on.

At your convenience, please follow-up with me by email, with a written (typed) statement that you agree to these proposed conditions, as presented, or that you otherwise would like to modify them.

Thanks!

Kyle Harris
Planning & Zoning Administrator
Town of Spencer
Office: (704)-633-2231 ext. 28
Cell: (704)-989-9471 (text only)

Office Hours (Part Time): I am typically available on Mondays from 10:00-5:00, Tuesdays from 8:30-5:00, and Wednesdays from 8:30-12:00. If you are interested in submitting a permit or other land development application, please anticipate a lead time of about 2-3 weeks and plan your project well in advance. Spencer's Land Development Ordinance (SDO) and permit application forms are available on the Town's website at the following link: <https://spencernc.gov/business-and-development/permits-plan-review/>. If you have a permit, zoning, or development question, please send me a detailed email, including the property address and/or Parcel ID and all other relevant details.



[Quoted text hidden]



Kyle Harris <kharris@townofspencer.com>

Rezoning Meeting Follow-Up

Kyle Harris <kharris@townofspencer.com>
To: 704 customs <704customs@gmail.com>

Fri, Oct 8, 2021 at 9:03 AM

Good morning Mike,

In order to place your rezoning application onto the Planning Board's November 8th meeting agenda (just one month away), it is very important that you send me written confirmation that you agree to the conditions we discussed at our meeting on September 21st. Like I mentioned in my previous email, now is your opportunity to "*modify, delete, add, or otherwise amend that list of proposed conditions before we bring them to the neighborhood meeting. As I mentioned, you should only agree to conditions that you are able and willing to offer and which you believe you can reasonably follow through on*". I've attached a copy of the proposed conditions to this email (Word doc).

In order to proceed on schedule, I am establishing a deadline for you to get me the requested information. **You have until Monday, 10/11/21, to do the following: email me a written confirmation of the conditions you are willing to agree to as part of your proposed rezoning application.** Please note: if you fail to submit written confirmation by 10/11/21, the Town may take further steps to enforce the Town's ordinances, including civil penalties or a court order -- let's try to avoid this!

Next week, you should also submit payment of the \$650 application fee. I will then schedule the neighborhood meeting and prepare letters to adjacent property owners.

Finally, I wanted to follow-up on the issue of parked vehicles on the property. I went by again this morning and noticed a half dozen vehicles parked on the 2nd Street side yard. (See photos attached.) I thought you agreed to remove these? At last night's Board of Aldermen meeting, I was grilled about your property (again). If you want to be seen as a "good neighbor", in my opinion you need to remove these vehicles on 2nd Street and make an effort to remove all vehicles on the lot that don't need to be there. I'm trying to work with you on this, but the Town's leaders are beginning to express frustration that I'm being too lenient with you.

Therefore, if I don't see progress on the removal of unnecessary vehicles, **I will order you to remove them or enforce fines/penalties against you.** Please let me know when is the earliest opportunity you can begin removing unnecessary parked vehicles on the lot. **If I don't see progress by Wednesday (10/13/21) next week, I will have no choice but to issue a Notice of Violation against you.**

I appreciate you working with me on these issues. Please let me know if I can provide any additional guidance.

Warm regards,

Kyle Harris
Planning & Zoning Administrator
Town of Spencer
Office: (704)-633-2231 ext. 28
Cell: (704)-989-9471 (text only)

Office Hours (Part Time): I am typically available on Mondays from 10:00-5:00, Tuesdays from 8:30-5:00, and Wednesdays from 8:30-12:00. If you are interested in submitting a permit or other land development application, please anticipate a lead time of about 2-3 weeks and plan your project well in advance. Spencer's Land Development Ordinance (SDO) and permit application forms are available on the Town's website at the following link: <https://spencernc.gov/business-and-development/permits-plan-review/>. If you

10/27/21, 5:50 PM

Town of Spencer Mail - Rezoning Meeting Follow-Up

have a permit, zoning, or development question, please send me a detailed email, including the property address and/or Parcel ID and all other relevant details.



[Quoted text hidden]

4 attachments



Proposed Conditions (Septmeber 21 2021.docx

17K



IMG_9908.HEIC

2031K



IMG_9909.HEIC

2273K



IMG_9910.HEIC

2164K

10/28/21, 9:01 AM

Town of Spencer Mail - Rezoning Meeting Follow-Up



Kyle Harris <kharris@townofspencer.com>

Rezoning Meeting Follow-Up

704 customs <704customs@gmail.com>

Fri, Oct 8, 2021 at 10:08 AM

To: Kyle Harris <kharris@townofspencer.com>

I agree to all these conditions right now

[Quoted text hidden]

[Quoted text hidden]

Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to request and review by anyone at any time.

MEETING RESCHEDULED: THE NEIGHBORHOOD MEETING ORIGINALLY SCHEDULED FOR TUESDAY, NOVEMBER 2ND, HAS BEEN RESCHEDULED TO WEDNESDAY, NOVEMBER 3RD AT 6:00 P.M., BECAUSE OF ELECTION DAY.



NOTICE OF NEIGHBORHOOD MEETING

RESCHEDULED TO WED. NOVEMBER 3RD AT 6:00 P.M.

**ZONING MAP AMENDMENT (CONDITIONAL REZONING)
200 SOUTH SALISBURY AVENUE
(ROWAN COUNTY PARCEL ID # 032 164)**

To: Neighboring Property Owner

From: Kyle Harris, Spencer Planning & Zoning Administrator

On behalf of Michael King, Rezoning Applicant, Tenant, 200 South Salisbury Ave.

Date: **October 21, 2021**

Re: Neighborhood Meeting for Proposed Rezoning of 200 South Salisbury Avenue

Pursuant to *Section 5.3-1(B)* of the Spencer Development Ordinance (SDO), you are hereby notified that the owner of the property located at **200 South Salisbury Avenue (Rowan County Parcel ID # 032 164)** has authorized the tenant of the property, Michael King, to submit to the Town of Spencer a Rezoning Application (Petition to Amend the Official Zoning Map) to rezone the subject property from the C-29 (US HWY 29 Commercial) District to the VSR (Vehicle Service & Repair) District for the purpose of operating a vehicle service business.

You are invited to attend a neighborhood meeting on **Wednesday, November 3, 2021**. The meeting will be held at **6:00 P.M.** at Spencer Town Hall, 600 South Salisbury Avenue, Spencer NC 28159. The purpose of this meeting is to discuss the potential rezoning, including the nature of the proposed land use and to explore ways to ensure compatibility with surrounding uses and properties. The applicant, Michael King, will attend the meeting and will be available to meet with representatives and/or landowners of the neighborhood.

For reference, the subject property is the 0.3-acre corner lot with a wood-paneled commercial building at the corner of Salisbury Avenue and 2nd Street, directly north-east of the Spencer Fire Station, and featuring a semi-circular gravel drive and front parking lot.

The subject property is currently zoned C-29 (US HWY 29 Commercial), for which “automobile repair services” is not a permitted land use. The applicant proposes to rezone the subject property to VSR (Vehicle Service & Repair), which would allow the tenant to lawfully operate an automotive restoration business. If the rezoning application is approved by the Town of Spencer, the use would be subject to the additional conditions established in SDO Section 10.1-4, which requires, among other requirements, that “all outdoor automobile...work areas and/or vehicle storage areas shall be screened from adjacent uses with a six (6) foot tall opaque fence and a type D buffer [with] plantings...on the exterior side of the fence” (SDO Article 10 – Page 3).

Additionally, pursuant to SDO Section 5.4 (Conditional Zoning), in order to ensure that the land use is compatible with neighboring uses, which are predominantly historic residential in nature, the applicant has proposed the following conditions/limitations as part of the application, which, if approved, would be legally binding:

Limitation on Automobile Work Area:

- All auto work will be performed only in the work bay area located at the rear of the building. The work bay will be screened from view behind a 6’ privacy fence or screening that meets the Town’s standards. The work area will be totally screened from street view with fencing or a combination of fencing and screening vegetation, as permitted.
- No auto work will be carried out in the front or side yards of the building.
- No auto work will be performed in any location visible from the street or in any location that is not screened from view by an opaque privacy fence.

Limitation on Vehicle Storage Area(s):

- Applicant will remove all vehicles from the site that are not currently being serviced or awaiting service. Vehicles will not be parked or stored on the lot purely for display, except as provided below.
- There shall be a maximum of one (1) display car located on the property. The display car will be located in front of the building and will be parked on gravel or pavement (not on grass).
- The shop will implement a policy for vehicle storage. Specifically, the shop will have an internal written policy to store vehicles only in designated storage areas that are completely screened from view from the street. No cars will be parked on the 2nd Street side yard of the building in any circumstance.
- Cars being serviced will be located only in designated, properly screened vehicle storage areas on the west side of the building (screened with fencing) and in the rear

Post Office Box 45 Spencer, NC 28159-0045. Office Telephone: (704)-633-2231.

<https://spencernc.gov/>

of the building (screened with fencing, pending approval of a fence permit and alley closure request).

- The shop's front parking lot will be for employees or visitors only. The front parking lot will not be used for the storage of vehicles awaiting service.

Hours:

- The shop's hours will be limited from 10 AM to 5 PM, M-F, and 10 AM to 3 PM Saturday. The shop will be closed on Sundays. No work will be performed outside of these established hours.

Site & Landscape Improvements:

- Front parking area will be improved with paved concrete or crushed stone (gravel) meeting the Town's standards.
- Applicant will seek to close the existing front driveway (at corner of 2nd Street and Salisbury Avenue) and landscape the front side yard (corner) in a way that improves the overall appearance of the corner.
- (The Town will study making improvements to the 2nd Street/Salisbury Avenue intersection. The Town will study feasibility of installing planter or other landscaping improvements here.)
- Applicant will improve the 2nd Street side yard with additional landscaping, such as trees, bushes, flowers, etc.
- Applicant will plant bushes and other vegetation along any new portion of fencing to improve the appearance of and "soften" the fencing.

Public Alley Closure:

- Applicant will submit to the Town an alley closure petition and, if approved, will, with the consent of the adjacent property owner, install a fence to completely obstruct the rear storage/work area from view.

If you have any concerns or questions, you can contact the rezoning applicant, Michael King, at (980)-330-7117 or 704customs@gmail.com.

If you have further questions about the rezoning process, please contact Kyle Harris, Spencer Planning & Zoning Administrator, at (704) 633-2231 ext. 28 or kharris@townofspencer.com.

Thank you,

Thomas Kyle Harris

Kyle Harris
Planning & Zoning Administrator
Town of Spencer, NC



Post Office Box 45 Spencer, NC 28159-0045. Office Telephone: (704)-633-2231.

<https://spencernc.gov/>

10.1-4 Automobile/Boat/Equipment Repair Service.

(A.) Zoning Districts where the additional standards for this use below are applicable are identified in Article 8, Table 8.1 of this Ordinance.

(B.) Standards.

- (1.) Vehicles awaiting repair shall not be parked in public right-of-way.
- (2.) No outdoor automobile/boat work areas are to be located in front yard setback area.
- (3.) All outdoor automobile/boat work areas and/or vehicle storage areas shall be screened from adjacent uses with a six (6) foot tall opaque fence and a type D buffer (see Article 11); plantings shall be on the exterior side of the fence.

10.1-5 Automobile Towing and Storage Service.

(A.) Zoning Districts where the additional standards for this use below are applicable are identified in Article 8, Table 8.1 of this Ordinance.

(B.) Standards.

- (1.) No more than 30 automobiles shall be stored at an automobile towing and storage service at a time.
- (2.) The automotive storage area must be screened with a six-foot-tall opaque fence and a type C buffer (see Article 11); plantings shall be on the exterior side of the fence.
- (3.) No outdoor disassembly or salvaging is permitted.

10.1-6 Bank, Savings and Loan, Credit Union.

(A.) Zoning Districts where the additional standards for this use below are applicable are identified in Article 8, Table 8.1 of this Ordinance.

(B.) Standards.

- (1.) Drive-through facilities shall be located at the rear of the building
- (2.) No more than 2 drive-through lanes shall be permitted
- (3.) Drive-through facilities shall be screened from adjacent uses with a type D buffer (see Article 11).
- (4.) ATM may be located at side or front of building only if a walk-up facility.

10.1-7 Batting Cages, Outdoor.

(A.) Zoning Districts where the additional standards for this use below are applicable are identified in Article 8, Table 8.1 of this Ordinance.



Kyle Harris <kharris@townofspencer.com>

SRU Utility Easement - Behind 200 South Salisbury Ave. (PID 032 164)

2 messages

Kyle Harris <kharris@townofspencer.com>

Tue, Oct 26, 2021 at 11:39 AM

To: Jason Wilson <jawils@salisburync.gov>, jason.wilson@salisburync.gov

Jason,

Thank you for reaching out about the potential alley closure behind 200 South Salisbury Avenue (Rowan County Parcel # 032 164) and the presence of an SRU utility easement there.

As I mentioned, the tenant of the property has submitted an application for a Conditional Rezoning (CZ-21-001) to rezone the property from C-29 (Commercial) to VSR (Vehicle Service & Repair) for the purpose of operating a vehicle service/restoration business, which will include a rear vehicle storage area.

As part of his application, he has proposed a number of conditions/limitations on the use of the property to ensure it is compatible with surrounding uses, which are largely historic residential in nature. Among his conditions are that the rear of the property will be used as a vehicle storage area that will be totally screened from view by a 6' fence with gates, requiring closure of the alley to build fencing in it:

- Limitation on Automobile Work Area: "all auto work will be performed only in the work bay area located at the rear of the building. The work bay will be screened from view behind a 6' privacy fence or screening that meets the Town's standards. The work area will be totally screened from street view with fencing or a combination of fencing and screening vegetation, as permitted."
- Limitation on Vehicle Storage Area: "Cars being serviced will be located only in the designated, properly screened vehicle storage areas on the west side of the building (screened with fencing) and in the rear of the building (screened with fencing)".
- Public Alley Closure: "Applicant will submit to the Town an alley closure petition and, if approved, will, with the consent of the adjacent property owner, install a fence to completely obstruct the rear storage/work area from view."

I've attached a (sketch) map that I drew up, showing the general area of the proposed vehicle storage area and new fencing (in red). Exact details will depend on the specific impact to and consent of the owner of 109 2nd Street with regard to placement of fencing, gates, and so on. Either way, the proposed screening plan would have the entire alley blocked.

You mentioned on the phone there is a utility easement here. My questions to you are:

- Does the presence of the utility easement prevent the applicant from building fencing that would obstruct access to the alley, as indicated on the map?
- Is there any work-around, that is, any way the applicant could meet the fencing/screening standards while still maintaining access to the easement?

Any input you can provide will be appreciated. The rezoning may hinge on whether the alley can be closed, because otherwise, it's not clear that the screening standards can be met.

Thanks,

Kyle Harris
Planning & Zoning Administrator
Town of Spencer
Office: (704)-633-2231 ext. 28
Cell: (704)-989-9471 (text only)

Office Hours (Part Time): I am typically available on Mondays from 10:00-5:00, Tuesdays from 8:30-5:00, and Wednesdays from 8:30-12:00. If you are interested in submitting a permit or other land

development application, please anticipate a lead time of about 2-3 weeks and plan your project well in advance. Spencer's Land Development Ordinance (SDO) and permit application forms are available on the Town's website at the following link: <https://spencernc.gov/business-and-development/permits-plan-review/>. If you have a permit, zoning, or development question, please send me a detailed email, including the property address and/or Parcel ID and all other relevant details.



2 attachments



Site Plan (for SRU Jason Wilson).pdf
209K



Proposed Conditions (Septmeber 21 2021.docx
17K

Jason Wilson <jawils@salisburync.gov>
To: Kyle Harris <kharris@townofspencer.com>

Wed, Oct 27, 2021 at 1:40 PM

Kyle,

Attached is a GIS map showing the approximate location of SRU's existing 2" waterline in the alley behind [200 South Salisbury Ave](#). To clarify, there is not currently an easement for this waterline since it is located within a public alley. An easement would be required if the alley is closed, in order for SRU to continue to operate and maintain the existing waterline. The proposed fencing, as shown, could potentially be agreeable to SRU due to the fact that the fence appears to be predominantly located at the edge of the current alley. I understand that a gate(s) is proposed that would allow access to the current alley, which would also allow SRU access to the waterline.

Prior to installation of the fencing, NC811 should be contacted in order to give SRU and other utilities the opportunity to mark the location of existing underground utilities in an effort to prevent damage.

Hope this helps. Feel free to call me with any questions.

Thanks,

Jason H. Wilson, P.E.
Assistant Utilities Director

10/28/21, 8:24 AM

Town of Spencer Mail - SRU Utility Easement - Behind 200 South Salisbury Ave. (PID 032 164)

Salisbury-Rowan Utilities || Administration



City of Salisbury || 1 Water Street, Salisbury, North Carolina 28144

Office: (704) 216-7553 || Cell: (704) 239-2296 || Fax: (704) 797-4038

jason.wilson@salisburync.gov || www.salisburync.gov/SRU

From: Kyle Harris <kharris@townofspencer.com>

Sent: Tuesday, October 26, 2021 11:40 AM

To: Jason Wilson <jawils@salisburync.gov>; Jason Wilson <jawils@salisburync.gov>

Subject: SRU Utility Easement - Behind 200 South Salisbury Ave. (PID 032 164)

CAUTION: *** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. ***

[Quoted text hidden]

Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to request and review by anyone at any time.



Spencer_PID032164.pdf
219K

Exhibit Q: Email Correspondence from Jason Wilson to Kyle Harris (October 27)



TM 032 P 164
200 S Salisbury Ave, Spencer



Please note: The information presented on this map is only approximate and results from the compilation of a variety of source materials. This map is not a legal description of property. The City of Salisbury and Salisbury-Rowan Utilities make no representation or warranty concerning the accuracy of the information presented in this map. This map is not a public record and reproduction or transmittal is prohibited.

1 inch = 40 feet
Map by SRU GIS 10/26/21

Exhibit Q: Email Correspondence from Jason Wilson to Kyle Harris (October 27)

TOWN OF SPENCER
NOTICE OF LEGISLATIVE HEARING
PROPOSED ZONING MAP AMENDMENT
CONDITIONAL REZONING CASE # CZ-21-001

Pursuant to the provisions of N.C.G.S. §160D-601, §160D-602, and Section 5.3-3 of the Spencer Development Ordinance (SDO), NOTICE IS HEREBY GIVEN that the Board of Aldermen of the Town of Spencer (“Town”) has scheduled a legislative hearing to obtain public comment(s) on a proposed amendment to the Spencer Official Zoning Map.

The owner of the property located at 200 SOUTH SALISBURY AVENUE (ROWAN COUNTY PARCEL ID # 032 164) has authorized the tenant of the property, Michael King, to submit to the Town a Rezoning Application (Petition to Amend the Official Zoning Map) to rezone the property from C-29 (US HWY 29 Commercial) to VSR (Vehicle Service & Repair) for the purpose of operating a vehicle service business. If the rezoning application is approved, the use would be subject to the additional screening and buffering conditions established in SDO Section 10.1-4 and other limitations mutually agreed to by the applicant and the Town to ensure that the use is compatible with surrounding land uses.

The legislative hearing will take place at the regular meeting of the Board of Aldermen on Tuesday, December 14, 2021, beginning at 6:00 P.M. at Spencer Town Hall, 600 South Salisbury Avenue.

You may attend the meeting in person or view the meeting through the Town’s YouTube livestream at: <https://www.facebook.com/TownofSpencerNC/>.

If you are unable to attend the meeting in person, you may provide a written statement to the Town Clerk by email to scraven@townofspencer.com, or submit by mail to Stacy Craven, Town Clerk, P.O. Box 45, Spencer NC 28159, at least 48 hours prior to the hearing. You must provide your name and address for the record. The written statement will be delivered to the Board of Aldermen prior to their vote. Please include Case # CZ-21-001 in the subject line.

To access the live stream audio, visit the town’s Youtube Channel accessible from spencernc.gov

Inquiries regarding the proposed rezoning may be directed to Kyle Harris, Spencer Planning & Zoning Administrator, P.O. Box 45, Spencer, North Carolina; or by telephone at 704-633-2231 ext. 28; or by email at kharris@townofspencer.com.

This the 9th day of November, 2021

BOARD OF ALDERMEN
SPENCER, NORTH CAROLINA

By: Stacy Craven, Town Clerk

AGENDA ITEM

Council Meeting Date: 11/09/2021

Agenda Item No: TBD	INSERT AGENDA ITEM HERE
Issue under Consideration:	Board to consider adopting a resolution to accept an offer from Roseman Real Estate & Construction, LLC, to purchase from the Town the property at 308 Cain Street (Parcel 036 032A) for \$6,000.00, which was the highest offer received during the 10-day upset bid period.
Current Status:	On July 13, the Board adopted a resolution authorizing the upset bid process for the sale of the parcel. The Notice of Sale was advertised in the Salisbury Post on July 25, and the 10-day upset bid period ended at 5:00 P.M. on August 4. The Town did not receive any upset bids. The Town Board of Aldermen must approve the final high offer before the sale is closed.
Points to Consider:	N.C.G.S. 160A-269 establishes the procedural requirements for conveying real property by negotiated offer and upset bids.
Financial Impact:	The Town will be paid \$6,000 for the sale of the property.
Options:	The Board can accept the offer, reject the offer, or negotiate the price subject to the upset bid procedures.
Recommendations:	Planning & Development Services recommends that the governing board accept the offer and sell the property to the highest bidder. The Board may at any time reject any and all offers and is not bound to accept the highest offer even after the upset bid process takes place. Bids can be disqualified at your discretion.
Department:	PLANNING & DEVELOPMENT SERVICES

ACTION TAKEN BY THE BOARD OF ALDERMEN

Motion Made By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Motion Seconded By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Results of Voting

For: _____

Against: _____

Passes: _____

Fails: _____

EXHIBITS (ATTACHED)

- A. Resolution Authorizing the Sale of Real Property at 308 Cain Street (Parcel 036 032A) to Roseman Real Estate & Construction, LLC, Pursuant to G.S. 160A-269
- B. Roseman's Offer to Purchase 308 Cain Street (Final Highest Offer)
- C. Legal Ad: Notice of Sale of Property by Upset Bid (advertised in Salisbury Post on July 25, with the upset bid period ending at 5:00 P.M. on August 4, 2021)



MAYOR & BOARD OF ALDERMEN

Post Office Box 45 Spencer, NC 28159-0045
704.633.2231 Ofc.
704.633.3837 Fax
<http://www.ci.spencer.nc.us>

RESOLUTION 21-027 FOR THE TOWN OF SPENCER

**A RESOLUTION AUTHORIZING THE SALE OF REAL PROPERTY AT 308 CAIN STREET
(PARCEL 036 032A) TO ROSEMAN REAL ESTATE & CONSTRUCTION, LLC,
PURSUANT TO G.S. 160A-269**

WHEREAS, the Town of Spencer owns certain property, 308 Cain Street (Parcel 036 032A); and

WHEREAS, North Carolina General Statute § 160A-269 permits the Town to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, the Town received an offer to purchase the property described above, in the amount of \$6,000.00, submitted by Roseman Real Estate & Construction, LLC; and

WHEREAS, on July 13, 2021, the Town Board of Aldermen adopted a resolution authorizing the sale of the subject property through the upset bid procedure established in G.S. § 160A-269; and

WHEREAS, the required Notice of Sale was published in the Salisbury Post on July 25, 2021, and the 10-day upset bid period ended at 5:00 P.M. on August 4, 2021; and

WHEREAS, the Town did not receive any upset bids during the 10-day upset bid period, and the initial offer of \$6,000, submitted by Roseman Real Estate & Construction, LLC, remains the highest offer; and

WHEREAS, the Town Board of Aldermen must accept the final high offer before the sale is closed.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Board of Aldermen that:

1. The Spencer Board of Aldermen accepts the final highest offer from Roseman Real Estate & Construction, LLC, to purchase 308 Cain Street (Parcel 036 032A), for the amount of \$6,000.00, and hereby authorizes the sale of the property, as accepted.

Adopted this the 9th day of November, 2021 in Spencer, North Carolina.

Jonathan Williams, Mayor

Stacy Craven, Town Clerk

Offer to Purchase Real estate

Peter Franzese
Town of Spencer
PO Box 45

Spencer, NC 28159-0045

Roseman Real Estate & Construction, LLC

1302 Devonmere Place

Salisbury, NC 28144

Chris Roseman (704)640-6939/Chase Roseman (704)640-6946

6/14/2021

Parcel ID# 036 032A

308 Cain Street

Spencer, NC 28159

\$6,000 for the lot

We would like to purchase this piece of property with the use being a new construction single family residence. We have built several house in the Spencer area and would like to purchase these to keep new homes and house value up in the Spencer area. We have been in the construction business since 1976 focusing mainly on new construction single family residential housing, building in Spencer lets us further our portfolio of areas in the county we have built.

NOTICE OF SALE OF PROPERTY OWNED BY THE TOWN OF SPENCER

NOTICE IS HEREBY GIVEN that the Board of Aldermen of the Town of Spencer ("Town") has received an offer of \$6,000.00 for the purchase of certain real property owned by the Town of Spencer located at 308 Cain Street, Spencer, Rowan County, North Carolina, identified as Rowan County Tax Parcel 036 032A.

Persons wishing to upset the offer must submit their written upset bid to the office of the Spencer Planning & Zoning Administrator, P.O. Box 45, Spencer, North Carolina 28159 by 5:00 p.m., August 4th, 2021. At that time, the town clerk shall open the bids, if any, and the highest qualifying bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

To qualify as an upset bid, the offer must raise the existing offer 10% of the first one thousand dollars, and 5% of the remainder, or must be at least \$6,350.00. A qualifying upset bid must be accompanied by a deposit in the amount of 5% of the bid; the deposit may be made in cash, cashier's check, or certified check. The town will return the deposit on any bid not accepted and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The town will return the deposit of the final high bidder at closing.

Once a qualifying upset bid has been accepted, that bid will become the new offer. The new offer will be advertised, and the process continued until a 10-day period has passed without receipt of a qualifying upset bid.

The Town Board of Aldermen must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed. The Town reserves the right to withdraw the property from sale at any time before the final bid is accepted by the governing board, and the right to reject all bids at any time.

Inquiries regarding the sale may be directed to Kyle Harris, Spencer Planning & Zoning Administrator, P.O. Box 45, Spencer, North Carolina; or by telephone at 704-633-2231 ext. 28; or by email at kharris@townofspencer.com.

This the 25th day of July, 2021

BOARD OF ALDERMEN
SPENCER, NORTH CAROLINA

By: Stacy Craven, Town Clerk

AGENDA ITEM

Council Meeting Date: 11/09/2021

Agenda item no: TBD	INSERT AGENDA ITEM HERE
Issue under Consideration:	Board to consider adopting a resolution to accept an offer from Roseman Real Estate & Construction, LLC, to purchase real property jointly owned by the Town of Spencer and Rowan County, 608 South Carolina Avenue (Parcel 032 007), for \$8,250.00, which was the highest offer received during the upset bid period.
Current Status:	On July 13, the Board adopted a resolution authorizing the upset bid process for the sale of the parcel. The Notice of Sale was advertised in the Salisbury Post on July 25, and the 10-day upset bid period ended at 5:00 P.M. on August 4. The Town did not receive any upset bids. The Town Board of Aldermen must approve the final high offer before the sale is closed. The County Board of Commissioners will concurrently approve the final high offer.
Points to Consider:	N.C.G.S. 160A-269 establishes the procedural requirements for conveying real property by negotiated offer and upset bids.
Financial Impact:	
Options:	The Board can accept the offer, reject the offer, or negotiate the price subject to the upset bid procedures.
Recommendations:	Planning & Development Services recommends that the governing board consider adopting a resolution authorizing the upset bid procedure. The Board may at any time reject any and all offers and is not bound to accept the highest offer even after the upset bid process takes place. Bids can be disqualified at your discretion.
Department:	PLANNING & DEVELOPMENT SERVICES

ACTION TAKEN BY THE BOARD OF ALDERMEN

Motion Made By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Motion Seconded By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Results of Voting

For: _____

Against: _____

Passes: _____

Fails: _____

EXHIBITS (ATTACHED)

- A. Resolution Authorizing the Sale of Real Property at 608 South Carolina Avenue (Parcel 032 007) to Roseman Real Estate & Construction, LLC, Pursuant to G.S. 160A-269;
- B. Roseman's Offer to Purchase 608 South Carolina Avenue (Final Highest Offer)
- C. Legal Ad: Notice of Sale of Property by Upset Bid (advertised in Salisbury Post on July 25, with the upset bid period ending at 5:00 P.M. on August 4, 2021)
- D. Minutes of the Rowan County Board of Commissioners Meeting on July 19, 2021, wherein the property at 608 South Carolina Avenue in Spencer was declared surplus and the upset bid process was authorized in coordination with the Town of Spencer.



MAYOR & BOARD OF ALDERMEN

Post Office Box 45 Spencer, NC 28159-0045

704.633.2231 Ofc.

704.633.3837 Fax

<http://www.ci.spencer.nc.us>

RESOLUTION 21-028 FOR THE TOWN OF SPENCER

**A RESOLUTION AUTHORIZING THE SALE OF REAL PROPERTY AT
608 SOUTH CAROLINA AVENUE (PARCEL 032 007)
TO ROSEMAN REAL ESTATE & CONSTRUCTION, LLC,
PURSUANT TO G.S. 160A-269**

WHEREAS, the Town of Spencer and Rowan County jointly own certain property, 608 South Carolina Avenue (Parcel 032 007); and

WHEREAS, North Carolina General Statute § 160A-269 permits the Town to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, the Town of Spencer and the Board of Commissioners for the County of Rowan have received an offer to purchase the property described above, in the amount of \$8,250.00, submitted by Roseman Real Estate & Construction, LLC; and

WHEREAS, on July 13, 2021, the Town Board of Aldermen adopted a resolution authorizing the sale of the subject property through the upset bid procedure established in G.S. § 160A-269; and

WHEREAS, on August 2, 2021, the Rowan County Board of Commissioners declared property located at 608 South Carolina Avenue in Spencer as surplus and authorized the upset bid process; and

WHEREAS, the required Notice of Sale was published in the Salisbury Post on July 25, 2021, and the 10-day upset bid period ended at 5:00 P.M. on August 4, 2021; and

WHEREAS, the Town did not receive any upset bids during the 10-day upset bid period, and the initial offer of \$8,250, submitted by Roseman Real Estate & Construction, LLC, remains the highest offer; and

WHEREAS, Rowan County has a 55% interest in the subject property, and will therefore receive \$4,537.50 from the sale; and

WHEREAS, the Town of Spencer has a 45% interest in the subject property, and will therefore receive \$3,712.50 from the sale; and

WHEREAS, the Town Board of Aldermen must accept the final high offer before the sale is closed.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Board of Aldermen that:

1. The Spencer Board of Aldermen accepts the final highest offer from Roseman Real Estate & Construction, LLC, to purchase 608 South Carolina Avenue (Parcel 032 007), for the amount of \$8,250.00, of which Rowan County will receive \$4,537.50 for its 55% interest in the property, and the Town of Spencer will receive \$3,712.50 for its 45% interest in the property, and hereby authorizes the sale of the property, as accepted.

Exhibit A: (Proposed) Resolution Authorizing Final Sale of 608 South Carolina Avenue

Adopted this the 9th day of November, 2021 in Spencer, North Carolina.

Jonathan Williams, Mayor

Stacy Craven, Town Clerk

Offer to Purchase Real estate

Peter Franzese
Town of Spencer
PO Box 45

Spencer, NC 28159-0045

Roseman Real Estate & Construction, LLC

1302 Devonmere Place

Salisbury, NC 28144

Chris Roseman (704)640-6939/Chase Roseman (704)640-6946

6/14/2021

Parcel ID# 032 007

608 S Carolina Av

Spencer, NC 28159

\$8,250 for the lot

We would like to purchase this piece of property with the use being a new construction single family residence. We have built several house in the Spencer area and would like to purchase these to keep new homes and house value up in the Spencer area. We have been in the construction business since 1976 focusing mainly on new construction single family residential housing, building in Spencer lets us further our portfolio of areas in the county we have built.

NOTICE OF SALE OF PROPERTY JOINTLY OWNED BY
THE TOWN OF SPENCER AND COUNTY OF ROWAN

NOTICE IS HEREBY GIVEN that the Board of Aldermen of the Town of Spencer ("Town") and the Board of Commissioners for the County of Rowan ("County") have received an offer of \$8,250.00 for the purchase of a parcel of property jointly owned by the Town and County located at 608 South Carolina Avenue, Spencer, Rowan County, identified as Rowan County Tax Parcel 032 007, which is more particularly described in Deed Book 1105, Page 298 of the Rowan County Registry, as follows:

One lot on the Northwest side of Carolina Avenue, BEGINNING at a stake, 50 feet, North 57 degrees 30' East from the West corner of the intersection of 7th Street and Carolina Avenue and runs thence North 57 degrees 30' East 50 feet with Carolina Avenue to a stake, corner of Lot No. 9; thence North 33 degrees 30' West 145 feet with the line of Lot 9 to an alley 10 feet wide; thence with said alley, South 57 degrees 30' West 50 feet to a stake, corner Lot No. 7; thence with line of Lot No. 7, South 33 degrees 30' East 145 feet to a stake, corner to Lot No. 7 on Carolina Avenue; to the BEGINNING being Lot No. 8 in the block bounded on the Northeast by 6th Street, on the Southwest by 7th Street; on the Northwest by Iredell Avenue and on the Southeast by Carolina Avenue in the town of Spencer, North Carolina.

Persons wishing to upset the offer must submit their written upset bid to the office of the Spencer Planning & Zoning Administrator, P.O. Box 45, Spencer, North Carolina 28159 by 5:00 p.m., August 4th, 2021. To qualify as an upset bid, the offer must raise the existing offer 10% of the first one thousand dollars, and 5% of the remainder, or must be at least \$8,712.50.

A qualifying upset bid must be accompanied by a deposit in the amount of 5% of the bid; the deposit may be made in cash, cashier's check, or certified check. Once a qualifying upset bid has been accepted, that bid will become the new offer. The new offer will be advertised and the process continued until a 10 day period has passed without receipt of a qualifying upset bid.

The Town and County reserve the right to withdraw the property from sale at any time before the final bid is accepted by both governing boards, and the right to reject all bids at any time.

Inquiries regarding the sale may be directed to Kyle Harris, Spencer Planning & Zoning Administrator, P.O. Box 45, Spencer, North Carolina; or by telephone at 704-633-2231 ext. 28; or by email at kharris@townofspencer.com.

This the 25th day of July, 2021

BOARD OF ALDERMEN
SPENCER, NORTH CAROLINA

BOARD OF COMMISSIONERS
OF THE COUNTY OF ROWAN

By: Stacy Craven, Town Clerk

By: Carolyn Barger, County Clerk

Greg Edds, Chairman
Jim Greene, Vice- Chairman
Mike Caskey
Judy Klusman
Craig Pierce



Aaron Church, County Manager
Carolyn Barger, Clerk to the Board
John W. Dees, II, County Attorney

Rowan County Board of Commissioners

130 West Innes Street • Salisbury, NC 28144
Telephone 704-216-8181 • Fax 704-216-8195

MINUTES OF THE MEETING OF THE ROWAN COUNTY BOARD OF COMMISSIONERS

July 19, 2021 – 6:00 PM

J. NEWTON COHEN, SR. ROOM

J. NEWTON COHEN, SR. ROWAN COUNTY ADMINISTRATION BUILDING

Present: Greg Edds, Chairman
Jim Greene, Vice-Chairman
Mike Caskey, Member
Judy Klusman, Member

Participating Remotely: Craig Pierce, Member

County Manager Aaron Church, Clerk to the Board Carolyn Barger, County Attorney Jay Dees, and Finance Director James Howden were also present.

Chairman Edds convened the meeting at 6:00 p.m.

Chaplain Michael Taylor provided the Invocation.

Chairman Edds led the Pledge of Allegiance.

CONSIDER ADDITIONS TO THE AGENDA

Chairman Edds added a request from Chris Sloop, Soil and Water, to apply for grant funding for creek debris cleanup from damages caused from Tropical Storm Eta.

Commissioner Greene moved, Commissioner Klusman seconded and the vote to add the issue to the Consent Agenda passed unanimously. (The item was added to the Consent Agenda as item AF).

CONSIDER DELETIONS FROM THE AGENDA

There were no deletions from the agenda.

CONSIDER APPROVAL OF THE AGENDA

Commissioner Klusman moved, Commissioner Greene seconded and the vote to approve the agenda as amended passed unanimously.

Equal Opportunity Employer

CONSIDER APPROVAL OF THE MINUTES

Commissioner Klusman moved, Commissioner Caskey seconded and the vote to approve the minutes of the June 21, 2021 Commission Meeting passed unanimously.

1. CONSIDER APPROVAL OF CONSENT AGENDA

Commissioner Klusman moved approval of the Consent Agenda as amended. The motion was seconded by Commissioner Caskey and passed unanimously.

The Consent Agenda consisted of the following:

- A. Contracts for Two (2) Assistant District Attorney Positions for FY 2022
- B. LFGCC System Project Contract Closeout Change Order No. 1 Blue Flame Crew
- C. Recycling Grant Approval Request Dept. of Environmental Management (Landfill)
- D. Golder FY-22 Compliance Monitoring & Consulting Services Proposal
- E. Request for Authorization to Operate Concessions Septic Installation at DNP
- F. FY22 Agreement NCDOT 5311 Community Transportation Rural Formula Grant Program
- G. RUQ Work Authorization for Land Acquisition and Relocation Services at Mid-Carolina Regional Airport
- H. Request to Reclassify Positions in Animal Services
- I. Signs for River Park at Cooleemee Falls
- J. First Amendment to Interlocal Agreement with City of Kannapolis
- K. Northwoods Quote
- L. Request to Execute Grant Documents - Eastern Wholesale Fence Project
- M. Amended Budget Ordinance
- N. Tax Refunds for Approval
- O. Request for Temporary Positions with state COVID19 funding 7-202
- P. Tax Refund for Approval
- Q. Bi-weekly Environmental Health Reporting Charts and Graphs_0709
- R. Purchasing of Vehicles for Sheriff's Department
- S. Luca's Hope Therapeutic Foster Care Contract
- T. Bayada Home Health In-Home Aide Contract
- U. Another Choice for Black Children Therapeutic Services Contract
- V. Request from Emergency Services to Accept RACE-CARS Trial Grant Funding
- W. Donation of Generator to Emergency Services
- X. First Amendment to Interlocal Agreement with City of Kannapolis
- Y. ADA Compliance Settlement Agreement
- Z. Declare Property Located at 608 South Carolina Avenue in Spencer as Surplus and Authorize Upset Bid Process
- AA. Rowan One Church One Child Grant
- AB. Lease for Probation and Parole
- AC. Schofield 2015 Lease First Amendment for Probation/Parole
- AD. NC AT&T Memorandum of Agreement
- AE. Release RFP To Solicit Proposals from Registered Lobbyists To Work With Rowan County

704-633-2231
townofspencer.com



Post Office Box 45
Spencer, NC 28159-0045

AGENDA ITEM

Board Meeting Date: 11/09/021

(Attach relevant documentation)

Issue under Consideration:	Mayor and Board of Aldermen to consider authoring the Town Manager to execute a professional services agreement for design services and construction management for the Yadkin River Trailhead
Current Status:	Town Staff has solicited Request for Qualifications for design and construction management services for the Yadkin River Trailhead project. The deadline for submittal of qualifications is October 29, 2021 at 2:00 PM
Points to Consider:	Town staff will review submitted qualifications and will be prepared to recommend a designer / construction manager at the November 9, 2021 meeting of the Mayor and Board of Aldermen.
Financial Impact:	The cost for design services and construction management will be included in the overall project budget for the Yadkin River Trailhead. The project is being funded by a combination of philanthropic gifts, grants and community fundraising. The stated goal is to build the project with no dedicated funding from ad valorem taxes.
Options:	
Recommendations:	Staff recommends that the Mayor and Board of Aldermen receive the presentation regarding the qualifications received by the deadline and authorize the Town Manager to execute a Professional Services Agreement.
Department:	Special Projects Planning

Yadkin River Trailhead Project

Town of Spencer, NC

SUBMITTED BY:
Alfred Benesch & Company
OCTOBER 29, 2021



ALFRED BENESCH & COMPANY

TOWN OF SPENCER

YADKIN RIVER TRAILHEAD

Joe Morris
Special Projects Planner
Town of Spencer
600 Salisbury Avenue
Spencer, NC 28159
October 29, 2021

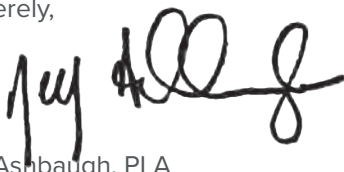
Dear Mr. Morris,

Delivering a premier trailhead for the Rowan County side of the Wil-Cox Pedestrian Bridge will require a team that is not only experienced in the development of trails and trailheads, but one that understands the needs of the Town of Spencer and how to seamlessly design the new trailhead with the aesthetic of the existing facilities. Alfred Benesch & Company (Benesch) provides exactly this as well as the following benefits:

- ✓ **Project Familiarity:** We provide you with a team that not only has vast trail experience, but understands this project site in a way that almost no other consultant does. Benesch has developed and designed elements of the surrounding Yadkin River Park including this very trailhead master plan, Wil-Cox Bridge, Yadkin River Memorial Park and the Fort York Master Plan. We understand the goals associated with connecting the local community to this trail and to the history of the region.
- ✓ **Grant Experience:** Benesch has assisted dozens of communities and agencies across North Carolina in obtaining PARTF and other funding sources, such as ARPA, Carolina Thread Trail, CWTF and LWCF. Our experience includes grant writing, site planning, cost estimates, community surveys and basic administration during design and construction. This assistance has led to over \$40 million in project development for public agencies. Such experience will be beneficial for the Town if they are awarded a grant in the future.
- ✓ **Local Government Expertise:** Benesch has worked with local governments not only across North Carolina, but along the entire Piedmont-Triad Region. We understand the intricacies of working with local municipalities while factoring in stakeholder coordination in order to best meet the specific needs of various communities. We have also worked directly with the Town of Spencer on the Yadkin River Trailhead Master Plan and other projects including the Fred Stanback Educational Forest. This experience allows us to hit the ground running on this project, already understanding what your specific expectations are.

Thank you for the opportunity to submit our qualifications for this project. We have a great appreciation for the natural landscape and history of this region of North Carolina. We would be honored to continue to work alongside your staff to further the vision of this project.

Sincerely,



Jeff Ashbaugh, PLA
Senior Project Manager

Point of Contact:

Jeff Ashbaugh, PLA
Senior Project Manager
2359 Perimeter Pointe
Parkway, Suite 350
Charlotte, NC 28208
jashbaugh@benesch.com
704-943-3171
www.benesch.com



Historic Trail Experience

Developing trails gives us the opportunity to not only connect communities with nature, but to expose them to the history of an area. We are fortunate enough to be located in a region that is rich in history. Having designed a large portion of Yadkin River Park, we understand how the park follows the routes of Native Americans, was likely crossed by George Washington and was the site of one of the final battles of the Civil War. We have had the pleasure of designing other historic parks and trails in the region as well. This includes the Catawba River Trail, which was also originally forged by Native Americans. Through this experience we have developed insight on how best to preserve the history of any area through design components and educational displays. We pride ourselves in telling the stories of the past while enabling the public to create their own stories today.

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WHO WE ARE

Since 1946, Alfred Benesch & Company has successfully completed thousands of planning, design and engineering projects throughout the United States. We enhance infrastructure and communities across the country—creating spaces and providing connections in ways that make a difference.

At Benesch, park planning is much more than a service we provide—it's our passion. Helping communities develop a common vision and organizational framework for their recreation goals is really quite fun, especially when you're good at it. We have designed hundreds of regional, community and neighborhood parks. We have planned over 250 miles of greenway trails and designed some of the region's finest sports facilities.

For decades, Benesch has built an impeccable reputation in park planning and site development. In fact, you'll be hard pressed to find another consultant with more experience. Our talented staff is ready to help you balance your goals and the functionality of outdoor spaces within the limits of your schedule and budget.



We understand the impact park planning can have on a community. Having performed hundreds of projects for local agencies throughout the Carolinas, we understand the importance of parks and recreation as they relate to a community's quality of life.

WHAT WE DO



Landscape Architecture



Water Services



Value Engineering



Municipal



Geotechnical



Roadway/Bridges



Buildings



Environmental



Site Development



Railroad



Aviation



Public Involvement

NORTH CAROLINA OFFICES

Charlotte | Raleigh | Wilmington



750 EMPLOYEES | 41 LOCATIONS | 19 STATES | **1 TEAM**

We routinely tap into our firm's high-level expertise to solve project challenges for clients across the country. Each of our offices benefit from the wealth of engineering, design and planning resources of the combined Benesch Team. Through proactive knowledge sharing, state-of-the-art communications technology and work sharing, we turn our nationwide capacity and expertise into high-value solutions for local infrastructure challenges.

Yadkin River Park - Rowan County Master Plan

Town of Spencer, NC



Background: The Town of Spencer, while working closely with project partners, is moving forward with plans to help fund the next phase of Yadkin River Park and Trailhead by pursuing grants and private donations. The proposed trailhead and linear park is located on the Rowan County side of the Wilcox Bridge, a re-purposed bicycle and pedestrian bridge spanning the Yadkin River.

Scope: Benesch assisted The Town of Spencer and “Dream Team” with a conceptual master site plan, cost estimates and grant support for the trailhead and linear park. The trailhead starts at the entrance to Wilcox bridge on the Rowan County side and ends +/-1,100 feet at Fieldcrest Cannon Lane.

Proposed facilities include a landscaped plaza with decorative paving, fencing, seat walls, decorative gateway features, small parking area and paved multi-use path.

Unique Features: The Town of Spencer’s new trailhead and park is one of the most well connected facilities in North Carolina. The trailhead will connect with the Yadkin River State Trail and Daniel Boone Heritage Canoe Trail by way of Wilcox Bridge, a riverwalk and York Hill Boat Access Area, which is a blueway canoe trail that extends 130 miles through nine counties.

Regionally, the trailhead will serve as an access point for the Future Piedmont Legacy Trail, the Carolina Thread Trail and the Highpoint regional Bikeway. Locally, the trailhead will provide access to Davidson County’s recently developed trailhead, Historic Fort York, Yadkin River Park and the surrounding community.

Key Issues

- Masterplan for future trailhead in Wilcox Bridge\Yadkin River Park corridor
- Coordination with Yadkin River Park stakeholders to facilitate project continuity
- Complimentary but distinct trailhead design within abandoned NCDOT right of way
- Linear park in a historic setting

Dates of Service

2/2020 - 7/2021

Project Cost

Design: \$10,500

Client Reference

Joe Morris
Special Projects Planner
Town of Spencer
704-640-7867
planner@townofspencer.com



Project partners enjoying a park event



Future site of the Yadkin River Trailhead - Rowan County

Yadkin River Trail/Wil-Cox Bridge Recreation Area

Davidson County, NC



Background: The Wil-Cox Bridge was the first public bridge to cross the Yadkin River, connecting Davidson County with Rowan County in piedmont North Carolina. The 1,300 foot long, two-lane concrete arch bridge (with seven open spandrel arch spans) was opened to traffic in 1924. In 1957, I-85 was constructed adjacent to the bridge and the Wil-Cox Bridge became the southbound lane for US 29/70 traffic. In 2000 NCDOT began plans to replace both the I-85 and the northbound US29/70 bridges and demolish the Wil-Cox Bridge.

In 2009, a grassroots effort was formed to preserve the bridge as a pedestrian connection between Davidson and Rowan Counties and to make the historical bridge the centerpiece of a regional trail system. In lieu of demolition, NCDOT offered to transfer ownership and maintenance of the bridge to Davidson County and give them the \$2.5 million budgeted for bridge demolition. In addition to opportunities for greenway development, the bridge offers potential economic impact through tourism by linking several area historic sites (Native American Trading Ford, Revolutionary War historic sites, and Civil War's Fort York) and providing links to the County's Blueway Master Plan and the Daniel Boone Heritage Canoe Trail. Future links to the NC Train Museum in downtown Spencer are also planned.

Scope: Benesch was selected to prepare a variety of professional services for this exciting project. The master plan established a vision for project development, provided a site plan for the recreation area, and developed cost estimates and a phasing strategy for construction. Since completion of the master plan, the County has procured grant funds from several sources.

Key Issues

- Historic site revitalization and preservation
- Procurement of grant funding
- Establishing connectivity to the regional trail system

Dates of Service

8/2016 - 6/2020

Project Cost

\$800,000

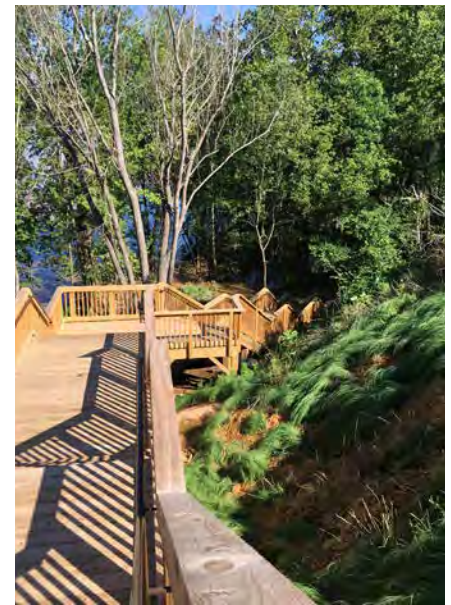
Client Reference

Mr. Thomas Marshburn
Davidson County Parks and Recreation
555-D W. Center St. Extension
Lexington, NC 27292
336-242-2958
thomas.marshburn@
davidsoncountync.gov

Yadkin River Trail/Wil-Cox Bridge Recreation Area

(cont.)

Davidson County, NC



The master plan included recommendations for converting the bridge into a pedestrian corridor across the river; creating a rare opportunity for walking, jogging, biking and viewing the river. The plan also included recommendations for long-term maintenance and preservation of the historic bridge. Using the masterplan as a guide, Benesch then completed detailed design documents, bidding and construction administration services for the park.

Unique Features: The Yadkin River Trail features and connects historic sites across the state of North Carolina. Adjacent to Wil-Cox Bridge lies the location of one of the final battles of the civil war – Fort York. Fort York is an important part of the history of the Yadkin River Trail, connecting Davidson County to the history of the area.

Continuing in the efforts to tell the history of the Yadkin River, the next phase of the newly created recreation area was to master plan the Fort York site for interpretation and preservation while connecting the area to the Wil-Cox Bridge gateway/Yadkin River Park. Benesch provided site assessment and analysis conceptual and master planning for the site, prepared budget estimates and conducted community engagement sessions.

Features of the Fort York Master Plan include: interpretative trails and observation areas placement, siting of a visitors center, restroom and picnicking facilities, and parking. An ADA trail has also been planned that connect the visitors center to the Wil-Cox Bridge/Yadkin River Park below the Fort York site.



Catawba River Trail and Trailhead

City of Rock Hill Parks, SC



Background: Benesch worked with the City of Rock Hill to design a two-mile segment of multi-use trail adjacent to the Catawba River and Manchester Creek. The 10' wide paved trail extension connects to the four-mile Riverwalk mixed-use development trail system. Combined, the six-mile Riverwalk and Catawba River Trail system is part of a network that will connect Fort Mill to Rock Hill.

Improvements included multi-use trail, 135' trail canopy in a Norfolk Southern Railroad right of way (Nations Ford railroad trestle), multiple creek crossings, two road crossings, signage and site furnishings.

Scope: Benesch assisted the City of Rock Hill with a variety of professional services. Scope of services included surveying, master planning, construction documents, permitting, and bidding. Permitting included hydraulic analysis, wetland delineation, and cultural resource identification survey.

Unique Features: This segment of greenway is rich in cultural resources. A Civil War gun emplacement and the Nations Ford Fish Weir is in close proximity to the trails.



Key Issues

- Development of a regional greenway along a major river
- Design and easement negotiations of a greenway in a Norfolk Southern Railroad

Dates of Service

2013 - 2021

Project Cost

\$1,000,000 (to date over several phases)

Client Reference

Mr. Rhea Faris
City of Rock Hill Parks,
Recreation & Tourism
Department
PO Box 11706
Rock Hill, SC 29731-1706
803-329-5567
rfaris@cityofrockhill.com



Fred Stanback Educational Forest & Preserve

Town of Spencer, NC



Background: The creation of the Fred Stanback Educational Forest and Preserve was made possible by a collaborative effort between the Land Trust of Central North Carolina, the Town of Spencer and many private donors. The project materialized when the recession of 2007 slowed home development and created an opportunity to preserve a 43 acre wooded site that was planned for residential development. Through the efforts of the Land Trust, private donations were raised to purchase the property and preserve it in the name of the Fred Stanback family; a family that has been instrumental in preserving thousands of acres of open space throughout the region.

Scope: Benesch worked with the Land Trust and the Town in the development of a master plan for the property and assisted in a successful Parks and Recreation Trust Fund grant that helped fund construction. With funding secured, Benesch worked with the Town to provide final design and construction administration services.

Unique Features: As a nature preserve, the primary focus of site improvements was to provide public access to the site with minimal impact to the natural features of the site. Parking areas, trails, and shelters were carefully located to minimize grading and tree removal. The site's mature trees and unique drainage patterns were maintained while allowing visitors to enjoy the beauty of the property.



Key Issues

- Minimize tree removal and land disturbance
- Sensitive handling of stormwater runoff from parking areas and trails, while designing facilities to last
- Administration of PARTF funding and negotiating changes to plan layout based on site conditions
- Working with adjacent property owners in a partnership that allows use of neighboring properties

Dates of Service

7/2015 - 7/2017

Project Cost

\$462,752

Client Reference

Mr. Reid Walters
Town Manager (Former)
276-773-3703



Irish Buffalo Creek Greenway

City of Kannapolis, NC

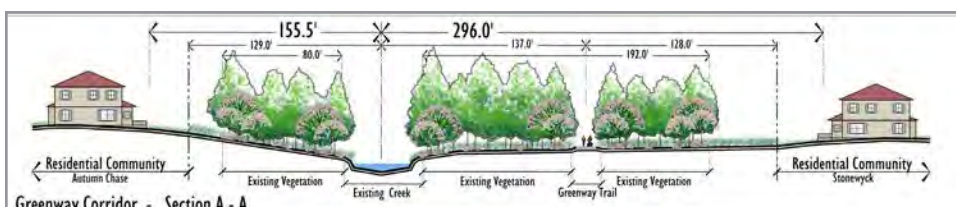


Background: In October 2008, the City of Kannapolis, Cabarrus Health Alliance, and the Cabarrus Childhood Obesity Prevention Coalition formed a partnership to plan the Irish Buffalo Creek Greenway. This scenic seven-mile greenway will meander along Irish Buffalo Creek and connect to the North Carolina Research Campus to the north and the Carolina Thread Trail to the south. The Irish Buffalo Creek Greenway will serve as the City of Kannapolis' leg of the Carolina Thread Trail. Grassy fields, woods, neighborhoods, schools, parks, and places of employment will border the greenway.

This creek-side greenway will encourage Kannapolis residents to walk, run, bike, and become more active by providing recreation opportunities that are close to home. This project is one of many strategies used by the City of Kannapolis and Cabarrus Health Alliance to reduce childhood obesity in Cabarrus County.

Scope: Benesch developed a master plan for this regional greenway. Multiple public workshops were held to develop the master plan. The master plan was used to obtain Clean Water Trust Funds to develop the first phase of the greenway (two miles). Benesch completed preparing detailed design plans for the first phase of the greenway and provided conceptual alignment layout, survey coordination, erosion and sedimentation control plans, structural engineering for three pedestrian bridges, boardwalks and NCDOT coordination.

Public Outreach Approach: Benesch worked closely with the City of Kannapolis during both the master plan phase and detailed design phase to host public meetings to help gain support for the project. Ultimately, this led to successful acquisition of easements from 23 affected property owners along the greenway.



Key Issues

- Conducted public meetings to gain public support for the project
- Land negotiations with property owners
- ±7 mile regional greenway master plan connecting numerous destinations with downtown
- Phase one greenway development funded by a ±\$2.3 million Clean Water Trust Fund Grant
- Complex greenway routing through existing sanitary sewer mains, transmission lines, gas mains and mixed use development

Dates of Service

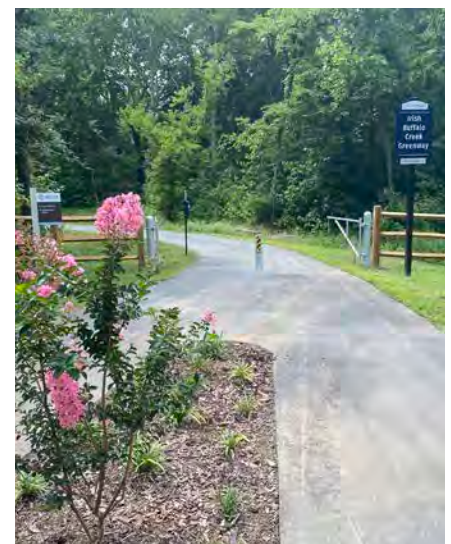
10/2018 - 3/2021

Estimate Project Cost

±\$2.3 million (phase one)

Client Reference

Mr. Gary Mills
Director
PO Box 1199
Kannapolis, NC 28082
704-920-4340
gmills1@kannapolisnc.gov



NC Finishing Plant Towers look down on the future trailhead



Senior Project Manager

Jeff Ashbaugh, PLA

4. Project Team

Led by Jeff Ashbaugh, PLA, our in-house team offers Spencer and its' Project Partners the creative and technical professionals needed to efficiently deliver your project on time and within budget. Learn more about our team on the following pages.



Landscape Architect

Paula Gornto, PLA



Project Engineer

Matt Blackmon, PE



Structural Engineer

Greg Stewart, PE

Work Commitments

Key Personnel	Work Commitments	Availability	Location
Jeff Ashbaugh, PLA	- Badin Park Masterplan Update - Reedy Creek & Paw Creek Greenways - Mecklenburg Co., NC - Frank Liske Park Barn Replacement CD's	50%	Charlotte, NC
Paula Gornto, PLA	- Southern Piedmont Community College - Landscape Plan - Scotland Memorial Hospital CD's - Frank Liske Park Barn Replacement CD's	55%	Charlotte, NC
Matt Blackmon, PE	- Mountainside Memorial Stadium Improvements - Thomasville Memorial Pool - Frank Liske Park Barn Replacement CD's	60%	Charlotte, NC
Greg Stewart, PE	- Paw Creek Greenway - NCDOT - I-40 CMGC Bridge Replacements - Rob Wallace Park Dam Improvements	45%	Raleigh, NC

Jeff Ashbaugh, PLA

Senior Project Manager



Carolina Thread Trail Segment

Mr. Ashbaugh has over 30 years of experience in landscape architecture in both the public and private sector. His experience ranges from master planning, site analysis, site design, and construction documents of park and recreational facilities, trails, athletic complexes and NCAA sport facilities. As a senior project manager, his expertise is on recreational design for all types of state, county, and local government park and trail projects.

Yadkin River Trailhead Master Plan -Town of Spencer, NC

Project Manager: Mr. Ashbaugh served as the project manager for the Trailhead masterplan on the Rowan County side of Wilcox Bridge. Proposed features include a landscape plaza with decorative paving, seat wall, gateway elements, small parking area, and trail. Mr. Ashbaugh's responsibilities included managing the design team, trail design, budget estimates, grant support and meetings.



Yadkin River Park, Wil-Cox Bridge Recreation Area - Davidson County, NC

Project Manager/Landscape Architect: Mr. Ashbaugh served as project manager and landscape architect for the development of the first phase of Yadkin River Park on the Davidson County side of Wilcox Bridge. Constructed features included decorative landscape plaza, picnic shelter, green infrastructure, stepped viewing deck down to the riverfront and other features. Mr. Ashbaugh's responsibilities included managing the design team, design, cost estimates, bidding and construction administration.



Fred Stanback Educational Forest and Preserve - Spencer, NC

Project Manager/Landscape Architect: As a nature preserve, the primary focus of development for this 43-acre site was minimal impact to the natural features. Parking areas, trails, and shelters were carefully located to minimize grading and tree removal. Mr. Ashbaugh's responsibilities included managing the in-house design team, detailed design, bidding, cost estimates and construction administration.

Catawba River Trail - Rock Hill, SC

Project Manager/Landscape Architect: Mr. Ashbaugh served as Project Manager and Landscape Architect for this two-mile segment of multi-use trail adjacent to the Catawba River and Manchester Creek. The 10' wide paved trail extension connects to the four-mile Riverwalk mixed-use development trail system. Combined, the six-mile Riverwalk and Catawba River Trail system is part of a network that will connect Fort Mill to Rock Hill. Improvements included multi-use trail, 135' trail canopy in a Norfolk Southern Railroad right of way (Nations Ford railroad trestle), multiple creek crossings, two road crossings, signage, and site furnishings.



Irish Buffalo Creek Greenway - City of Kannapolis, NC

Project Manager/Landscape Architect: Mr. Ashbaugh served as the Project Manager and Landscape Architect for this scenic seven-mile regional greenway. His responsibilities included managing the planning team, assisting with public involvement, preparing a site analysis and master plan report for the seven-mile corridor, and preparing preliminary design plans for the first ±2 miles of greenway from Orphanage Road to Rogers Lake Road.



Mecklenburg County - Briar Creek Greenway - Charlotte, NC

Project Manager/Landscape Architect: This Mecklenburg County greenway consisted of +/- 1-mile of greenway and stream restoration linking Eastover Park and Mint Museum with several neighborhoods. Mr. Ashbaugh's responsibilities included client contact, design coordination meetings, subconsultant coordination, easement documentation, public meetings, greenway design and directing in-house production team.

Mecklenburg County - Irvins Creek Greenway - Charlotte, NC

Project Manager/Landscape Architect: This Mecklenburg County project involved the planning and design of a 1.5 mile greenway adjoining Idlewild Road Park. Mr. Ashbaugh's responsibilities include client contact, greenway design, subconsultant coordination and directing in-house production efforts.

Education

Bachelor of Landscape Architecture, University of Georgia

Years of Experience: 30

Years with Benesch: 21

Registrations and Certifications

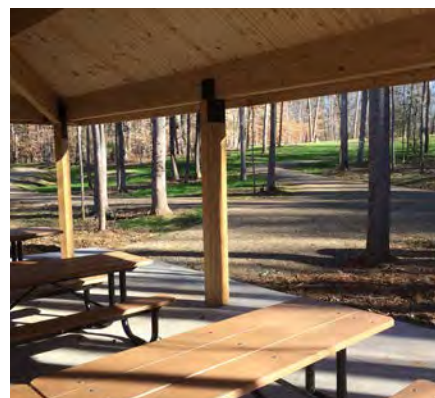
Professional Landscape Architect:
North Carolina - No. 943
Georgia - No. LA001849
South Carolina - LSA #1486

Trail Expert:

Mr. Ashbaugh has provided master planning, detailed design, budget estimates, and other services for over 100 miles of trails while employed at Alfred Benesch & Company.



Yadkin River Park Trailhead-
Davidson County



Fred Stanback Educational
Forest & Preserve

Paula Gornto, PLA

Landscape Architect

Ms. Gornto has over 34 years of experience in landscape architecture working with both the private and public sectors. She has taken projects from the schematic development phase through construction administration. Over the course of her career, she has gained extensive experience in creating outdoor spaces that are both functional and sensitive to their surrounding environment. Her skills include project management, site design, hardscape and landscape design.

- **Yadkin River Park Masterplan - Rowan County Side: Landscape Architect**
- **Yadkin River Park, Wil-Cox Bridge Recreation Area - Davidson County, NC Landscape Architect**
- **Eighth Street Greenway - Kannapolis, NC: Landscape Architect**
- **Washington Park - Lexington, NC: Landscape Architect**
- **Ocean Isle Beach Park Master Plan - Ocean Isle Beach, NC: Landscape Architect**
- **Appalachian State University - Founders Plaza - Boone, NC: Landscape Architect**
- **Frank Liske Park Barn Replacement: Landscape Architect**

Matt Blackmon, PE

Project Engineer

Mr. Blackmon has over 14 years of experience in Civil Engineering and has been involved in the development of plans for parks, schools, commercial and residential sites, and other infrastructure improvements. His design expertise includes sanitary sewer systems, water, roadway, erosion control, stormwater management and construction administration.

- **Catawba River Trail - City of Rock Hill, SC: Project Engineer**
- **River Park Recreation Area - City of Rock Hill, SC: Project Engineer**
- **City of Monroe - Bearskin Creek Greenway Phase III - Monroe, NC: Project Engineer**
- **City of Monroe - MAFC-PWAC Greenway - Monroe, NC: Project Engineer**
- **City of Monroe - Belk Tonawanda Park - Monroe, NC: Project Engineer**
- **Bruce Meisner Park - Hickory, NC: Project Engineer**
- **Rob Wallace Park Phase II - Midland, NC: Project Engineer**

Greg Stewart, PE

Structural Engineer

Greg Stewart, PE is a transportation project manager and structural/civil engineer. He specializes in providing engineering services to State DOT's, regional and local municipal government/agencies and private clients. Greg has worked on numerous transportation projects consisting of highway, roadway and bridge replacement and rehabilitation projects. Greg specializes in project management/oversight, structure analysis and design, structure plan development, project permitting including hydraulic analysis and environmental permitting, overall civil site design, quantity and cost estimates, feasibility studies, Value Planning/Engineering and constructability reviews.

- **Yadkin Memorial Pedestrian Bridge - City of Yadkinville, NC: Structural Engineer**
- **Irish Buffalo Creek Greenway - City of Kannapolis, NC: Structural Engineer**
- **Briar Creek Greenway Pedestrian Bridge - Mecklenburg County, NC: Structural Engineer**
- **Catawba River Trail - Rock Hill, SC: Structural Engineer**
- **Reedy Creek Greenway - Mecklenburg County, NC: Structural Engineer**
- **Irvins Creek Greenway - Mecklenburg County, NC: Structural Engineer**
- **Highland Branch Trail Greenway - City of Gastonia, NC: Structural Engineer**
- **Pilot Mountain State Park - Overlook Improvements - Pinnacle, NC: Project Manager**

Education

Bachelor of Environmental Design, Landscape Architecture, North Carolina State University

Years of Experience: 34

Registrations and Certifications

Professional Landscape Architect:
North Carolina - No. 591
Illinois- No. 157.001594
Iowa - No. 652

Education

BS, Civil Engineering, University of North Carolina - Charlotte

Years of Experience: 14

Registrations and Certifications

Professional Engineer:
North Carolina - 048826

Education

BS, Civil Engineering, Pennsylvania State University

Years of Experience: 19

Registrations and Certifications

Professional Engineer:
NC - 44086 | PA - PE074436
OH - PE77669

NCEES (National Council Examiners Eng & Survey)

SAVE Module I Value Engineering Workshop

SAVE Module II Value Engineering Workshop

NCDOT Erosion & Sediment Control/Stormwater Level II Certification



Proposed Work Plan

Yadkin River Park contains some of the most culturally rich landscape in the state of North Carolina. Tens of thousands of people drive past it every day and are unaware of the rich history that has taken place along the Yadkin River, just a few miles north of downtown Spencer. Fortunately, word of the park's uniqueness is starting to get out. This park is the culmination of years of planning and collaboration, and it has started to experience a steady flow of visitors since the first phase opened in 2019. While the park has great potential, there is still a lot of work left to do to optimize its potential.

Over the past two years the Town of Spencer and the Yadkin River Park Committee, a.k.a. Dream Team, has been diligently working on the Rowan County side of the park. The group has met regularly to plan the next phase of improvements, acquired land from the NCDOT, had a physical survey prepared for the trailhead, secured private donations and applied for grants to help fund improvements. Benesch has been fortunate enough to have assisted Spencer and the Dream Team with preparing a master site plan and a portion of the construction documents for the trailhead.



Enlargement of the Conceptual Site Plan for Entrance Plaza-Rowan County Side

We understand that Spencer is seeking a consultant to assist with completing the design and development of the trailhead. Careful planning and design are critical to the success of this project. Benesch has been involved with the project planning, design, and park development since 2014. This experience and project history provides us with not only unparalleled insight into the project, but the ability to provide seamless design continuity. We have assembled an experienced team of design professionals that have successfully delivered trail projects with trailheads, amenities and support facilities to public and private clients.

Project Manager **Jeff Ashbaugh, PLA** is backed by over 30 years of experience in all phases of trail design and construction. He has successfully delivered over 100 miles of trails and will lead the project from start to finish. Mr. Ashbaugh will work with the Town's Project Manager throughout the design process. He understands how trailheads fit together, how much they cost and how long it takes to build them.

This project will likely follow the design-bid-build delivery method. The following work plan describes a generalization of the appropriate steps needed to successfully complete the Yadkin River Trailhead Project.

1. Information Gathering/Project Start-Up

Since Benesch has already been involved in the project planning and design this step in the process will go quickly. Immediately after Spencer issues a Notice to Proceed, Benesch will resume design work on the trailhead. We already have all survey data, previous planning and design information, reports and other pertinent information to complete the design.

2. Coordination Meeting

The next step in the process will be a coordination meeting about project phasing. The meeting format can be informal,

held in person, virtually or by phone to the Town's desires. At this meeting we will:

- ✓ Discuss and confirm the proposed work plan, project goals, and project schedule.
- ✓ Receive an update from the Town on grant pursuits, private donations, and other funding sources. This information will be useful to confirm the budget and in determining project development phasing.
- ✓ Identify any preferences regarding the trailhead design (selection of materials, incorporation of logos, etc.)

The purpose of this meeting will be to provide Spencer the opportunity to voice opinions, goals (overall or project specific), needs and contribute any other relevant information. Through discussion the work session will quickly refine, resolve and confirm the trailhead development program. If desired, a design workshop can be held with the Yadkin River Park Committee for their input on material selection as deemed necessary by the Town.

At the completion of the meeting, Benesch will prepare Meeting Minutes that establishes and documents, the development program and budget. These minutes will include the following information:

- ✓ Project goals and objectives
- ✓ Project improvements and budget
- ✓ Material selection (decorative paving, logos, site furnishings, etc.)
- ✓ Project phasing

The meeting minutes will be submitted to Town staff for review, comment and approval. Once the proposed improvements and project phasing is satisfactory to the Town and the program and budget has been set, Benesch will finish design of the trailhead.



Site of future Yadkin River Park Rowan trailhead plaza

3. Preliminary Engineering - 30% Completion Level

We believe this step in the process will go quickly as well. In fact, we believe the current set of design documents that we have completed for the Town is at the 30% completion level. To date we have already completed these plans for the project:

- ✓ Demolition/Existing Conditions Plan
- ✓ Site Plan
- ✓ Grading Plan
- ✓ Landscape Plan

Proposed Schedule	2021		2022						
	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul
Designer Selection									
Information Gathering/Project Start-Up*									
Preliminary Engineering - 30% Completion									
Cost Estimate									
Design Review									
Preliminary Engineering - 60%									
Cost Estimate									
Design Review									
Final Engineering - 100% Completion									
Cost Estimate									
Design Review									
Permitting									
Bidding & Award									
Construction									

*Designer assumed date: The design team is flexible and can begin when works best for the Town.

Please note that this schedule is preliminary and can be adjusted as needed to work with grants and funding.

Educational Signage

COVID has shown us that education is continually changing and evolving. Our parks and trails can create great learning environments that withstand unforeseen developments. Educational displays serve as an effective and efficient tool to educate the public about the history of the landscape surrounding Wilcox Bridge.



For this phase of work we primarily anticipate refining the previously developed plans based on our coordination meetings. After plans have been revised (if needed) we will submit design documents to the Town with a budget estimate for review.

4. Preliminary Engineering - 60% Completion Level

After approval of the 30% plans by the Town, Benesch will continue to develop the design documents. During this phase, we expand our design assessment of the proposed program with a more detailed design for each component of the project.

We will continue to update the site plan, finalize the grading patterns for the plaza, size storm sewer piping, create seat wall profiles and elevations and work with the Town closely to select materials for the plaza, fencing, gateway features and site furnishings. We already have a good understanding of the material sources because of prior project involvement. We believe this continuity will be beneficial for the Town.

The 60% plans will be submitted to the Town with a budget estimate for review.

5. Final Engineering and Permitting— 100% Completion Level

Upon approval of the 60% complete plans and budget by the Town, Benesch will continue work on construction

documents. Plans will be finalized for the plaza, trail, landscape, erosion control, water line and other improvements. Construction details will be designed to complement the existing park development to date and highlight the scenic beauty of the natural landscape adjacent the trailhead. Detailed specifications will be prepared for all improvements. Once plans have been completed, Benesch will submit plans to all relevant review agencies including NCDOT (if necessary). Following the initial submittal, we will monitor the review process and respond to plan reviewer questions until permits have been secured.



A driveway permit for proposed parking and an encroachment permit may be needed for the trailhead

6. Design Reviews and Cost Estimates

Typically, at the end of each design milestone we will submit plans to the Town for design review with a cost estimate. In today's volatile construction climate, project cost change rapidly, and we believe in estimating cost frequently throughout the design process. After each design review, a design review meeting will be held between the Town and Benesch to ensure we have a solid understanding of the scope, budget, phasing and schedule. Usually, adjustments are made at each stage of design to position the project within budget. Meetings can be held in person or virtually as decided by the Town. Our project manager lives in Kannapolis and can easily swing by Town offices on short notice to provide immediate on site assistance or discussion.

7. Bidding

Following approval of remaining plans by the Town and regulatory authorities, Benesch will assist the Town during the bidding phase. Typically, this phase includes the following work:

- ✓ Packaging plans for various phasing scenarios
- ✓ Including alternates in the plans for portion of work
- ✓ Advertising the project for bid and distributing plans to bidders
- ✓ Conducting a pre-bid conference
- ✓ Responding to bidder's questions, issuing addenda as required to clarify bid documents
- ✓ Work with the Town to conduct the bid opening, tabulate bid, and recommend bid award
- ✓ Assisting in preparing and execution of the construction contract

8. Construction Administration

- ✓ We will tailor our services in this phase to meet the Town's needs. We anticipate providing the following services during construction:
- ✓ Leading a pre-construction meeting to discuss project administration, expectations, schedule, and other critical aspects of the project.
- ✓ Working with the Town and general contractor to meet regularly throughout the construction contract to observe, inspect, and document the progress of construction activities.

- ✓ Review and certify pay applications and shop drawing submittals
- ✓ Conduct general coordination, communication, project management, and administration.
- ✓ Assist in final job close out as needed: Coordinating, collecting, and furnishing all certificates of warranty, guarantees, etc.
- ✓ Coordinating, collecting, and forwarding record drawings from the contractor.
- ✓ Provide required certifications to local and state agencies.



Yadkin River Park-Davidson County Trailhead during plaza construction

Thank you!

We are proud of the work we have already performed to establish a park and trail that reminds the public of the history of the region while optimizing recreational opportunities to the community. The Benesch Team appreciates the opportunity to submit our qualifications to Spencer and continue to help develop this transformative site.



References

Thomas Marshburn

Davidson County Parks & Recreation - Director

555-D West Center Street Extension

Lexington, NC 27292

336-242-2958 | thomas.marshburn@davidsoncountync.gov

Project Collaborations: *Yadkin River Park Master Plan**, *Fort York Historical Site Master Plan**, *Wil-Cox Bridge Recreational Area**

Gary Mills

City of Kannapolis - Director

401 Laureate Way

Kannapolis, NC 28081

704-920-4340 | gmills1@kannapolisnc.gov

Project Collaborations: *Irish Buffalo Creek Greenway**, Master Plan Update, Eastside Park Master Plan, Westside Park Master Plan, Village Park, Baker's Creek Park Tennis Courts, Veterans Park, Dale Earnhardt Tribute, Safrit Park

Kyle Bilafer

Cabarrus County - General Services Director

16 Means Ave SE

Concord, NC 28025

704-305-9723 | kdbilafer@cabarruscounty.us

Project Collaborations: Buffalo Creek Preserve Land Acquisition, Rob Wallace Park, Government Center Plaza Landscape, Senior Center Site Improvements, Frank Liske Park Improvement projects

**Additional project details can be found beginning on page 4.*



Rob Wallace Park - Cabarrus County, NC

Benesch was commissioned in 2017 by Cabarrus County to design a new master plan for Rob Wallace Park after 40 acres were purchased to expand the park. After evaluating the existing park infrastructure and completing a thorough site analysis for the park, Benesch designed a practical master site plan that worked with the shallow bedrock conditions, floodplain, other environmentally sensitive areas, and phased park improvements in a logical sequence to work with budget requirements. Soon after completing the master plan, Benesch assisted the County with the second phase of park development. Presently, Benesch is designing phase 2B improvements. New facilities include a restroom and picnic shelter, playground, trails and parking. Services have included master planning, construction documents, permitting, bidding and construction administration.

THANK YOU!

You know us from our work together up to this point on the Yadkin River Park and Fred Stanback Educational Forest. Our reliability and commitment to your project speaks for itself on your own experience working with us. Please feel free to contact our other references provided both here and within our experience highlights beginning on page 4.



Legal & Safety

A detailed litigation history can be provided upon request. In summary, Benesch currently has four (4) open lawsuits:

- Three suits stem from construction-related personal injuries alleged to have been caused by errors or omissions; one of these suits involves a limousine accident that occurred in a construction zone; one suit was filed by a client for indemnification related to an injury sustained by a user of a facility that had been built, and another suit involves an injury sustained by a contractor's employee.
- One suit was filed after a combination of heavy rainfall (5.8") and the Contractor failing to properly maintain the construction site in accordance with the construction documents led to a flooding of 10 adjacent homes.

During the last five (5) years Benesch has been involved in an additional 19 lawsuits, which break down as follows:

- One suit was a nuisance suit filed – and then abandoned – by the resident of a client for whom Benesch prepared a structural evaluation report that resulted in the condemnation of the resident's property. Benesch and two of its employees were all dismissed from this case.
- Ten stemmed from construction-related personal injuries. Four of these suits were resolved through direct negotiations, four during mediation, and Benesch was dismissed from two of the cases.
- Four stemmed from construction-related property damage. Two of these suits were resolved through direct negotiations, one through mediation, and Benesch was dismissed from one of the cases.
- Four stemmed from alleged errors and omissions; one suit was filed by a client and originated with a company that was acquired by Benesch; two were filed by contractors, and one was filed by a client. All four of these suits were settled through mediation or direct negotiations.

Insurance

Benesch has the necessary insurance coverage for this project and can provide evidence of insurance at Town's request.

Financial Stability Statement

Benesch is a financially secure and stable firm. At the end of each fiscal year we have an auditor perform an independent review of all company financials. This audit is in accordance with standards generally accepted in the United States and requires the auditor to plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement. For our FY20 fiscal year, FGMK, LLC performed the independent audit and offered opinion that states "In our opinion, the financial statements present fairly, in all material respects, the financial position of Alfred Benesch & Company as of May 31, 2020 and May 26, 2019 and the results of its operations and its cash flows for the years then ended in conformity with accounting principles generally accepted in the United States of America". A copy of our audited financials is available upon request. Further attestation to the firm's health is Benesch's compliance with all banking covenants and agreements. A statement from the bank is available upon request.

Drug Free Work Place

Benesch understands that it is an absolute requirement of the Town that the project work site and work force be drug-free and that those working on the projects be free of prior or pending felony convictions. Our project manager will work with our HR team to obtain the necessary background checks should we be awarded this project.

704-633-2231
townofspencer.com



Post Office Box 45
Spencer, NC 28159-0045

AGENDA ITEM

Board Meeting Date: 11/9/2021

(Attach relevant documentation)

Issue under Consideration:	Consider approving various street closures related to the Tis the Season Spectacular Parade and Spencer Winterfest Events
Current Status:	Organizers for the A) Tis the Season Spectacular Parade and B) Spencer and Winterfest Events are requesting various road closures.
Points to Consider:	The Tis the Season Spectacular Parade is planned for November 24. A detailed listing of the requested closures is attached. N.C.G.S. 20-169 gives the Board of Aldermen authority to close State roadways such as Salisbury Avenue (US-29). NCDOT has confirmed no conflicts with the request. The Spencer Winterfest is organized by Spencer Partnership, and planned for December 3, 4, 10, and 11. The organizers are requesting a closure of 5th Street between Salisbury and Yadkin Avenues both weekends, beginning at noon on Friday and continuing through 10 p.m. on Saturday. Event organizers have communicated with nearby businesses and property owners about their request and received no objection.
Financial Impact:	N/A
Options:	
Recommendations:	As part of Consent Agenda, motion to approve various street closures as requested related to the Tis the Season Spectacular Parade and Spencer Winterfest Events
Department:	Town Manager and Police

Winterfest Permit Review - Meet Next Week?

Kyle Harris <kharris@townofspencer.com>
To: Peter Franzese <pfranzese@townofspencer.com>

Thu, Nov 4, 2021 at 12:40 PM

Peter,

Will you coordinate with the Aldermen tonight on the street closure request? To summarize, the event organizers are requesting the following:

- Proposal to close 5th Street from Salisbury Avenue to Yadkin Avenue from 12:00 (Noon) on Friday (12/3) to 10:00 PM on Saturday (12/4), AND from 12:00 (Noon) on Friday (12/10) to 10:00 PM on Saturday (12/11).

Other Details:

- 5th Street will remain physically inaccessible overnight Friday-Saturday both weekends. Water barriers and a large tent will block vehicular access through the street.
- However, Public Works will need to install other physical barriers to 5th Street overnight Friday-Saturday both weekends once the fire truck departs. The fire truck functions as the 5th Street barrier from Salisbury Avenue during the event.
- The water barriers in 5th Street at Yadkin Avenue will remain overnight Friday-Saturday both weekends. However, these barriers will need to be emptied and removed both Saturday nights at approximately 10:00 PM.

Kyle Harris
Planning & Zoning Administrator
Town of Spencer
Office: (704)-633-2231 ext. 28
Cell: (704)-989-9471 (text only)

Office Hours (Part Time): I am typically available on Mondays from 10:00-5:00, Tuesdays from 8:30-5:00, and Wednesdays from 8:30-12:00. If you are interested in submitting a permit or other land development application, please anticipate a lead time of about 2-3 weeks and plan your project well in advance. Spencer's Land Development Ordinance (SDO) and permit application forms are available on the Town's website at the following link: <https://spencernc.gov/business-and-development/permits-plan-review/>. If you have a permit, zoning, or development question, please send me a detailed email, including the property address and/or Parcel ID and all other relevant details.



[Quoted text hidden]

[Quoted text hidden]

Section IV: Street Closure Requests

Does your event require streets to be partially or completely closed?
If YES, please complete the information below.

☒ Yes

☐ No

NOTE: If requesting a street closure, a 60 day notice is required, prior to the date of the event.

☒ Site Plan/Map Attached

Please list any street(s) requiring temporary closure as a result of this event. Attach additional pages if necessary.

A) Street #1:

Street Name: Second St
Intersection(s): (start) Salisbury Ave (end) Whitehead Ave
Closure Date: (start) ~~11/17/21~~ 11/24/21 (end) ~~11/17/21~~ 11/24/21
Closure Time: (start) 11:30 (end) 1:45

Is this a total closure, or a partial lane closure?

Total closure, local traffic only, one way

B) Street #2:

Street Name: First St
Intersection(s): (start) Salisbury Ave (end) Whitehead Ave
Closure Date: (start) 11/24/21 (end) 11/24/21
Closure Time: (start) 11:30 (end) 1:45

Is this a total closure, or a partial lane closure?

Total closure, local traffic only, one way

C) Street #3:

Street Name: Newton St
Intersection(s): (start) Salisbury Ave (end) Whitehead Ave
Closure Date: (start) 11/24/21 (end) 11/24/21
Closure Time: (start) 11:30 (end) 1:45

Is this a total closure, or a partial lane closure?

Total closure, local traffic only, one way

Section IV: Street Closure Requests

Does your event require streets to be partially or completely closed?
If YES, please complete the information below.

☒ Yes

☐ No

NOTE: If requesting a street closure, a 60 day notice is required, prior to the date of the event.

☒ Site Plan/Map Attached

Please list any street(s) requiring temporary closure as a result of this event. Attach additional pages if necessary.

A) Street #1:

Street Name: Harrison St
Intersection(s): (start) Salisbury Ave (end) Whitehead Ave
Closure Date: (start) 11/24/21 (end) 11/24/21
Closure Time: (start) 11:30 (end) 1:45

Is this a total closure, or a partial lane closure?

Total closure, local traffic only, one way

B) Street #2:

Street Name: Jefferson St
Intersection(s): (start) Salisbury Ave (end) Whitehead Ave
Closure Date: (start) 11/24/21 (end) 11/24/21
Closure Time: (start) 11:30 (end) 1:45

Is this a total closure, or a partial lane closure?

Total closure, local traffic only, one way

C) Street #3:

Street Name: Oakwood Ave
Intersection(s): (start) Whitehead Ave (end) Pincroft Ln
Closure Date: (start) 11/24/21 (end) 11/24/21
Closure Time: (start) 11:30 (end) 1:45

Is this a total closure, or a partial lane closure?

Total closure, local traffic only, one way

Section IV: Street Closure Requests

Does your event require streets to be partially or completely closed?
If YES, please complete the information below.

☒ Yes

☐ No

NOTE: If requesting a street closure, a 60 day notice is required, prior to the date of the event.

☒ Site Plan/Map Attached

Please list any street(s) requiring temporary closure as a result of this event. Attach additional pages if necessary.

A) Street #1:

Street Name: North Whitehead Ave
Intersection(s): (start) Whitehead Ave (end) Forestdale Ave
Closure Date: (start) 11/24/21 (end) 11/24/21
Closure Time: (start) 11:30 (end) 1:45

Is this a total closure, or a partial lane closure?

Total closure, local traffic only, one-way

B) Street #2:

Street Name: Salisbury Ave
Intersection(s): (start) Jefferson St (end) 7th St
Closure Date: (start) 11/24/21 (end) 11/24/21
Closure Time: (start) 1:45 (end) 3:30

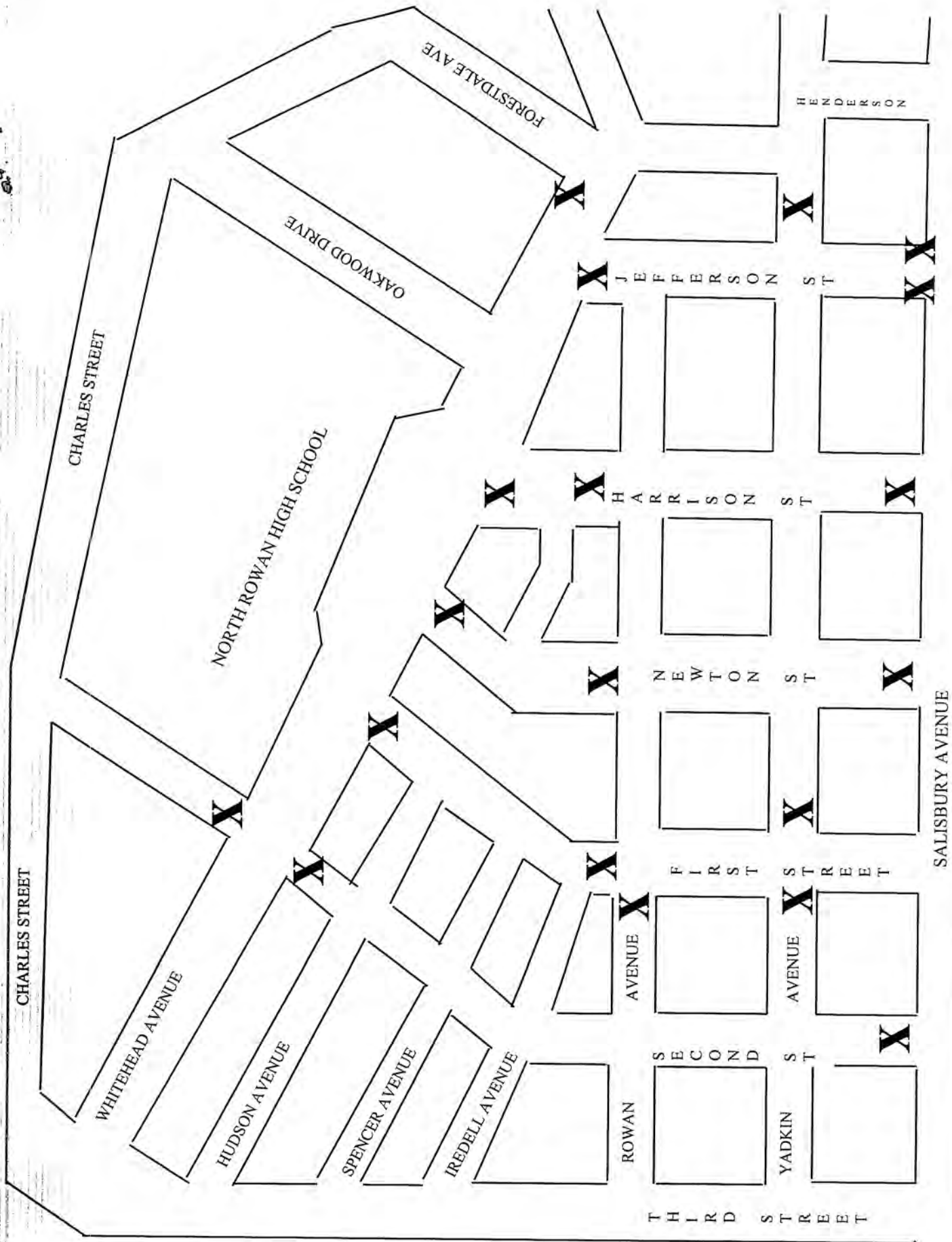
Is this a total closure, or a partial lane closure?

Total closure

C) Street #3:

Street Name: _____
Intersection(s): (start) _____ (end) _____
Closure Date: (start) _____ (end) _____
Closure Time: (start) _____ (end) _____

Is this a total closure, or a partial lane closure?



CONTRACT COMPLETION ADDENDUM

Natural Gas Generator

Whereas, the Town of Spencer (the "Town") and Vertex Construction, Inc. ("Vertex") have previously entered into that certain Construction Contract dated the 16th day of November, 2020 (the "Project"); and

Whereas, Vertex has achieved Substantial Completion of the Project; provided, however, the plans call for a natural gas generator to be installed but the generator is currently on back order due to manufacturing and logistical delays, and as such this delay in Project Completion has not been caused by either party to the Construction Contract; and

Whereas, the parties desire to avoid any delay in delivery of the Project beyond the current proposed date of November 19, 2021 and reasonably believe that the generator is the only remaining item for completion other than minor punch list items that will be addressed in the ordinary course of the Construction Contract; and

Whereas, the parties have proposed that Vertex will request a Temporary Certificate of Occupancy or Completion to allow the Town to begin use and occupancy of the Project; provided, Vertex will receive and install the natural gas generator within __ days of receipt of the same, at which time the parties will process final close out of the Project to the extent there remain any additional punch list or minor items for which Vertex is responsible to correct, repair or replace; and

Whereas, this change impacts the original Construction Completion Date, and Vertex and the Town desire this additional time to finalize the Project.

Now, therefore, Vertex and the Town hereby agree that Vertex shall have an additional _____ (__) days after delivery and receipt of the natural gas generator to complete the Project and procure a final Certificate of Occupancy or Completion without penalty, provided there are no other items causing this delay.

The is __ day of November, 2021.

Vertex Construction, Inc.

Town of Spencer, North Carolina

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