



City of Trinity
CITY COUNCIL MEETING

August 12, 2024 at 6:30 PM

Trinity City Hall Annex

AGENDA

NCGS § 143-318.17 Disruption of official meetings

A person who willfully interrupts, disturbs, or disrupts an official meeting and who, upon being directed to leave the meeting by the presiding officer, willfully refuses to leave the meeting is guilty of a Class 2 misdemeanor.

(1919, c. 655, s 1; 1993, c. 539, s. 1028; 1994, Ex. Sess., c. s. 14 (c).)

Action may be taken on agenda items and other issues discussed during the meeting

- 1. Call to Order; Welcome Guests and Visitors**
- 2. Pledge of Allegiance and Invocation**
- 3. Review, amend if needed, and approve Proposed Regular Agenda**
- 4. Public Comment Period**
- 5. Consent Agenda Items**
 - a. Approval of Regular Meeting Minutes of June 10, 2024**
 - b. Approval of Closed Session Meeting Minutes of June 10, 2024**
 - c. Approval of Special Called Meeting Minutes of June 27, 2024**
 - d. City of Trinity- Monthly Financial Position Review (*Finance Director Crystal Postell*)**
 - e. Resolution 25 - 01: Close out the State Capital and Infrastructure Grant (SCIF) and all accounts associated (*Finance Director Crystal Postell*)**
 - f. Annual Budget Amendment to Re-Appropriate Budgetary Authority Related to Encumbrances Outstanding as of June 30, 2024 (*Finance Director Crystal Postell*)**
- 6. Recognitions and Presentations**

a. **GFOA Distinguished Budget Award - 3rd Year Receiving** (*Finance Director Crystal Postell*)

7. Public Hearing

a. **Request for Variance PIN #7708058699 - 5638 Uwharrie Road** (*Planning Jay Dale*)

8. Action Agenda

a. **Request for Variance PIN #7708058699 - 5638 Uwharrie Road** (*Planning Jay Dale*)

b. **Request for Property Rezoning PIN #6798661434 - Corner of Mendenhall Rd. and Old Mendenhall Rd.** (*Planning Jay Dale*)

c. **Request for Property Rezoning PIN #7708323924 - 0 Surrett Dr.** (*Planning Jay Dale*)

d. **Amendment to the Steeplegate Lift Station and Force Main Project Budget** (*Finance Director Crystal Postell*)

e. **Designation of Distress Under the Viable Utility Program Resolution** (*City Manager Stevie Cox*)

f. **Resolution to Apply for a Sewer Asset Inventory and Assessment Grant** (*City Manager Stevie Cox*)

g. **Water Management Ordinance** (*Carrie Spencer, Municipal Services Inc.*)

9. Closed Session

a. **Closed Session - Personnel - Pursuant to NCGS 142-318(a)(6)**

10. Mayor, Council and City Manager Updates

11. Adjournment



City of Trinity
CITY COUNCIL MEETING

June 10, 2024
Trinity City Hall Annex

MINUTES

PRESENT

Mayor Richard McNabb
Mayor Pro Tem Bob Hicks
Councilman Tommy Johnson
Councilman Robbie Walker
Councilman Ed Lohr
Councilman Jack Carico

OTHERS PRESENT

City Manager Stevie Cox
City Clerk Darien Comer
Finance Director Crystal Postell
Public Services Director Rodney Johnson
Planning Director Jill Wood
Planning Jay Dale
Attorney Bob Wilhoit
Sgt. Ric D'Angelo

Mayor McNabb called the meeting to order at 6:30 PM.

Mayor McNabb led the Pledge of Allegiance and gave the Invocation.

Review, amend if needed, and approve Proposed Regular Agenda

Mayor Pro Tem Hicks made a motion to accept the agenda with the following amendments: 1) move the Closed Session for Legal to 4-a, 2) move item 7-g Welborn Rd. Streetlight to 7-a1 and 3) add the Friends of Trinity request to 7-d1. The motion was seconded by Councilman Johnson with a unanimous vote of 5 ayes and 0 nays. The motion passed.

Public Comment Period

Chad Long, inquired about an overpayment in fees for a \$1000.00. He has received \$400.00 of that refund. Three months have passed and wanted to know why there was a hold-up about the remaining \$600. Mr. Long sent an email to Jay Dale on May 13th to convert and approve a single-family house to a duplex that is on 34,000 sq. ft. which is bigger than any of the approved lots that they are building a duplex on. Mr. Long stated that he had emailed Jay every week or at least every other week, and his answer is he is waiting on Bob. He would like to have an answer. Attorney Wilhoit stated that he and Mr. Long's Attorney are in discussions on various points. Attorney Wilhoit stated that the City has already incurred expenses for the Variance Request (legal advertisements were published, adjoining property owners' notices have been mailed, etc.), however he will discuss with staff to determine if a refund is appropriate.

Lucy Rush at 5372 Grey Oak Rd, inquired about appointing someone to the Planning and Zoning Board. She also mentioned a conversation that she had with Councilman Lohr.

Closed Session - Legal - Pursuant NCGS 143-318.11(a)(3)

Mayor Pro Tem Hicks made a motion to go into Closed Session for Legal purposes pursuant to NCGS 143-318.11(a)(3). The motion was seconded by Councilman Walker with a unanimous vote of 5 ayes and 0 nays.

Mayor Pro Tem Hicks made a motion to close the Closed Session and return to Open Session. The motion was seconded by Councilman Johnson with a unanimous vote of 5 ayes and 0 nays.

Consent Agenda Items

- a. **Approval of Regular Meeting Minutes of May 13, 2024**
- b. **Finance Director's City of Trinity Financial Statements** (*Finance Director Crystal Postell*)
- c. **Budget Amendment to Align Budget for Fiscal Year End - Ordinance 24 - 10** (*Finance Director Crystal Postell*)
- d. **Establish the Trinity Parks and Recreation Master Plan Project - Project Ordinance 24 - 06** (*Finance Director Crystal Postell*)
- e. **Utility Audit Revision** (*Finance Director Crystal Postell*)

Mayor Pro Tem Hicks made a motion to approve the Consent Agenda Items. The motion was seconded by Councilman Johnson with a unanimous vote of 5 ayes and 0 nays.

Public Hearing

Request for Property Rezoning - PIN #6798661434 Corner of Mendenhall Rd. and Old Mendenhall Rd. (*Planning Jay Dale*)

Planning Jay Dale presented a summary of the Tracy Mahan request to rezone 2.33 acres located at the corner of Mendenhall and Old Mendenhall Rd. PIN# 6798661434 from R-40 to M1. It is the desire of the property owner to operate an outdoor storage yard for buses. On Monday, April 22, 2024, the Planning Board met and heard this request and unanimously recommended that the request be denied. Mr. Mahan is proposing the same zoning tonight but would also like to have conditions, 1) It would only be used as an

outside storage yard, 2) only buses would be placed on the storage lot not tractor trailers, 3) Screening would be provided as required by the Zoning Ordinance.

Speaking For:

Jonathan Cranford at 1367 Barker Drive, Randleman, was present to represent Tracy Mahan. The original intent was to put tractor trailers on this property, but the footprint is too small. The intent now is to use this lot for school bus storage. Mr. Cranford presented the dimensions of buses. Mr. Cranford stated that it is the responsibility of the State to determine adequate safety of the roads servicing this property. The hours for the lot would be 8:00 AM to 5:00 PM.

Speaking Against:

Jeff Brown at 5702 Cedar Post Street, concerned with larceny, transients and trees growing into the power lines. Mr. Brown spoke of his concerns with tractor trailers and road safety. He presented pictures of the area to the Council.

Tonya Riffe at 5728 Old Mendenhall Road, concerned with looking out her door and seeing a bunch of buses.

Barbara Riffe at 5728 Old Mendenhall Road, stated her concerns about the amount of traffic that tractor trailers and buses cause.

Brian Kirkman at 5741 Old Mendenhall Road, concerned with the traffic at this intersection.

Action Agenda

- a. **Request for Property Rezoning - PIN #6798661434 Corner of Mendenhall Rd. and Old Mendenhall Rd.** (*Planning Jay Dale*)

Councilman Johnson made a motion to Recess the Public Hearing to the next City Council meeting. The motion was seconded by Councilman Walker with a unanimous vote of 5 ayes and 0 nays.

- a-1 **Welborn Rd. Streetlight** (*City Manager Stevie Cox*)

The Council discusses removing or adding a shield to the streetlight at 5840 Welborn Rd. at Neil Green's residence. Neil Green was present and expressed his concerns for the streetlight across from his residence. He would like to have proof of who ordered the lights to be put up and when.

- b. **Planning and Zoning Board Member Appointment** (*Councilman Lohr*)

Councilman Walker made a motion to appoint Eddie Eaton to the Planning and Zoning Board. The motion was seconded by Councilman Carico and was approved by a unanimous vote of 5 ayes and 0 nays.

- c. **Sewer Use Ordinance - Tap Fees** (*Public Services Director Rodney Johnson*)

Rodney Johnson Public Services Director presented the Council with a revision to the City Sewer Ordinance that would place the responsibility of sewer tap installations on the property owner. Mr. Johnson explained that the owner would be required to obtain a sewer tap permit from the City at a cost of \$75. (This fee would be added to the City Fee Schedule and replace the sewer tap of \$3800). Mr. Johnson

stated that the property owner would be required to hire a licensed utility contractor, and the City would inspect the installation of the tap.

Councilman Carico made a motion to adopt the revision as presented and approved the fee changes. The motion was seconded by Councilman Walker with a unanimous vote of 5 ayes and 0 nays.

Dennis Pinnix with MSI, rescinded the three-year contract that had been submitted. He did not feel comfortable submitting the contract for three years. A one-year contract has been presented.

d. Fiscal Year 2024 - 2025 Contracts (*Finance Director Crystal Postell*)

- Planning (1-year Municipal Services, Inc) or Planning (3-year Municipal Services, Inc)
- Code Enforcement (State Code Enforcement, Inc.)
- IT Services (Municipal Services, Inc.)
- Digital Marketing, Social Media, and City Events (Archdale Trinity Chamber)

Mayor Pro Tem Hicks made a motion to approve the contracts subject to the approval of the City Attorney before they are executed. The motion was seconded by Councilman Carico with a unanimous vote of 5 ayes and 0 nays.

d-1 Friends of Trinity - Ordinance 24 - 11

Finance Director Crystal Postell provided a background. The Friends of Trinity requested to be heard by the City Council concerning their need for additional funding by the City. They asked for an increase of funding to include the Farmer's Market volunteer hours in both this fiscal year and next fiscal year budgets. The organization would like to increase the Fiscal Year 2024 - 2025 Annual Budget by \$1,100. Currently, the City of Trinity has an allocation of \$3,000 through Grants to Agencies and \$2,500 for Christmas in Trinity for the Friends of Trinity. If the City Council approves to increase the Friends of Trinity's allocation, it would be a total of \$6,600.

There was heated discussion between Council Members.

Friends of Trinity President Curtis Connor explained some of the things the Friends of Trinity do for the Trinity Community. The Farmers Market must be overseen and there are strict regulations on vendors.

Mayor Pro Tem Hicks made a motion to approve and adopt the increase of funding for The Friends of Trinity. The motion was seconded by Councilman Walker with a vote of 3 ayes and 2 nays, Councilman Lohr and Councilman Carico voted against the motion. The motion passed.

e. City Manager's Budget Statement for the Proposed Fiscal Year 2024 - 2025 Budget (*City Manager Stevie Cox*)

City Manager Stevie Cox presented his Budget Statement for the Proposed Fiscal Year 2024 - 2025 Annual Budget. On May 13, 2024, the City Manager made a formal presentation of the Proposed Fiscal Year Budget. A public hearing was held immediately after his presentation. There were no public comments for or against the proposed budget.

City Manager Cox stated that the overall proposed budget reflects an increase of \$597,076 (8.54%) for both the General Fund and Sewer Fund when compared to the 2023-2024 Fiscal Year Budget (\$6,993,024) versus 2024-2025 (\$7,590,100).

Mayor Pro Tem Hicks made a motion to approve the Budget that has been proposed with the addition of a 12% increase for the sewer fees for the coming year. The motion was seconded by Councilman Johnson with a unanimous vote of 5 ayes and 0 nays.

f. Trinity Parks and Recreation Master Plan Strategic Planning Gap Funding Request (City Manager Stevie Cox)

City Manager Stevie Cox presented the Council with a brief summary. In May 2024, the City Council approved and awarded the contract to Withers Ravenel for this project contingent upon the final approval of the contract by the City Attorney and to appropriate \$17,000 from the general fund to cover the remaining balance in the current fiscal year and for staff to apply for GAP funding from Randolph County Strategic Planning Grant. On June 3, 2024, the City Manager made a formal presentation of a Strategic Planning Funding Award Increase in the amount of \$34,000. After some discussion, Randolph County Commissioners awarded the City of Trinity \$17,000 in Gap Funding to cover the remaining cost of the Parks and Recreation Master Plan and an additional \$8,500 to cover the cost of marketing and miscellaneous costs related to this project.

Councilman Walker made a motion to accept the \$25,500 Strategic Planning Grant. The motion was seconded by Councilman Johnson with a vote of 4 ayes and opposed by Councilman Lohr. The motion passed.

Mayor, Council and City Manager Updates

Councilman Lohr expressed his concerns with the Ordinances, signs and building sidewalks to no where.

City Manager Stevie Cox reminded everyone about the Open House for the Randolph County Sheriff Substation on June 12, 2024, at 5:30 PM.

Mayor McNabb reminded everyone about the Friends of Trinity pancake breakfast at Trinity United Methodist Church 8:00 AM to 11:00 AM, on June 15, 2024.

Councilman Walker wanted it noted that even though he questioned the contract services amount, Mr. Walker said **For The Record**, *I'm not questioning your job performance, i think you do a great job for the City, and I appreciate you.*

Adjournment

Councilman Walker made a motion to adjourn. The motion was seconded by Councilman Carico with a unanimous vote of 5 ayes and 0 nays.

Attest:

Richard McNabb, Mayor

Darien P. Comer, City Clerk



City of Trinity
SPECIAL CALLED CITY COUNCIL MEETING

JUNE 27, 2024 AT 5:30 PM

Trinity City Hall Annex

MINUTES

PRESENT

- Mayor Richard McNabb
- Mayor Pro Tem Bob Hicks
- Councilman Tommy Johnson
- Councilman Robbie Walker
- Councilman Ed Lohr
- Councilman Jack Carico

OTHERS PRESENT

- City Manager Stevie Cox
- City Clerk Darien Comer
- Public Works Director Rodney Johnson

Mayor McNabb called the meeting to order at 5:30 PM.

Mayor McNabb led the Pledge of Allegiance and gave the invocation.

Revise the meeting schedule to cancel the July 8th 2024, Council Meeting

Councilman Carico made a motion to cancel the July 8th, 2024 Council Meeting. The motion was seconded by Councilman Lohr with a unanimous vote of 5 ayes and 0 nays.

Councilman Walker made a motion to adjourn. The motion was seconded by Councilman Carico with a unanimous vote of 5 ayes and 0 nays.

Attest:

Richard McNabb, Mayor

Darien Comer, City Clerk



MEMORANDUM

TO: Richard McNabb and City Council
FROM: Crystal Postell, Finance Director
CC: Stevie Cox, City Manager
DATE: 08/01/2024
SUBJECT: City of Trinity- Monthly Financial Position Review

Summary:

The Finance Department presents the City's Monthly Financial Position for June 2024. Please keep in mind that the statements presented have not been audited and are not finalized numbers.

Background:

The Finance Department will ensure the fiscal integrity of the City by exercising due diligence and control over the City's assets and resources while providing timely and accurate reporting under the guidelines of the Generally Accepted Accounting Principles (GAAP) and city regulations.

Recommendation:

Staff recommends that the City Council approve the presentation of the City's current financial position for both the General and Sewer Fund.

Attachment:

Budget versus Actual Statements for both the General and Sewer Fund

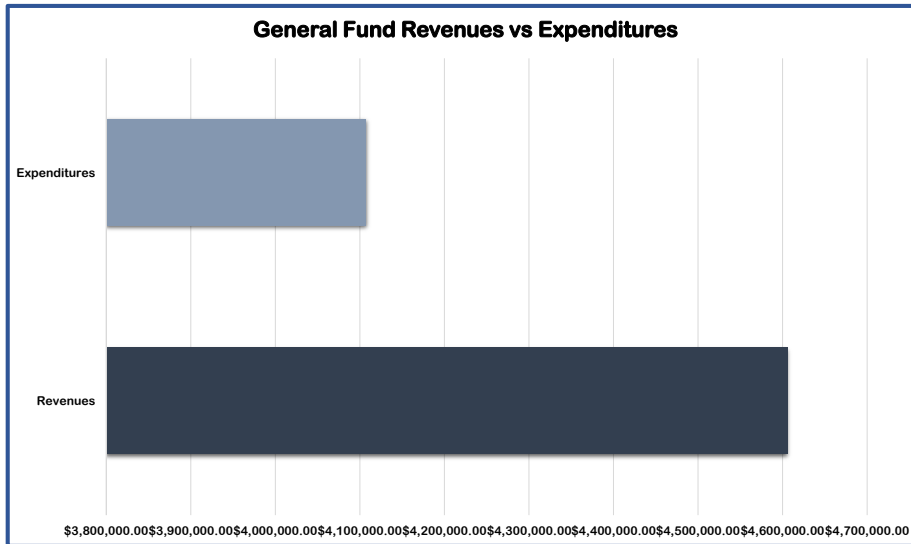


TRINITY

NORTH CAROLINA

General Fund Budget vs Actual Statement Ending on June 30, 2024

	<u>Budget</u>	<u>Actual</u>
REVENUES		
Powell Bill	\$ 175,600.00	\$ 191,821.77
Ad Valorem/ Vehicle Tax	\$ 1,019,300.00	\$ 984,580.08
Sales and Use Tax	\$ 1,888,802.00	\$ 2,492,655.13
Solid Waste	\$ 487,200.00	\$ 547,912.15
Other Taxes	\$ 320,700.00	\$ 277,662.97
Investment Earnings	\$ 28,000.00	\$ 71,695.60
Other Revenues	\$ 451,173.00	\$ 39,593.74
	\$ 4,370,775.00	\$ 4,605,921.44
EXPENDITURES		
Governing Board	\$ 58,900.00	\$ 41,961.91
Administration	\$ 485,600.00	\$ 420,484.12
Finance	\$ 279,220.00	\$ 277,493.38
Planning/Zoning	\$ 436,500.00	\$ 398,418.85
Public Buildings	\$ 239,400.00	\$ 233,384.75
Animal Control	\$ 29,200.00	\$ 28,596.90
Public Safety	\$ 469,662.00	\$ 469,117.99
Powell Bill	\$ 224,620.00	\$ 186,987.60
Street	\$ 148,500.00	\$ 151,867.31
Stormwater	\$ 272,450.00	\$ 204,223.56
Sanitation	\$ 527,200.00	\$ 543,072.88
Economic Development	\$ 10,600.00	\$ 6,794.00
General Fund Transfers-Sale Tax W/S	\$ 1,115,544.00	\$ 1,115,544.00
General Fund Transfers-City Hall Reserve		\$ -
Special Appropriation/Allocations	\$ 73,379.00	\$ 21,855.00
	\$ 4,370,775.00	\$ 4,107,268.32
		\$ 498,653.12

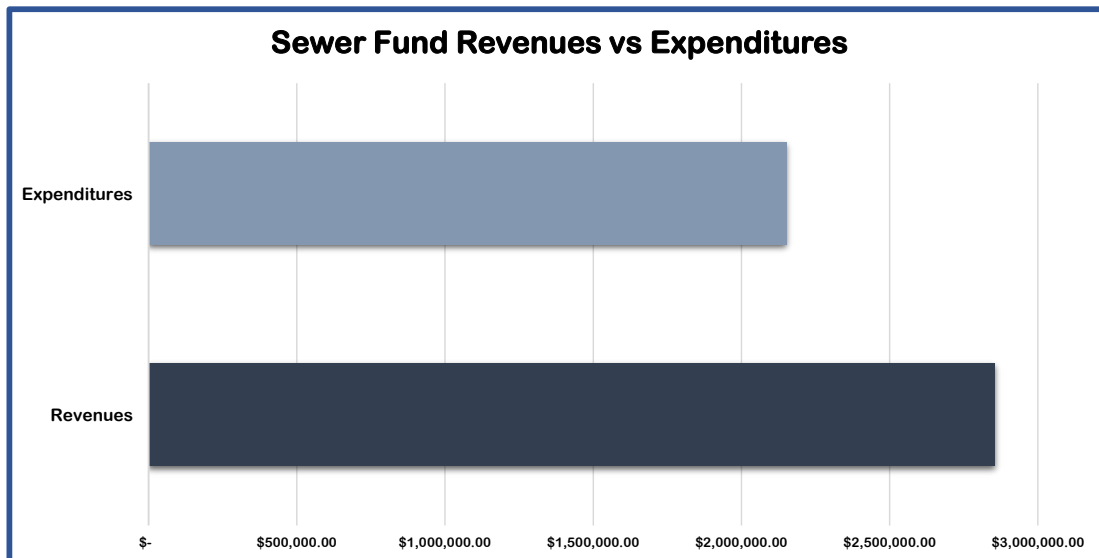


Note: The City of Trinity has collected about 105% of it's projected budgeted revenues. The City of Trinity has collected 9% of "Other Revenues" due to the City NOT utilizing its budgeted General Fund Appropriated Fund Balance . However, the City operational departments have only expensed about 94% of their total projected annual budgets. Currently, the City of Trinity has an estimated surplus of \$498,653.12 within the General Fund.



**Sewer Fund
Budget vs Actual Statement
Ending on June 30, 2024**

REVENUES		<u>Budget</u>	<u>Actual</u>
	Sewer Billing	\$ 1,267,875.00	\$ 1,341,648.27
	Sewer Tap Fees	\$ 44,000.00	\$ 107,300.00
	Investment Earnings	\$ 3,750.00	\$ 26,290.96
	Sales Tax Transfer In	\$ 1,115,544.00	\$ 1,115,544.00
	Other Revenues	\$ 463,909.00	\$ 265,321.79
		<u>\$ 2,895,078.00</u>	<u>\$ 2,856,105.02</u>
EXPENDITURES		<u>Budget</u>	<u>Actual</u>
	Sewer	\$ 2,895,078.00	\$ 2,151,793.82
		<u>\$ 2,895,078.00</u>	<u>\$ 2,151,793.82</u>
	 Surplus / (Deficit)		 <u>\$ 704,311.20</u>



Note: The City of Trinity has collected about 99% of it's projected budgeted revenues. However, the City operational departments have only expensed about 74% of their total projected annual budgets. Currently, the City of Trinity has an estimated deficit of \$704,311.20 within the Sewer Fund.



Memorandum

TO: Mayor and City Council Members

FROM: Crystal Postell, Finance Director

CC: Stevie Cox, City Manager

DATE: 07/31/2024

REF: Resolution 25 – 01: Close out the State Capital and Infrastructure Grant (SCIF) and all accounts associated.

Summary:

Grant Project Ordinance 25 – 01, to close out the North Carolina State Capital and Infrastructure Grant (SCIF).

Background:

The City of Trinity was awarded a grant in the sum of \$150,000 from the North Carolina Office of State Budget and Management in Fiscal Year 2022 - 2023. The performance period for the grant agreement was effective starting July 1, 2022, through June 30, 2024. The City of Trinity has allocated grant funds for both the purchase of a new generator at City Hill located at 5978 NC Hwy 62 in sum of \$50,000 and the renovations to the old City Hall located at 6701 NC Hwy 62 for the Trinity Sheriff Substation in the sum of \$100,000.

Both projects within the North Carolina Office of State Budget and Management were completed in April 2024. The last accounting reporting period was for June 2024 and all funds have been successfully expended according to the North Carolina General Statutes 143C-6-22 use of State funds non-State entities, 9 N.C.A.C. Subchapter 3M and the requirements found in S.L. 2022-74, Section 5.3; and 40.11.

Recommendation:

Staff recommends that the City Council adopts and approves Grant Project Ordinance 25 – 01.

Attachment:

Resolution 25 – 01
First Bank Account Statement



GRANT PROJECT ORDINANCE FOR THE CLOSING OF BOTH THE NORTH CAROLINA OFFICE OF STATE BUDGET AND MANAGEMENT PROJECT GRANT AND FIRST BANK’S SCIF CHECKING ACCOUNT.

RESOLUTION 25 – 02

WHEREAS, the City of Trinity City Council has previously adopted and approved the North Carolina Office of State Budget and Management notified the City of Trinity of an State Capital and Infrastructure Fund (SCIF) grant award in the sum of \$150,000

WHEREAS, the City of Trinity understands and acknowledges required compliance with all statutory provisions outlined in G.S. 143C-6-22 use of State funds non-State entities, 9 N.C.A.C. Subchapter 3M and the requirements found in S.L. 2022-74, Section 5.3; and 40.11 and has meet all requirements to completion of grant

WHEREAS, the City of Trinity has performed said project in accordance with the agreed upon scope of work.

NOW, THEREFORE, BE IT RESOLVED, by the City of Trinity City Council that the City is authorized to close the North Carolina State Capital and Infrastructure Grant from the North Carolina Office of State Budget and Management.

AND

RESOLVED THAT, the City of Trinity’s Banking Account ending in 6335 with First Bank be closed and the amount, if any, lying in the said account be returned to the City of Trinity’s Central Depository by way of issuance of Bankers’ Cheque payable to the City of Trinity or EFT to the Central Depository account ending in 6386. The following Trinity City Council be and are hereby severally authorized to do all such acts, deeds, and things and to sign all such documents, papers and writing as may be necessary in this regard.

RESOLVED FURTHER THAT, the Finance Director be and is hereby authorized to do all such acts, deeds, and things and to sign all such documents as may be required in connection with the closure of the said Account.”

RESOLVED FURTHER THAT, a certified true copy of the foregoing resolution be forwarded to First Bank for necessary action at their end.”

Adopted this 12th day of August 2024.

Richard McNabb, Mayor

SEAL

Darien Comer, City Clerk



FIRST BANK

CITY OF TRINITY
SCIR GRANT# 11891
5978 NC HIGHWAY 62
TRINITY NC 27370-7757

Statement Period: June 01, 2024 Thru June 30, 2024 Account Number: *****6335

Account Name	Account Number	Balance
BUSINESS ESSENTIALS	XXXXXX6335	.00
BUSINESS ESSENTIALS	CITY OF TRINITY	Acct XXXXXX6335
	SCIR GRANT# 11891	

Beginning Balance	6/01/24	22,000.00
Deposits / Misc Credits	0	.00
Withdrawals / Misc Debits	1	22,000.00
** Ending Balance	6/30/24	.00 **
Service Charge		.00
Average Balance		13,933
Average Collected Balance		13,933
Minimum Balance		0

MISCELLANEOUS DEBITS

Date	Amount	Activity Description
6/20	22,000.00	TRANSFER TO DD XX6386 TRANSFER CHECK RUN ON MAY 31 2024

DAILY BALANCE SUMMARY

Date	Balance	Date	Balance	Date	Balance
6/20	.00				

To Balance Your Checkbook

24-hour telephone banking: 888-518-4636
for balance inquiries, deposits posted,
checks paid and loan information.

Customer Service: 866-792-4357
Monday - Friday 7:00 a.m. - 8:00 p.m.
Saturdays & some Holidays 9:00 a.m. - 4:00 p.m.

**IMPORTANT INFORMATION
REGARDING YOUR ELECTRONIC TRANSFER ACCOUNTS**

Telephone Confirmation of Preauthorized Deposits
Deposits from your prearranged Direct Deposits, (which are made at least once every 60 days, from the same source) can be verified by calling the Customer Service number listed below during the hours specified.

**In Case of Errors or Questions About Your Electronic Transfers
(For Consumer Accounts Only)**

If you think your statement or receipt is wrong or if you need more information about a transfer on the statement or receipt:

Call our Customer Service Center at **1-866-792-4357**
Monday - Friday 7:00 a.m. to 8:00 p.m.
Saturdays & some Holidays 9:00 a.m. to 4:00 p.m.

Or, you may write to us at: **Customer Service Center
P. O. Box 10589
Greensboro, NC 27404**

We must hear from you no later than 60 days after we sent you the FIRST statement on which the error or problem appeared.

- (1) Tell us your name and account number.
- (2) Describe the error or the transfer you are unsure about, and explain as clearly as you can why you believe it is an error or why you need more information.
- (3) Tell us the dollar amount of the suspected error.

We will investigate your complaint and will correct any error promptly. If we take more than 10 business days to do this, we will credit your account for the amount you think is in error, so that you will have the use of the money during the time it takes us to complete our investigation.

1. Verify that all withdrawals and deposits shown on the front are recorded in your checkbook register. If you believe your statement contains an error or unauthorized transactions, promptly report the matter to us.		
2. List in your checkbook register all items which have not been included previously. <i>Examples: Checking account service charge for this month, automatic transfer or draft preauthorized by you, direct deposit of your paycheck, ATM or Debit card transactions.</i>		
3. Enter ending balance shown on this statement	\$	
4. List deposits made after "through" date shown on this statement	DATE	AMOUNT
5. Total of deposits made since statement "through" date		
6. Add line 3 and 5 and enter here		
7. List outstanding checks (checks not posted on this statement).	Check No. or Date	AMOUNT
8. Total of outstanding checks	\$	
9. Subtract line 8 from line 6 – This is the balance of your account.	\$	

IMPORTANT INFORMATION REGARDING YOUR CREDIT LINE ACCOUNT

HOW TO COMPUTE YOUR CREDIT LINE FINANCE CHARGE AND AVERAGE DAILY BALANCE

We figure the finance charge on your account by applying the daily periodic rate to the "average daily balance" of your account (including current transactions) for the number of days in the billing cycle. To get the "average daily balance" we take the beginning balance of your account each day, add any new advances, and subtract any unpaid interest and any payments or credits. This gives us the daily balance. Then, we add up all the daily balances for the billing cycle and divide the total by the number of days in the billing cycle. This gives us the "average daily balance." The finance charge will continue to accrue each day until the loan account is paid in full.

PROMPT CREDITING OF DIRECT PAYMENTS

Payments should be mailed to First Bank, PO Box 10209, Greensboro, NC 27404. If payments are received by us at this address by 5:00 p.m. they will be credited to your account that same day. If received after 5:00 p.m. they may be credited as of the following banking business day. If you make payments at any other authorized banking location, crediting such payments to your account may be delayed up to 5 days.

IN CASE OF ERRORS OR QUESTIONS ABOUT YOUR CREDIT LINE ACCOUNT

If you think your bill is wrong, or if you need more information about a transaction on your bill, write us on a separate sheet of paper at First Bank, Customer Service Center, PO Box 10209, Greensboro, NC 27404, as soon as possible. You must contact us within 60 days after the error appeared on your statement. You must notify us of any potential errors in writing. You may call us, but doing so will not preserve your rights.

In your letter, give us the following information:

- *Account Information:* Your name and account number.
- *Dollar amount:* The dollar amount of this suspected error.
- *Description of Problem:* If you think there is an error on your bill, describe what you believe is wrong and why you believe it is a mistake.

While we investigate whether or not there has been an error, the following are true: You do not have to pay any amount in question while we are investigating your claim, but you are still obligated to pay the parts of your bill that are not in question. We can apply any unpaid amount against your credit limit. The charge in question may remain on your statement, and we may continue to charge you interest on that amount. But, if we determine that we made a mistake, you will not have to pay the amount in question or any interest or other fees related to that amount. While we investigate your concern, we cannot report you as delinquent or take any legal action to collect the amount you question.

FIRST BANCORP

Rev. April 2024

FACTS

WHAT DOES FIRST BANCORP DO WITH YOUR PERSONAL INFORMATION?

Why?	Financial companies choose how they share your personal information. Federal law gives consumers the right to limit some but not all sharing. Federal law also requires us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand what we do.
What?	The types of personal information we collect and share depend on the product or service you have with us. This information can include: <ul style="list-style-type: none"> • Social Security number and transaction history • Account balances and credit history • Payment history and overdraft history
How?	All financial companies need to share customers' personal information to run their everyday business. In the section below, we list the reasons financial companies can share their customers' personal information; the reasons First Bancorp chooses to share; and whether you can limit this sharing.

Reasons we can share your personal information	Does First Bancorp share?	Can you limit this sharing?
For our everyday business purposes— such as to process your transactions, maintain your account(s), respond to court orders and legal investigations, or report to credit bureaus	Yes	No
For our marketing purposes— to offer our products and services to you	Yes	No
For joint marketing with other financial companies	Yes	Yes
For our affiliates' everyday business purposes— information about your transactions and experiences	Yes	No
For our affiliates' everyday business purposes— information about your creditworthiness	Yes	Yes
For our affiliates to market to you	Yes	Yes
For nonaffiliates to market to you	No	We don't share

To limit our sharing	<ul style="list-style-type: none"> • Call Toll-free 1-866-792-4357 (customer service) • Online banking customers – log on to a secure session at localfirstbank.com with your user name and password and choose Messages and click the New Conversation button to send a message request. <p>Please note:</p> <p>If you are a new customer, we can begin sharing your information 30 days from the date we sent this notice. When you are no longer our customer, we continue to share your information as described in this notice.</p> <p>However, you can contact us at any time to limit our sharing.</p>
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Questions?	Call toll-free 1-800-548-9377 ext. 254 (Privacy Officer)
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Who we are	
Who is providing this notice?	First Bancorp means the following institutions: First Bank (also d/b/a FB Wealth Management, and CarBucks), First Troy SPE, LLC, Magnolia Financial, Inc. and Select Real Estate Holdings, LLC
What we do	
How does First Bancorp protect my personal information?	To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer safeguards and secured files and buildings. Additionally, our employees are trained to comply with our privacy standards and policies and are committed to safeguarding customer information.
How does First Bancorp collect my personal information?	We collect your personal information, for example, when you <ul style="list-style-type: none"> • open an account or apply for a loan • use your credit or debit card or pay your bills • make deposits or withdrawals from your account We also collect your personal information from others, such as credit bureaus, affiliates, or other companies.
Why can't I limit all sharing?	Federal law gives you the right to limit only <ul style="list-style-type: none"> • sharing for affiliates' everyday business purposes—information about your creditworthiness • affiliates from using your information to market to you • sharing for nonaffiliates to market to you State laws and individual companies may give you additional rights to limit sharing. See below for more on your rights under state law.
What happens when I limit sharing for an account I hold jointly with someone else?	Your choices will apply to everyone on your account.
Definitions	
Affiliates	Companies related by common ownership or control. They can be financial and nonfinancial companies. <ul style="list-style-type: none"> • <i>Our affiliates include: Companies with a First Bancorp name such as First Bank (also d/b/a FB Wealth Management, and CarBucks), First Troy SPE, LLC, Magnolia Financial, Inc. and Select Real Estate Holdings, LLC.</i>
Nonaffiliates	Companies not related by common ownership or control. They can be financial and nonfinancial companies. <ul style="list-style-type: none"> • <i>First Bancorp does not share with nonaffiliates so they can market to you.</i>
Joint marketing	A formal agreement between nonaffiliated financial companies that together market financial products or services to you. <ul style="list-style-type: none"> • <i>Our joint marketing partners include financial service companies.</i>
Other important information	
Special Notice to California and Vermont Residents: If your account has a California or Vermont billing address, we will automatically limit the sharing of your information and we will treat your account as if you have elected to opt out.	



Memorandum

TO: Richard McNabb, Mayor
City Council Members

FROM: Crystal Postell, Finance Director

CC: Stevie L. Cox, City Manager

DATE: 08/01/2024

REF: Annual Budget Amendment to Re-Appropriate Budgetary Authority Related to Encumbrances Outstanding as of June 30, 2024

Summary:

This is a request for an Annual Budget Amendment to Re-Appropriate Budgetary Authority Related to Encumbrances Outstanding as of June 30, 2024.

Background:

As of June 30, 2023, the City of Trinity has outstanding purchase commitments related to goods or services for projects ordered under the budgetary authority for Fiscal Year 2023 – 2024. They will not be received until the subsequent fiscal year (Fiscal Year 2024 – 2025). These are represented by purchase orders and encumbrances.

Expenditures for these goods or services are recorded in the fiscal year in which the goods or services are received rather than in the fiscal year in which the goods or services are ordered. Due to budgetary authority lapses at the end of a fiscal year, the budgetary authority related to the purchase orders and encumbrances that are outstanding at year end must be re-appropriated in the budget for the new fiscal year. The City of Trinity outstanding goods and services are as follows:

Vendor	Service Description	Purchase Number	Order	Original Amount	Remaining Balance
Glover Engineering	Engineering	1060		\$45,800	\$9,553
Blue Stream Environmental	Consulting NOV	1079		\$7,800	\$3,283
Blue Stream Environmental	Stormwater Consulting	1080		\$33,800	\$21,479
Municipal Service, Inc	Current Code/ Ordinance Rewrite	1081		\$98,300	\$2,520
Municipal Services, Inc	Additional Planning Services	1099		\$110,989	\$4,736
Kennedy Office	Office Supplies	1068		\$5,950	\$2,695

Recommendation:

Staff recommends that Trinity City Council accepts and approves re-appropriate budgetary authority for expenditures related to purchase orders and encumbrances that were outstanding on June 30, 2024.

Attachment:

Ordinance 24 – 01



BUDGET ORDINANCE AMENDMENT TO THE ANNUAL BUDGET ORDINANCE FOR FISCAL YEAR ENDING JUNE 30, 2025 TO RE-APPROPRIATE BUDGETARY AUTHORITY RELATED TO ENCUMBRANCES OUTSTANDING AS OF JUNE 30, 2024

ORDINANCE 25 – 01

BE IT ORDAINED by the City Council of the City of Trinity, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2025:

Section 1. To amend the General Fund, the appropriations are to be changed as follows:

	Increase (Decrease)
Administration	\$ 2,695.00
Planning and Zoning	16,809.00
Public Services	24,762.00
	<u>\$ 44,266.00</u>

Section 2. To amend the General Fund, the estimated revenues are to be changed as follows:

	Increase (Decrease)
Fund Balance Appropriations	\$ 44,266.00
	<u>\$ 44,266.00</u>

Section 3. Copies of this Budget Ordinance shall be furnished to the City Clerk and to the City Manager and Finance Director to be kept on file by them for their direction in the disbursement of funds.

Adopted this 12th day of August, 2024.

Richard McNabb, Mayor

SEAL

Darren Comer, City Clerk



Memorandum

TO: Mayor and City Council Members

FROM: Crystal Postell, Finance Director

CC: Stevie Cox, City Manager

DATE: 07/30/2024

REF: GFOA Distinguished Budget Award – 3rd Year Receiving

Summary:

Recognized nationally for the 3rd consecutive year, the Finance Department has been awarded the GFOA Distinguished Budget Award.

Background:

The Government Finance Officer Association (GFOA) has a Distinguished Budget Presentation Award program. The program recognizes high-quality budget documents that meet program criteria and strive to improve budget transparency in their community. There are over 1,700 participants in the Budget Award Program. The Award Recipients have pioneered efforts to improve the quality of budgeting and provide an excellent example for other governments throughout North America. The City of Trinity's Finance Department received its first GFOA Budget Award on September 23, 2022, under new executive leadership.

Recommendation:

No Recommendation Needed

Attachment:

GFOA Press Release
2024 Distinguished Budget Presentation Award



GOVERNMENT FINANCE OFFICERS ASSOCIATION
NEWS RELEASE

FOR IMMEDIATE RELEASE

7/29/2024

For more information, contact:
Technical Services Center
Phone: (312) 977-9700
Email: budgetaward@gfoa.org

(Chicago, Illinois)—Government Finance Officers Association is pleased to announce that **City of Trinity, North Carolina** received GFOA's Distinguished Budget Presentation Award for its budget.

The award represents a significant achievement by the entity. It reflects the commitment of the governing body and staff to meeting the highest principles of governmental budgeting. In order to receive the budget award, the entity had to satisfy nationally recognized guidelines for effective budget presentation. These guidelines are designed to assess how well an entity's budget serves as:

- a policy document
- a financial plan
- an operations guide
- a communications device

Budget documents must be rated "proficient" in all four categories, and in the fourteen mandatory criteria within those categories, to receive the award.

There are over 1,700 participants in the Budget Awards Program. The most recent Budget Award recipients, along with their corresponding budget documents, are posted quarterly on GFOA's website. Award recipients have pioneered efforts to improve the quality of budgeting and provide an excellent example for other governments throughout North America.

Government Finance Officers Association (GFOA) advances excellence in government finance by providing best practices, professional development, resources, and practical research for more than 22,500 members and the communities they serve.



GOVERNMENT FINANCE OFFICERS ASSOCIATION

*Distinguished
Budget Presentation
Award*

PRESENTED TO

**City of Trinity
North Carolina**

For the Fiscal Year Beginning

July 01, 2024

Christopher P. Morrill

Executive Director



Memorandum

TO: Richard McNabb, Mayor
City of Trinity City Council (Board of Adjustment)

FROM: Jay Dale, Planner

CC: Stevie Cox, City Manager
Robert Wilhoit, City Attorney

DATE: August 1, 2024

REF: Request for Variance 5638 Uwharrie Rd
PIN 7708058699

Summary:

DKKK LLC (Jowat), Trinity, North Carolina, is requesting a variance from Section 12-4 of the City of Trinity Zoning Ordinance to allow construction of a loading and unloading zone I front of the current structure. The loading and unloading zone would be ten (10) feet off the right of way rather than the required fifty (50) feet. The dock would reduce forklift traffic and increase safety.

Attachments:

- Application for Variance
- Site Plan
- Property Map (County GIS)
- Site Photographs



City of Trinity Variance Application

Date: July 02th 2024

Property Owner Information:

Property Owner: DFKK LLC

Address: 5638 Uwharrie Road

City: Archdale State: NC Zip: 27263

Phone: (home/work) 336-434-9000 (cell) _____

E-mail: _____

Applicant Information (note: must show proof as to legally representing property owner):

Applicant: Martin Lamberg

Address: 5608 Uwharrie Road

City: Archdale State: NC Zip: 27263

Phone: (home/work) 336-434-9080 (cell) _____

E-mail: mlamberg@jowat.com

Site Information:

PIN # 7708058699

Property Address: 5638 Uwharrie Road, Archdale NC 27263

Zoning District: Trinity District, Market Area 0967

Are there any structures currently on the property? yes no

List structures: 19,200 sq ft concrete tilt-up

What is the current land use on the property (i.e., commercial, residential, farming, vacant etc.)?

Industrial

Reason for Variance:

Describe situation which prompted the need for a variance, and, if applicable, how much of a variance is needed for from minimum dimensional requirements: Jowat would like to request a 40 foot variance to place a loading and unloading zone at 5638 Uwharrie Road. We want to put an unloading zone on the Uwharrie Road side of our building so we can load and unload truck directly into the warehouse section of our new PUR building. We only have 2 docks for shipping and receiving at the front of the building. This requires a significant amount of forklift traffic to traverse the production section of the building. By placing an unloading zone outside and installing a door in our warehouse section, we would eliminate all nonessential forklift traffic in the production area tremendously increasing safety.

ORDINANCE PROVISIONS FOR GRANTING A VARIANCE:

The Board of Adjustment (City Council) does not have unlimited discretion in deciding when to grant a variance. Article XIV, Section 16-8 of the City's Zoning Ordinance states:

"When practical difficulties or unnecessary hardships would result from carrying out the strict letter of the zoning ordinance, the Board of Adjustments shall have the power to vary or modify any of the regulations or provisions of the ordinance so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done. No change in permitted uses may be authorized by variance. Appropriate conditions, which must be reasonably related to the condition or circumstance that gives rise to the need for a variance, may be imposed on any approval issued by the Board.

These regulations may provide that the Board of Adjustments may determine and vary their application in harmony with the general purpose and intent and in accordance with general or specific rules therein contained; provided no change is permitted uses may be authorized by variance.

- (1) Determination that Variance Will Not Violate Other Ordinance Provisions. In considering all proposed variances to this ordinance, the Board shall, before making any finding in a specific case, first determine that the proposed variance will not allow the establishment of a use not otherwise permitted in a district by this ordinance; extend in area or expand a non-conforming use of land; change the district boundaries shown on the zoning map; impair any adequate supply of light and air to adjacent property; materially increase the public danger of fire; materially diminish or impair established property values within the surrounding area; or in any other respect impair the public health, safety, morals, and general welfare.
- (2) Findings. A variance may be granted in an individual case of unnecessary hardship upon a finding by the Board of Adjustment that the following conditions exist:
 - (a). There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or

topography that are not applicable to other lands or structures in the same district.

- (b). Granting the variance requested will not confer upon the applicant any special privileges that are denied to other residents in the district in which the property is located.
- (c). A literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located.
- (d). The requested variance will be in harmony with purpose and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare.
- (e). The special circumstances are not the result of the applicant.
- (f). The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.
- (g). The variance is not a request to permit a use of land, building or structure which is not permitted by right or by conditional use in the district involved.

(3) **Conditions.** In granting a variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violations of the conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this ordinance punishable under Section 18-3 of this ordinance."

In the space provided below (or on attached sheet), provided a statement(s) addressing each of the required findings of fact. This information and along with your site plan, will be presented to the Board to help support your request for a variance:

(1) Unnecessary hardship would result from the strict application of the regulation. It is not necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

With the variance approval, we will be able to unload and load our truck directly into the warehouse section of our new building. This increases the safety of the workers inside tremendously by taking out all of the fork lift traffic resulting in shipping.

(2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. A variance may be granted when necessary and appropriate to make reasonable accommodation under the Federal Fair Housing Act for a person with a disability.

There are no other places to put an unloading zone at the property. The topography on the opposite side of the building is extremely steep and inappropriate to install any sort of fork lift path.

(3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance is not a self-created hardship. The topography of this location was outside of Jowat's control.

(4) The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured, and substantial justice is achieved. The purpose of this variance is mainly concerned with safety and topography concerns. By placing the forklift path on the Uwharrie Road side of the new PUR building, we are increasing the safety of our employees by completely eliminating the shipping and receiving fork lift traffic from the production area and keeping the forklift in the warehouse section.

Submittal Requirements:

- Complete Variance Application
- If seeking a variance from a minimum dimensional requirement, a site plan, prepared by a NC Licensed Engineer, Architect or Surveyor. See Exhibit A
- \$400 Application Fee

The below authorize: (1) Submission of the variance application to the City of Trinity's City Council for consideration; and (2) the Zoning Administrator or designee to entry upon the property to verify application/site plan submittal information.

Martin Lamberg _____
Applicant Name (PRINTED)

Martin Lamberg
Signature of Applicant

7-2-2024
Date

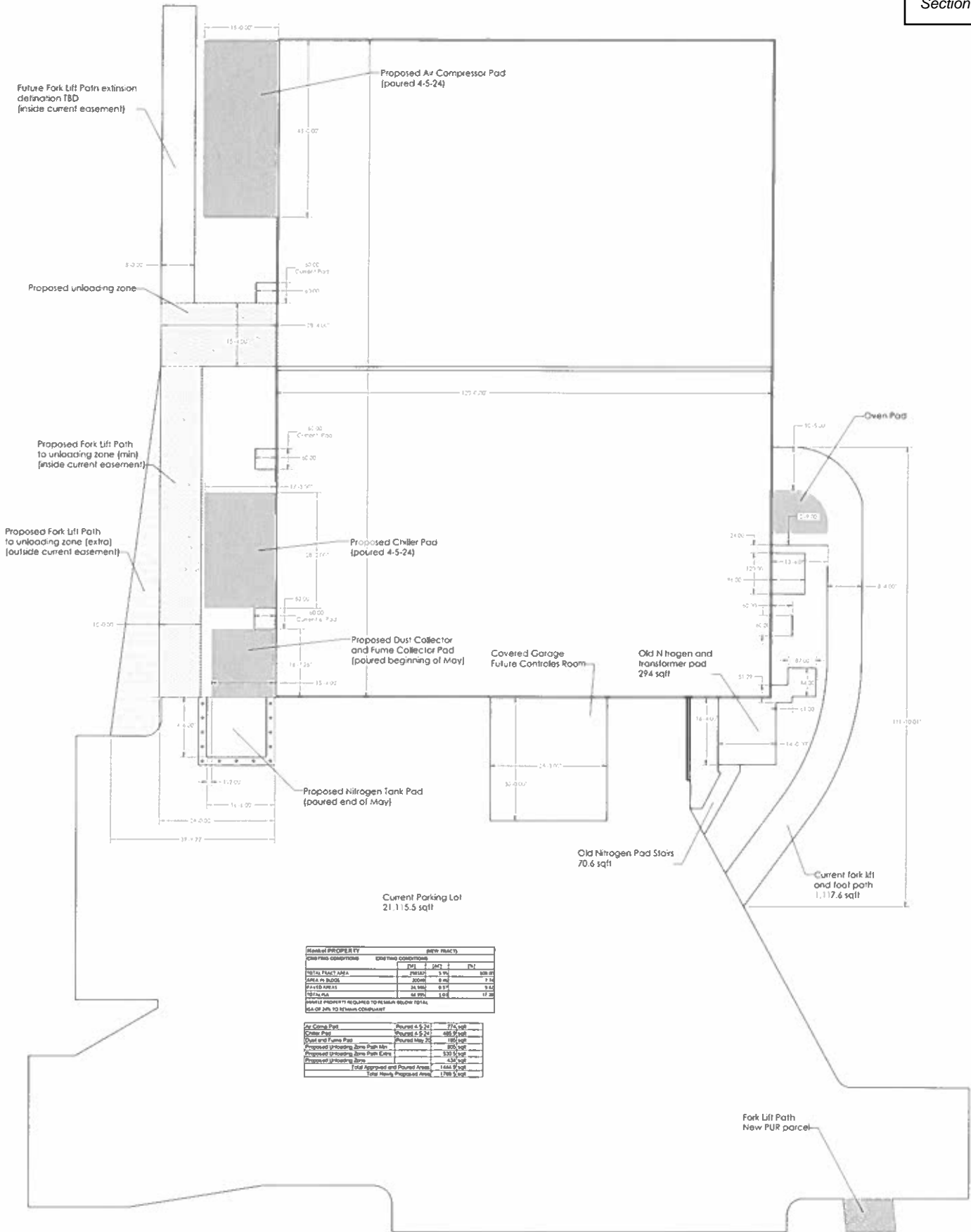
Achim Becker _____
Property Owner Name (PRINTED)

Achim Becker
Signature of Property Owner

07/02/24
Date

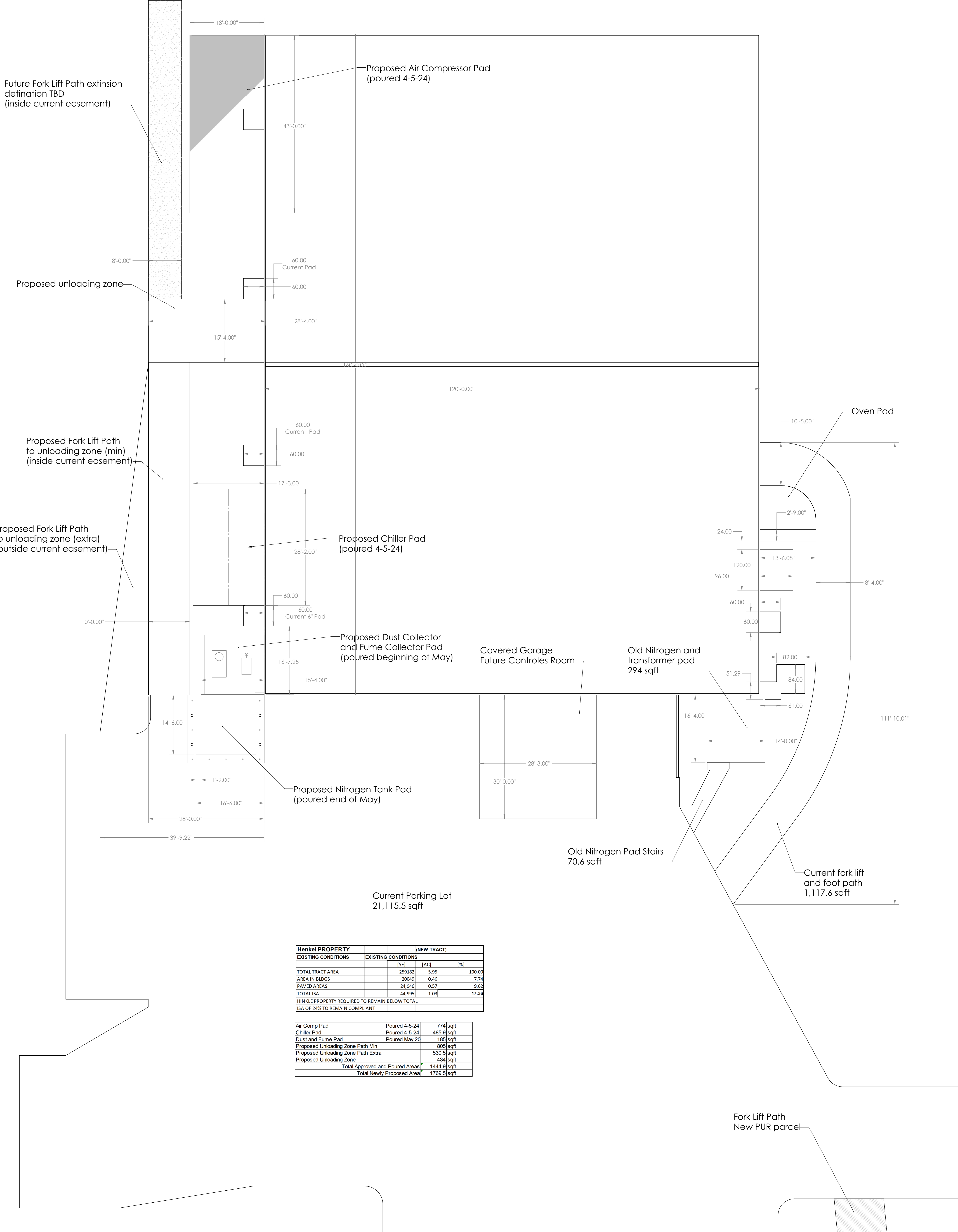
Zoning Administrator Signature

Date Complete Application Received



AS-BUILT PROPERTY		NEW FACILITY	
EXISTING CONDITIONS	PROJ.	2021	2021
TOTAL PAVEMENT AREA	298,000	3.1%	108.00
AREA IN BLDGS	20,000	0.0%	7.75
PAVED AREAS	30,000	0.0%	3.00
TOTAL AREA	48,000	1.0%	17.75
MINIMUM PROPERTY REQUIRED TO BE IN COMPLIANCE WITH 20% TO BE IN COMPLIANCE			
Air Comp Pad	Poured 4-5-24	277.5	0.6%
Chiller Pad	Poured 4-5-24	498.0	1.0%
Dust and Fume Pad	Poured May 25	180.0	0.4%
Proposed Unloading Zone Path Ext		320.0	0.7%
Proposed Unloading Zone Path Ext		434.0	0.9%
Proposed Unloading Zone		1,444.0	3.0%
Total approved and Poured Area		1,763.5	3.6%
Total New Proposed Area		1,763.5	3.6%

- NOTES:
1. Drawing updated by Jay Davidson 6-19-24
 2. Original Calculations done by Eddie MacEldowney at DMP
 3. Supplementary information to DMP Plat for DFKK



Henkel PROPERTY	(NEW TRACT)		
	EXISTING CONDITIONS	EXISTING CONDITIONS	
	[SF]	[AC]	[%]
TOTAL TRACT AREA	259182	5.95	100.00
AREA IN BLDGS	20049	0.46	7.74
PAVED AREAS	24,946	0.57	9.62
TOTAL ISA	44,995	1.03	17.36
HINKLE PROPERTY REQUIRED TO REMAIN BELOW TOTAL			
ISA OF 24% TO REMAIN COMPLIANT			

Air Comp Pad	Poured 4-5-24	774 sqft
Chiller Pad	Poured 4-5-24	485.9 sqft
Dust and Fume Pad	Poured May 20	185 sqft
Proposed Unloading Zone Path Min		805 sqft
Proposed Unloading Zone Path Extra		530.5 sqft
Proposed Unloading Zone		434 sqft
Total Approved and Poured Areas		1444.9 sqft
Total Newly Proposed Area		1769.5 sqft

- NOTES:
1. Drawing updated by Jay Davidson 6-19-24
 2. Original Calculations done by Eddie MacEldowney at DMP
 3. Supplementary information to DMP Plat for DFKK



REID	82893	OWNER ADDRESS2	
PIN	7708058699	OWNER CITY	ARCHDALE
TAXED ACREAGE	5.95	OWNER STATE	NC
PROPERTY DESCRIPTION	JOWAT CORPORATION LO FUTURE A	OWNER ZIP	27263
DEED BOOK & PAGE	002835/01001	LOCATION ADDRESS	5638 UWHARRIE RD
PLAT BOOK & PAGE	137-15	LOCATION ZIP	ARCHDALE,27263
OWNER	DFKK LLC	DATA REFRESHED	7/28/2024
OWNER ADDRESS	5608 UWHARRIE RD		



Disclaimer: This map was compiled from recorded deeds, plats, and other public records and data. Users of this data are hereby notified that the aforementioned public information sources should be consulted for verification of the information. Randolph County, its agents and employees make no warranty as to the accuracy of the information on this map.

Map Scale
1 inch = 141 feet
 8/1/2024



Memorandum

TO: Richard McNabb, Mayor
City of Trinity City Council

FROM: Jay Dale, Planner

CC: Stevie Cox, City Manager
Robert Wilhoit, City Attorney

DATE: August 1, 2024

REF: Request for Property Rezoning – Corner of Mendenhall Rd. and Old Mendenhall Rd.

Summary:

TRACY MAHAN, Trinity, North Carolina, is requesting that 2.33 acres located at the corner of Mendenhall and Old Mendenhall Rd, PIN#6798661434, be rezoned from R-40 to M1. It is the desire of the property owner to operate an outdoor storage lot with conditions as per the site plan. Mr. Mahan was out of town at the June 10, 2024 meeting and the matter was tabled.

Attachments:

- Application for Rezoning
- Rezoning Request Summary.
- Site Plan
- Property Map (County GIS)
- Site Photographs



City of Trinity Rezoning Request Application

The undersigned does hereby respectfully make application and request to the City of Trinity to amend the Zoning Ordinance and change the Official Zoning Map of the city as hereinafter requested, and in support of this application the following facts are shown:

Zoning: Current Zoning R-40 Requested Zoning M-1 ~~00~~ outdoor storage lot

Conditional Zoning: _____

Property Owner Information:

Property Owner: Tracy Mahan
Address: 2019 Kennedy RD
City: Thomasville State: NC Zip: 27360
Phone: (home/work) _____ (cell) 336-250-7916

Applicant Information (note: must show proof as to legally representing property owner):

Applicant: Tracy Mahan
Address: 2019 Kennedy RD
City: Thomasville State: NC Zip: 27360
Phone: (home/work) _____ (cell) 336-250-7916

Site Information:

PIN # 6798661434
Property Address: No Physical Address
Deed Book: 002876 Page: 00831
Area: Trinity

Are there any structures currently on the property to be rezoned? _____ yes no

List structures: _____

What is the current land use on the property to be rezoned (i.e. commercial, residential, farming, vacant etc.)? Vacant

What current land uses and zoning are adjacent to the property to be rezoned?

North: Zoning M2 Land Use _____
South: Zoning R-40 Land Use _____
East: Zoning R-40 Land Use _____
West: Zoning M-2 Land Use _____

Conditions if requesting Conditional Zoning:

If the property is rezoned, it is understood by all, that development must conform to the minimum requirements of the City of Trinity Zoning Ordinance and all other development ordinances of the City and of Randolph County.

Deadline for rezoning applications is the first Monday of each month. Incomplete applications will be scheduled for hearing the following month. Fee: \$600.00

Staff Notes:

Tracy Mahan
(name of applicant)

Tracy Mahan
(signature of applicant)

[Signature]
(signature of Zoning Administrator)

2-23-24
(date)

Office Use

Date Received: 2/23/24

Fees Paid: 600

Staff Review: [Signature]

Planning Board Review: _____

City Council Review: _____

REZONING REQUEST SUMMARY

On June 24, 2024, the Trinity Planning Board considered the following request, and voted unanimously to recommend to the City Council that this request be **denied**, as not consistent with the Vision Trinity Land Use Plan.

TRACY MAHAN, Trinity, North Carolina, is requesting that 2.33 Acres located at the corner of Mendenhall Rd. and Old Mendenhall Rd. PIN# 6798661434 be rezoned from R-40 to M1. It is the desire of the property owner to operate an outdoor storage lot with conditions as per site plan.

Application/Site plan issues to consider:

- **Outside storage would be required to meet the fencing/buffering requirements of the Zoning Ordinance.**
- **There are other M2 Zoning Districts in the area, however they were developed prior to City incorporation.**

Adjoining Zoning:

This site is located at the corner of Mendenhall Road and Old Mendenhall Road. The property to the north is zoned M-2 and R-40. The property to the south is zoned R-40, the property to the east is zoned R-40, and the property to the west is zoned M-2 and R-40.

Transportation:

Mendenhall Rd is maintained by NCDOT and located in close proximity to US Hwy 29.

Future Land Use Category: SECONDARY GROWTH AREA

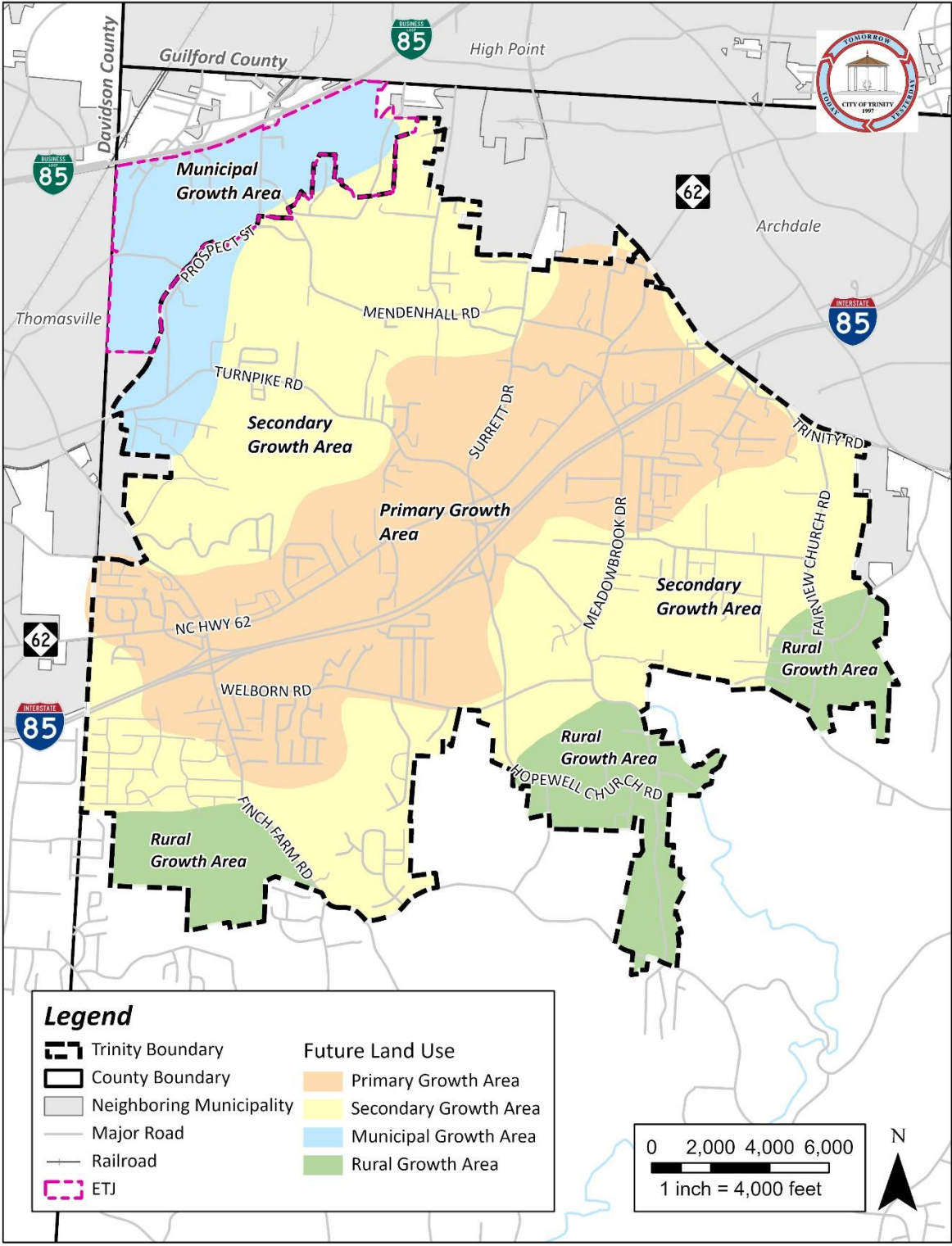
Transitional residential development is predominant in this area with major subdivisions scattered between agricultural and commercial land use patterns. Public sewer infrastructure access is not prioritized for these areas. Conventional and low-density open space residential subdivisions are expected with neighborhood serving commercial uses where appropriate.

SECONDARY GROWTH AREA CHARACTERISTICS:

- Medium density.
- Unlikely to have access to sewer within the foreseeable future.

- Predominately residential.
- Contains scattered agricultural areas.
- Includes land available for development.
- Contains natural scenic, historic and other heritage assets.

VISION TRINITY FUTURE LAND USE MAP



REZONING CRITERIA

Article XVII, Amendments and Changes of the Zoning Ordinance states:

Section 17-1 Motion to Amend.

(1) Council Authority to Amend - The City Council may, on its own motion or upon the recommendation of the Planning Board, staff or upon petition by any person within the zoning jurisdiction, after public notice and hearing, amend, or repeal the regulations or the maps which are a part of this ordinance. No regulation or maps shall be amended, supplemented, changed, modified, or repealed until after a public hearing in relation thereto, at which all parties in interest and citizens shall have an opportunity to be heard. Third-party down-zonings shall be prohibited.

(2) Notice and Public Hearing on Amendment

Planning and Zoning Board Review

- a. Posting of Property – When a zoning map amendment is proposed, the local government shall prominently post a notice of the hearing on the site proposed for the amendment or on an adjacent public street or highway right-of-way. The notice shall be posted within the same time period specified for mailed notices of the hearing. When multiple parcels are included within a proposed zoning map amendment, a posting on each individual parcel is not required but the local government shall post sufficient notices to provide reasonable notice to interested persons.
- b. Mailed Notice – Notice to abutting property owners shall be sent no less than ten (10) days prior to the public hearing but not more than twenty (25) days. For the purpose of this section, properties are "abutting" even if separated by a street, railroad, or other transportation corridor (NCGS 160D-602).

City Council Public Hearing

- c. Hearing with Published Notice. - Before adopting, amending, or repealing any ordinance or development regulation authorized by 160D-601(a), the governing board shall hold a legislative hearing. A notice of the hearing shall be given once a week for two successive calendar weeks in a newspaper having general circulation in the area. The notice shall be published the first time not less than 10 days nor more than 25 days before the date scheduled for the hearing. In computing such period, the day of publication is not to be included but the day of the hearing shall be included.
- d. Mailed Notice – Notice to abutting property owners shall be sent no less than ten (10) days prior to the public hearing but not more than twenty (25) days.

(3) Information and Fee Required from Applicant and Processing of Information -

Applicants must present the following information:

1. a completed rezoning application.
2. an accurate survey of the property to be rezoned,
3. a deed or legal description which establishes ownership, and.
4. if the proposed zoning boundary splits an existing parcel, a metes and bounds description shall be required in addition to the survey.

A rezoning fee established by the City Council shall be required. Processing of zoning amendment applications shall begin within ninety (90) days from submission to the City Clerk. However, this requirement is not intended to prevent the Planning Board or City Council from delaying action after review by either body. If more than one tract or parcel is being sought for rezoning at the same time by a single applicant, each parcel having a different zone shall constitute a separate rezoning request.

- (4) Planning Board Review – Subsequent to initial adoption of a zoning ordinance, all proposed amendments to the zoning ordinance or zoning map shall be submitted to the Planning Board for review and comments. Any development regulation other than a zoning regulation that is proposed to be adopted pursuant to 160D-604 may be referred to the planning board for review and comment. If no written report is received from the Planning and Zoning Board within thirty (30) days of referral of the amendments to the Board, the City Council may proceed in its consideration of the amendment without the Planning Board report. The Council is not bound by the recommendation, if any, of the Board.
- (5) Plan Consistency - The Planning Board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable.

The Planning Board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board. If a zoning map amendment qualifies as a "large-scale rezoning" under G.S. 160D-602(b), the planning board statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the recommendation made.

- (6) Council Statement – Prior to adopting or rejecting any zoning amendment, City Council must adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the Council considers the action taken to be reasonable and in the public interest. When adopting or rejecting any petition for a zoning map amendment, a statement analyzing the reasonableness of the proposed rezoning shall be approved by the governing board (NCGS 160D-605).
- (7) Withdrawal of Request - Any applicant for rezoning may withdraw his/her petition any time prior to consideration by the Planning Board. If the applicant should choose to withdraw his/her petition after being reviewed by the Planning Board but before it is to be considered by the City Council, he/she must do so in writing no later than 5 p.m. on the first Friday following the last Planning Board meeting where the item was dispensed. Failure to withdraw the rezoning petition by that time, shall cause it to advance automatically to the City Council for consideration at their next regular session, provided however that City Council may in its discretion, allow the withdrawal of a rezoning petition at any time for cause upon request by an applicant.
- (8) Resubmission of Application - Should a petition for the amendment of these regulations and/or maps be denied by action of the City Council, the applicant may resubmit an application for rezoning for the same tract or parcel within the same calendar year so long as the request for rezoning is dissimilar to the original request denied by the City Council. Should the second request be denied by the City Council, the applicant must withhold all petitions for rezoning said tract or parcel for a period of twelve (12) months from the date of the second denial by the City Council.





Mahan Rezoning Request Map

Section 8b.



Disclaimer: This map was compiled from recorded deeds, plats, and other public records and data. Users of this data are hereby notified that the aforementioned public information sources should be consulted for verification of the information. Randolph County, its agents and employees make no warranty as to the accuracy of the information on this map.

Map Scale
1 inch = 188 feet
8/7/2024



Memorandum

TO: Richard McNabb, Mayor
City of Trinity City Council

FROM: Jay Dale, Planner

CC: Stevie Cox, City Manager
Robert Wilhoit, City Attorney

DATE: August 1, 2024

REF: Request for Property Rezoning – 0 Surrett Dr.

Summary:

ALEJANDRO ROBLES FUERTE AND MONICA PONCE, Trinity, North Carolina, are requesting that .67 acres located at 0 Surrett Dr. (PIN#7708323924), be rezoned from R-40 (Residential) to HC (Highway Commercial). It is the desire of the property owner to operate an outdoor storage yard as per site plan. The property owner will need to acquire a Special Use Permit to operate an outdoor storage yard. The City of Trinity Planning Board voted Monday March 25, 2024 to recommend **denial** for the rezoning as inconsistent with the Trinity Land Use Plan.

Attachments:

- Application for Rezoning
- Site Plan and Diagrams
- Property Map (County GIS)
- Site Photographs
- Rezoning Request Summary



City of Trinity Rezoning Request Application

The undersigned does hereby respectfully make application and request to the City of Trinity to amend the Zoning Ordinance and change the Official Zoning Map of the city as hereinafter requested, and in support of this application the following facts are shown:

Zoning: Current Zoning R-40 Requested Zoning HC Special Use permit
Conditional Zoning: _____

Property Owner Information:

Property Owner: Alejandro Robles Monica Ponce
Address: 6953 Quarter Horse Dr.
City: Trinity State: NC Zip: 27370
Phone: (home/work) 336969 1179 (cell) _____
monicaponce88@gmail.com

Applicant Information (note: must show proof as to legally representing property owner):

Applicant: Alejandro Robles
Address: 6953 Quarter Horse Dr.
City: Trinity State: NC Zip: 27370
Phone: (home/work) _____ (cell) _____

Site Information:

PIN # 7708323929
Property Address: 0 Surrett Dr.
Deed Book: 002872 Page: 00255
Area: .67 acres

Are there any structures currently on the property to be rezoned? _____ yes no

List structures: _____

What is the current land use on the property to be rezoned (i.e. commercial, residential, farming, vacant etc.)? _____

What current land uses and zoning are adjacent to the property to be rezoned?

North: Zoning	<u>R-40</u>	Land Use	<u>Vacant</u>
South: Zoning	<u>R-40</u>	Land Use	<u>Vacant</u>
East: Zoning	<u>R-40</u>	Land Use	<u>Vacant</u>
West: Zoning	<u>R-40</u>	Land Use	<u>Vacant</u>

Conditions if requesting Conditional Zoning:

N/A

If the property is rezoned, it is understood by all, that development must conform to the minimum requirements of the City of Trinity Zoning Ordinance and all other development ordinances of the City and of Randolph County.

Deadline for rezoning applications is the first Monday of each month. Incomplete applications will be scheduled for hearing the following month. Fee: \$600.00

Staff Notes:

Alejandro Robles
(name of applicant)

Alejandro Robles
(signature of applicant)

(signature of Zoning Administrator)

(date)

Office Use

Date Received: _____

Fees Paid: _____

Staff Review: _____

Planning Board Review: _____

City Council Review: _____

REZONING REQUEST SUMMARY

On June 24, 2024, the Trinity Planning Board considered the following request, and voted unanimously to recommend to the City Council that this request **denied**, as not consistent with the Vision Trinity Land Use Plan.

ALEHANDRO ROBLES FUERTE AND MONICA PONCE, Trinity, North Carolina are requesting that .67 acres located at Surrett Dr. PIN# 7708323924 be rezoned from R-40 to HC. It is the desire of the property owner to operate an outdoor storage lot. This will also require a Special Use Permit

Application/Site plan issues to consider:

- **Outside storage would be required to meet the fencing/buffering requirements of the Zoning Ordinance.**

Adjoining Zoning:

This site is located at 0 Surrett Dr. PIN# 7708323924. The property to the north and south is zoned (R-40), the property to the east is zoned (R-40), and the property to the west is zoned by (R-40).

Transportation:

Surrett Dr. is maintained by NCDOT.

Future Land Use Category: PRIMARY GROWTH AREA

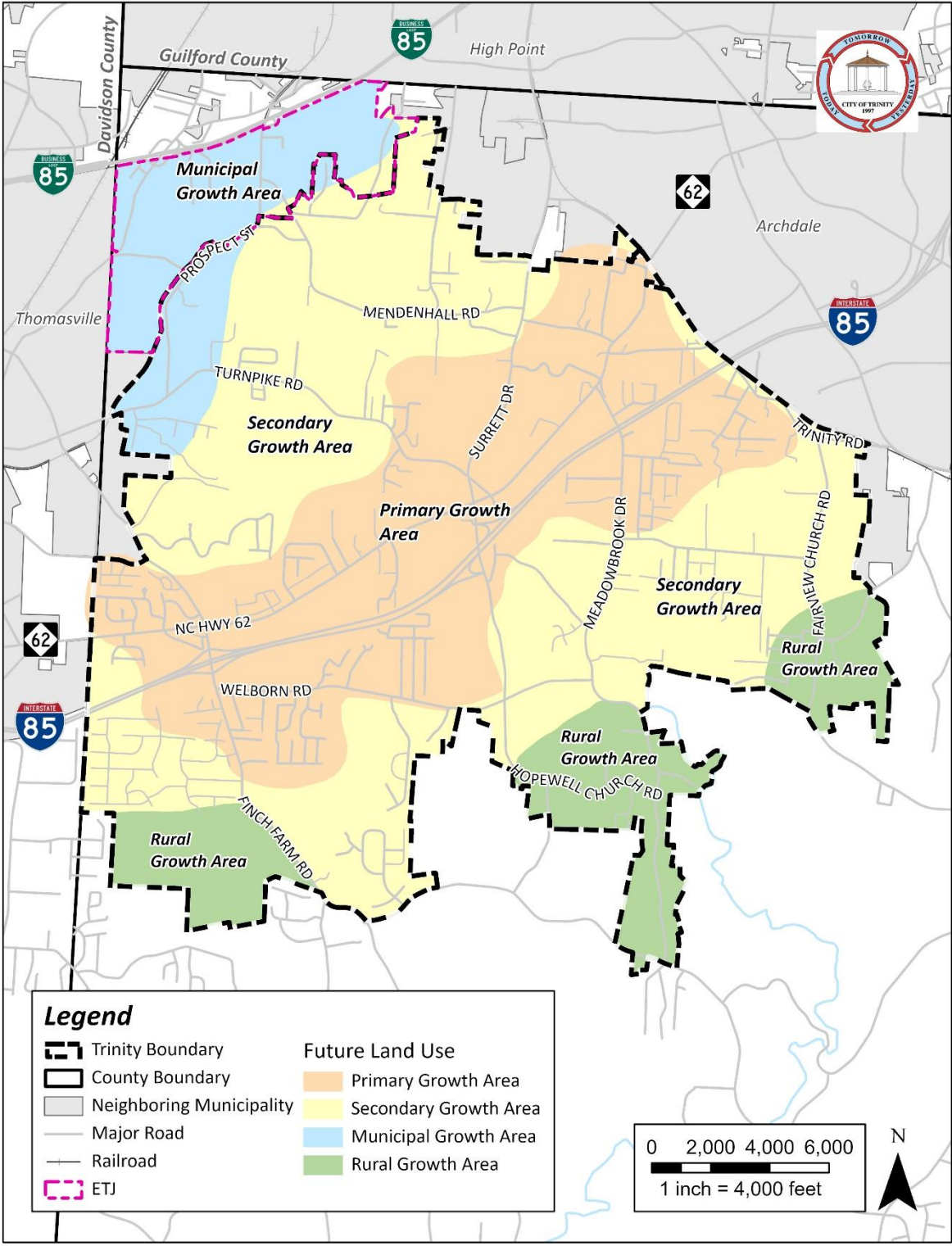
This growth area is located along the I-85 and NC HWY 62 corridors. The area is generally aligned with the City's phased sewer expansion plan to direct the majority of public service demand to a manageable area. It includes areas that are likely to have access to urban infrastructure services such as water and sewer, within the foreseeable future. The Primary Growth Area is predominately mixed use that will include residential and commercial uses. Development adjacent to existing neighborhoods should be designed and scaled to serve those neighborhoods and establish walkable connections with them. Development surrounding the intersections is intended to be of a higher density serving the region as well as the city.

PRIMARY GROWTH AREA CHARACTERISTICS:

- Close to I-85 and NC HWY 62.
- Likely to have access to sewer in the foreseeable future.

- Predominately mixed use including residential, office and commercial.
- Highest density residential development.

VISION TRINITY FUTURE LAND USE MAP



REZONING CRITERIA

Article XVII, Amendments and Changes of the Zoning Ordinance states:

Section 17-1 Motion to Amend.

(1) Council Authority to Amend - The City Council may, on its own motion or upon the recommendation of the Planning Board, staff or upon petition by any person within the zoning jurisdiction, after public notice and hearing, amend, or repeal the regulations or the maps which are a part of this ordinance. No regulation or maps shall be amended, supplemented, changed, modified, or repealed until after a public hearing in relation thereto, at which all parties in interest and citizens shall have an opportunity to be heard. Third-party down-zonings shall be prohibited.

(2) Notice and Public hearing on Amendment Planning and Zoning Board Review

- a. Posting of Property – When a zoning map amendment is proposed, the local government shall prominently post a notice of the hearing on the site proposed for the amendment or on an adjacent public street or highway right-of-way. The notice shall be posted within the same time period specified for mailed notices of the hearing. When multiple parcels are included within a proposed zoning map amendment, a posting on each individual parcel is not required but the local government shall post sufficient notices to provide reasonable notice to interested persons.
- b. Mailed Notice – Notice to abutting property owners shall be sent no less than ten (10) days prior to the public hearing but not more than twenty (25) days. For the purpose of this section, properties are "abutting" even if separated by a street, railroad, or other transportation corridor (NCGS 160D-602).

City Council Public Hearing

- c. Hearing with Published Notice. - Before adopting, amending, or repealing any ordinance or development regulation authorized by 160D-601(a), the governing board shall hold a legislative hearing. A notice of the hearing shall be given once a week for two successive calendar weeks in a newspaper having general circulation in the area. The notice shall be published the first time not less than 10 days nor more than 25 days before the date scheduled for the hearing. In computing such period, the day of publication is not to be included but the day of the hearing shall be included.
- d. Mailed Notice – Notice to abutting property owners shall be sent no less than ten (10) days prior to the public hearing but not more than twenty (25) days.

(3) Information and Fee Required from Applicant and Processing of Information - Applicants must present the following information:

1. a completed rezoning application.
2. an accurate survey of the property to be rezoned,
3. a deed or legal description which establishes ownership, and.
4. if the proposed zoning boundary splits an existing parcel, a metes and bounds description shall be required in addition to the survey.

A rezoning fee established by the City Council shall be required. Processing of zoning amendment applications shall begin within ninety (90) days from submission to the City Clerk. However, this requirement is not intended to prevent the Planning Board or City Council from delaying action after review by either body. If more than one tract or parcel is being sought for rezoning at the same time by a single applicant, each parcel having a different zone shall constitute a separate rezoning request.

(4) Planning Board Review – Subsequent to initial adoption of a zoning ordinance, all proposed

amendments to the zoning ordinance or zoning map shall be submitted to the Planning Board for review and comments. Any development regulation other than a zoning regulation that is proposed to be adopted pursuant to 160D-604 may be referred to the planning board for review and comment. If no written report is received from the Planning and Zoning Board within thirty (30) days of referral of the amendments to the Board, the City Council may proceed in its consideration of the amendment without the Planning Board report. The Council is not bound by the recommendation, if any, of the Board.

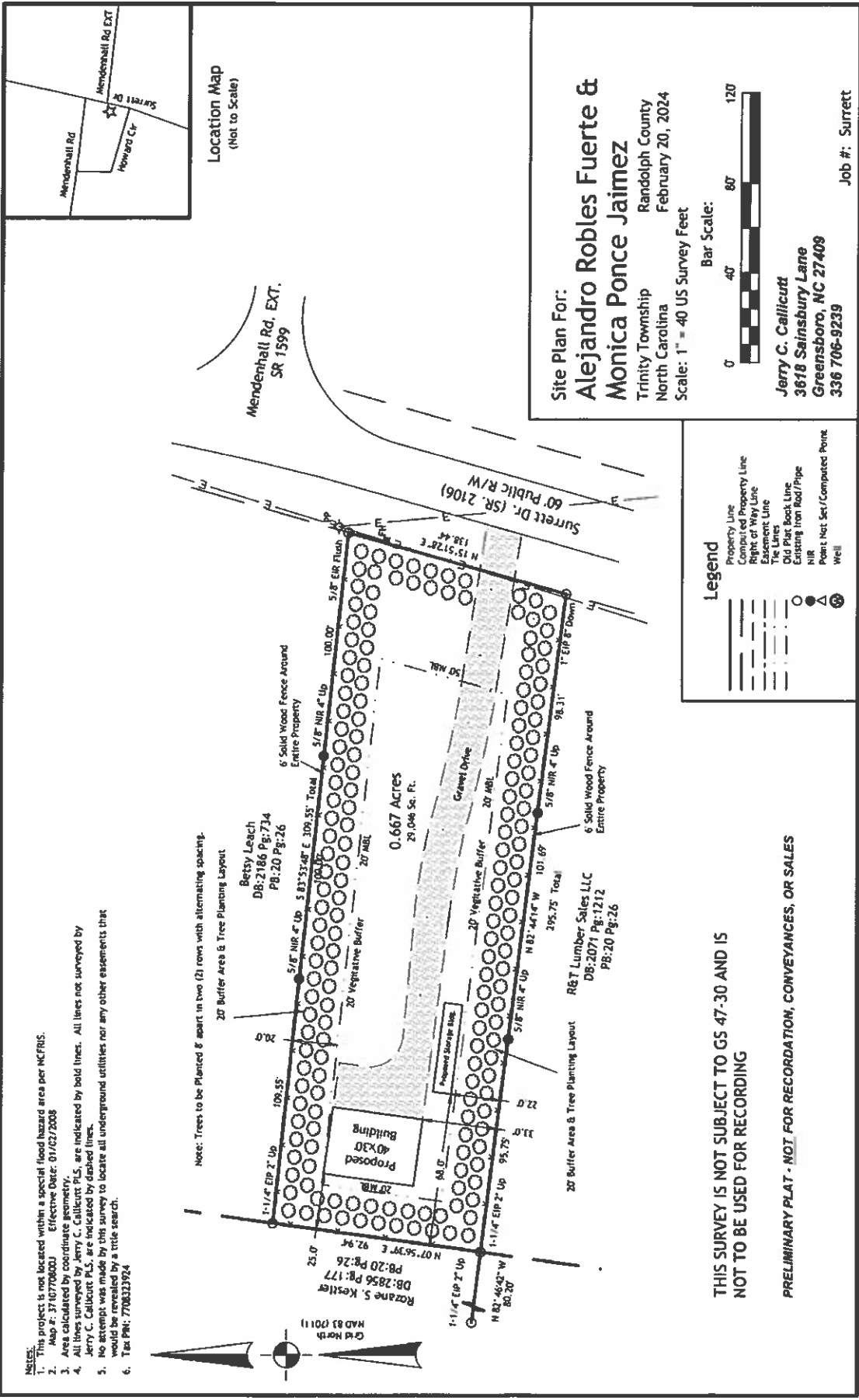
- (5) Plan Consistency - The Planning Board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable.

The Planning Board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board. If a zoning map amendment qualifies as a "large-scale rezoning" under G.S. 160D-602(b), the planning board statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the recommendation made.

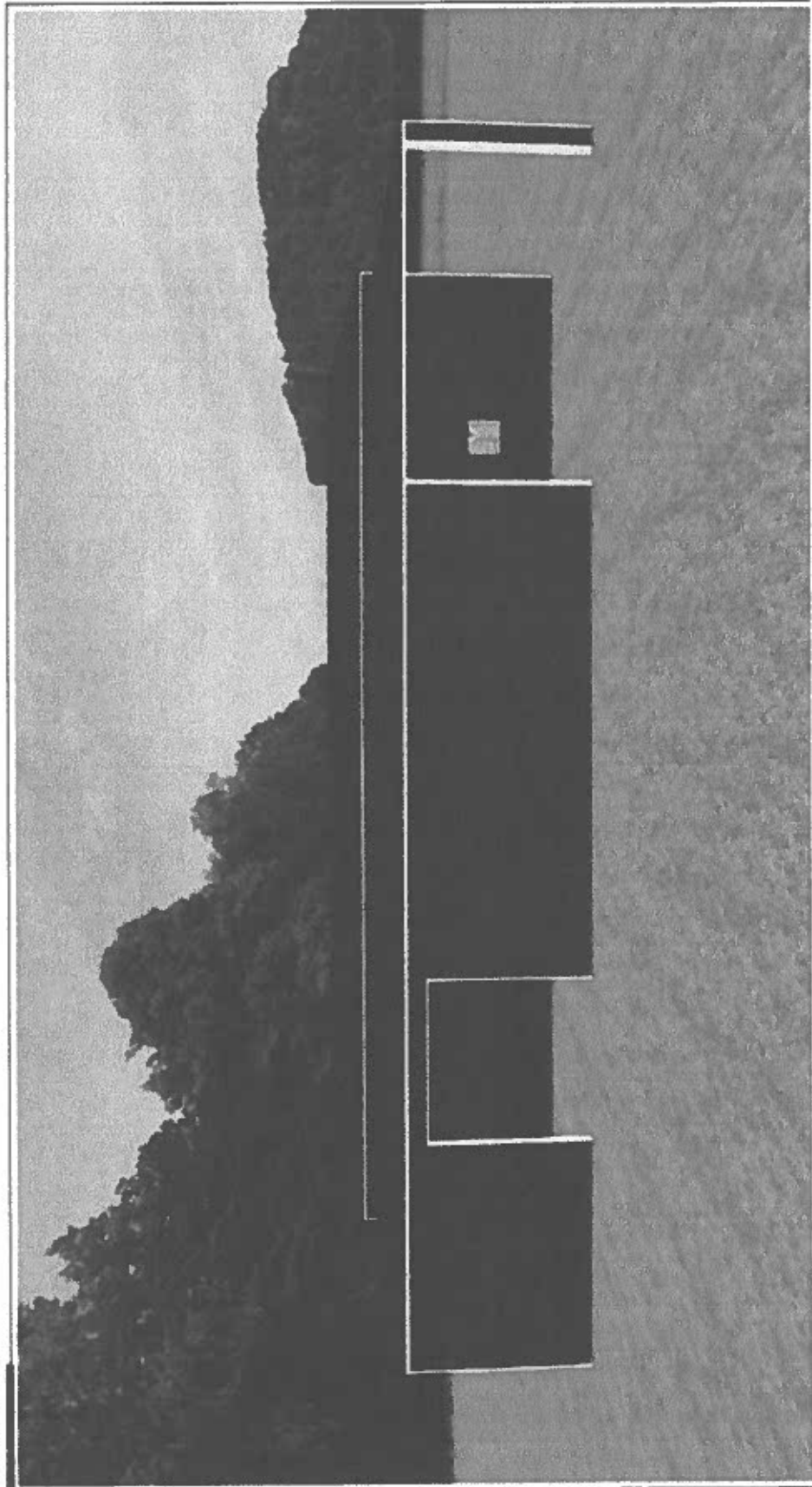
- (6) Council Statement – Prior to adopting or rejecting any zoning amendment, City Council must adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the Council considers the action taken to be reasonable and in the public interest. When adopting or rejecting any petition for a zoning map amendment, a statement analyzing the reasonableness of the proposed rezoning shall be approved by the governing board (NCGS 160D-605).

- (7) Withdrawal of Request - Any applicant for rezoning may withdraw his/her petition any time prior to consideration by the Planning Board. If the applicant should choose to withdraw his/her petition after being reviewed by the Planning Board but before it is to be considered by the City Council, he/she must do so in writing no later than 5 p.m. on the first Friday following the last Planning Board meeting where the item was dispensed. Failure to withdraw the rezoning petition by that time, shall cause it to advance automatically to the City Council for consideration at their next regular session, provided however that City Council may in its discretion, allow the withdrawal of a rezoning petition at any time for cause upon request by an applicant.

- (8) Resubmission of Application - Should a petition for the amendment of these regulations and/or maps be denied by action of the City Council, the applicant may resubmit an application for rezoning for the same tract or parcel within the same calendar year so long as the request for rezoning is dissimilar to the original request denied by the City Council. Should the second request be denied by the City Council, the applicant must withhold all petitions for rezoning said tract or parcel for a period of twelve (12) months from the date of the second denial by the City Council.

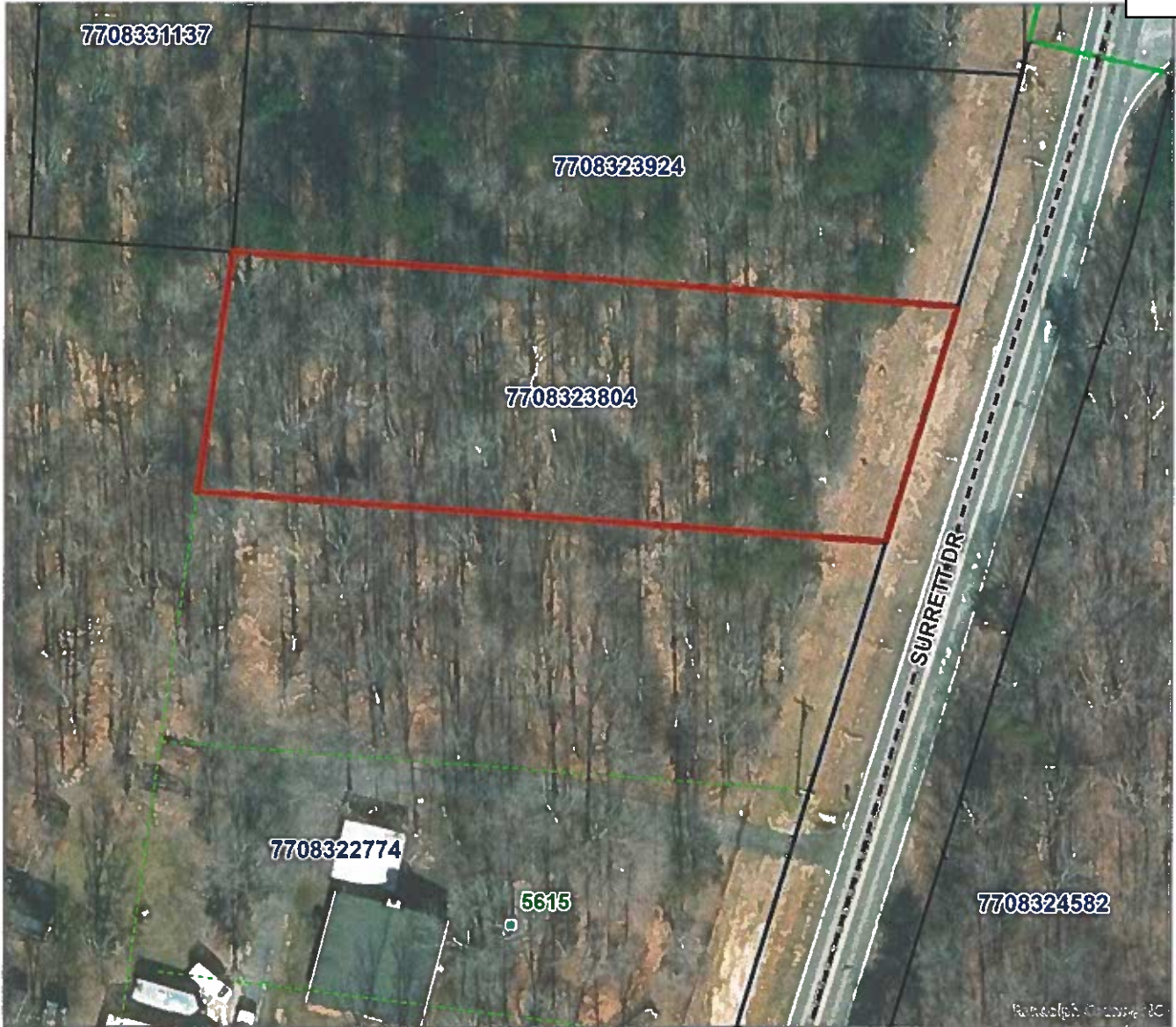


BUILDING VIEW



Randolph County, NC

Section 8c.



REID	20925	OWNER ADDRESS2	
PIN	7708323804	OWNER CITY	TRINITY
TAXED ACREAGE	0.65	OWNER STATE	NC
PROPERTY DESCRIPTION	TRINITY PK;L15	OWNER ZIP	27370
DEED BOOK & PAGE	002071/01212	LOCATION ADDRESS	No Physical Address
PLAT BOOK & PAGE	20-26	LOCATION ZIP	No ZIP
OWNER	R & T LUMBER SALES LLC	DATA REFRESHED	3/3/2024
OWNER ADDRESS	PO BOX 206		



Disclaimer: This map was compiled from recorded deeds, plats, and other public records and data. Users of this data are hereby notified that the aforementioned public information sources should be consulted for verification of the information. Randolph County, its agents and employees make no warranty as to the accuracy of the information on this map.

Map Scale
 1 inch = 71 feet
 3/5/2024





Memorandum

TO: Mayor and City Council Members

FROM: Crystal Postell, Finance Director

CC: Stevie Cox, City Manager

DATE: 08/01/2024

REF: Amendment to the Steeplegate Lift Station and Force Main Project Budget

Summary:

This is a request for the amendment to the Steeplegate Lift Station and Force Main Project Budget.

Background:

The Division of Water Infrastructure (Division) has accepted the Request for Funding for the Steeplegate Lift Station and Force Main Project for up to \$4,432,500 from the Drinking Water/Wastewater State Reserve as established in Session Law (S.L.) 2023-134 and amended in S.L. 2024-1 (hereinafter referred to simply as S.L. 2023-134). Projects funded from the State Reserve must meet applicable State laws and guidance for expenditure of these funds. Below is all the City of Trinity project funding.

S.L. 2023-134 Appropriations Act Approved Projects			
S.L. 2023-134 Approved Projects for S.L. 2023-134 Section 12.2.(e) Line # 185 Appropriation			
Appropriated Funds Available for Projects (excluding administrative costs)			\$4,432,500
Project Name	Project Number	Maximum Funding Amount	
Steeplegate Lift Station and Force Main	SRP-W-134-0044	\$4,432,500	
Total Appropriations requested			\$4,432,500
Total Appropriations remaining			\$0
Other Funding Sources from the Division of Water Infrastructure			
Project Name	Project Number	Federal Funding Source	Maximum Funding Amount from Other Sources
Wastewater Regionalization Project	SRP-W-0196		\$1,354,000
Lift Station and Force Main Wastewater Regionalization	SRP-W-ARP-0064	ARPA	\$5,994,000
Total Other Project Funding			\$7,348,000

Recommendation:

Staff recommends that Trinity City Council adopts and approves the revised Steeplegate Lift Station and Force Main Project Budget

Attachment:

Resolution 25 – 03
Project Ordinance 25 – 01



AMENDMENT TO THE STEEPLEGATE LIFT STATION AND FORCE MAIN CAPITAL PROJECT FUNDING

RESOLUTION 25 – 03

WHEREAS, the City of Trinity has received a Directed Projects grant from the 2023 Appropriations Act, Session Law 2023-134, administered through the Drinking Water Reserve and Wastewater Reserve to assist eligible units of government with meeting their water/wastewater infrastructure needs, and

WHEREAS, the North Carolina Department of Environmental Quality has offered 2023 Appropriations Act funding in the amount of \$4,432,500 to perform work detailed in the submitted application, and

WHEREAS, the City of Trinity intends to perform said project in accordance with the agreed scope of work,

NOW, THEREFORE, BE IT RESOLVED BY THE TRINITY CITY COUNCIL OF THE CITY OF TRINITY

That the City of Trinity does hereby accept the 2023 Appropriations Act Directed Projects Grant offer of \$4,432,500.

That the City of Trinity does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.

That Finance Director, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

Adopted this 12th day of August 2024

Richard McNabb, Mayor

SEAL

Darien Comer, City Clerk



AMENDMENT TO THE STEEPLEGATE LIFT STATION AND FORCE MAIN CAPITAL PROJECT ORDINANCE

PROJECT ORDINANCE 25 – 01

Be it ORDAINED by the Governing Board of the City of Trinity, North Carolina, that pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital Project Ordinance is hereby adopted.

Section 1: The Project authorized is the Steeplegate Lift Station and Force Main Project to be financed by ARPA State Fiscal Recovery Fund and State Reserve Project Loan

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the board resolution, loan documents and the budget contained herein.

Section 3: The following amounts are appropriated for the Steeplegate Lift Station and Force Main Project:

	Increase (Decrease)
Professional Services	\$ 1,094,975.00
Construction	12,120,440.00
Contract Services	560,000.00
Contingency	100,000.00
	<u>\$ 13,875,415.00</u>

Section 4: The following revenues are anticipated to be complete the Steeplegate Lift Station and Force Main Project:

	Increase (Decrease)
ARAP Grant	\$ 2,094,915.00
ARP- Other Grant Sources	5,994,000.00
Other- Direct Project Fund	4,432,500.00
SRF Funding	1,354,000.00
	<u>\$ 13,875,415.00</u>

Section 5: The Finance Director is hereby directed to maintain within the capital project fund sufficient specific detailed accounting records to satisfy the requirements of the grantor agency, the grant agreements, and federal regulations. The terms of the bond resolution also shall be met.

Section 6: Funds may be advanced from the General Fund for the purpose of making payments as due. Disbursement requests should be made to the grantor agency in an orderly and timely manner.

Section 7: The Finance Director is directed to report, on a quarterly basis, on the financial status of each project element in section 3 and on the total grant/loan revenues received or claimed.

Section 8: The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this board.

Section 9: Copies of this capital project ordinance shall be furnished to the clerk to the Governing Board, and to the Budget Officer and the Finance Director for direction in carrying out this project

Adopted this 12th day of August 2024

Richard McNabb, Mayor

SEAL

Darien Comer, City Clerk



MEMORANDUM

TO: Richard McNabb, Mayor
City Council Members

FROM: Stevie Cox, City Manager

VIA: Rodney Johnson, Public Services Director
Crystal Postell, Finance Director

DATE: August 5, 2024

REF: Designation of Distress Under the Viable Utility Program Resolution

Summary:

This is a request to approve the Designation of Distress Under the Viable Utility Program Resolution.

Background:

The City of Trinity has been identified through the process approved by the State Water Infrastructure Authority (SWIA) and the Local Government Commission (LGC) as being potentially distressed, based on the financial, managerial, and technical challenges faced by the City of Trinity and which affect the long-term sustainability of the utility, as supported by the most recent assessment score which is above the designation threshold for the first time. The City has held this designation due to the Sewer Enterprise Fund not being self-sufficient and operating at a deficit. Over the last two Fiscal Years, the City Council has taken steps to make the Sewer Enterprise fund at least break event. Staff will continue to work with the City Council get this designation removed.

The passage of this resolution will allow the City to be more competitive in securing state grant assistance for study and/or construction projects, training and education, and other related assistance in support of becoming a viable utility.

Recommendation:

Staff is requesting that the City Council approve and adopt the Resolution of Designation of Distress Under the Viable Utility Program.

Attachment:

Resolution of Designation of Distress Under the Viable Utility Program

Office of the City Manager
 City of Trinity, 5978 NC Highway 62, P.O. Box 50, Trinity, North Carolina 27370
 Phone – (336) 431-2841 Fax – (336) 431-5079



DESIGNATION OF DISTRESS UNDER THE VIABLE UTILITY PROGRAM

RESOLUTION 25 – 01

- WHEREAS,** Session Law 2020-79 was signed into law on July 1, 2020 to improve viability of the water and wastewater systems of certain units of local government; the Viable Utility Reserve was established in the Water Infrastructure fund to be used for grants to include the study of rates, asset inventory and assessment and/or merger and regionalization options as well as construction projects which may include rehabilitation of existing utility assets, interconnections/extensions to provide regional service, decentralize an existing system, and/or other options deemed feasible to support financial, organizational, and operational viability; and
- WHEREAS,** The State Water Infrastructure Authority (SWIA) and the Local Government Commission (LGC) have developed criteria to assess local government units and identify distressed units, and
- WHEREAS,** The City of Trinity has been identified through the process approved by SWIA and the LGC as being potentially distressed, based on the financial, managerial, and technical challenges faced by the City of Trinity and which affect the long-term sustainability of the utility, as supported by the most recent assessment score which is above the designation threshold for the first time, and
- WHEREAS,** The City of Trinity has need for state grant assistance for study and/or construction project(s), training and education, and other related assistance in support of becoming a viable utility.

NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF TRINITY:

That City of Trinity, if designated as distressed, will complete the viable utility requirements in §159G-45(b) by:

1. Conducting an asset assessment and rate study. (Recently completed asset assessment or rate studies may be sufficient to meet this requirement.)
2. Participate in a training and educational program.
3. Develop a short-term and long-term action plan considering all of the following:
 - a. Infrastructure repair, maintenance, and management.
 - b. Continuing education of the governing board and system operating staff.
 - c. Long-term financial management plan.

That the City of Trinity acknowledges that the State Water Infrastructure Authority and Local Government Commission can impose specific conditions on grants from the Viable Utility Reserve.

That the City of Trinity will provide adequate access to staff, documents, equipment, and other resources pertinent to complete any future Viable Utility Reserve projects, and upon completion of the projects provide good faith effort to implement their short-term and long-term plans to achieve system viability.

That City Manager, the Authorized Official, and successors so titled, is hereby authorized to execute and file these materials for consideration on behalf of the City of Trinity with the State of North Carolina for a distressed designation to aid in the completion of projects in support of system viability.

That the Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such process: to make the assurances as contained above; and to execute such other documents as may be required in connection with the designation process.



That the City of Trinity has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants pertaining thereto.

Adopted this the 12th, of August 2024

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting City Manager of the City of Trinity does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the City Council duly held on the 12th day of August 2024; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office.

IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of August 2024.

Richard McNabb, Mayor

SEAL

Darien Comer, City Clerk



MEMORANDUM

TO: Richard McNabb, Mayor
City Council Members

FROM: Stevie Cox, City Manager

VIA: Clark Maness, WithersRavenel Senior Project Manager
Rodney Johnson, Public Services Director
Crystal Postell, Finance Director

DATE: August 5, 2024

REF: Resolution to Apply for a Sewer Asset Inventory and Assessment Grant

Summary:

This is a request to approve the submission of a Sewer Asset Inventory and Assessment Grant.

Background:

In March 2024, the City Council held their annual budget retreat. During the budget retreat, the City Council was given a presentation by Randy McNeil with Davis Martin Powel Engineering that focused on the need to conduct a sewer expansion study. Furthermore, Clark Maness who is WithersRavenel Senior Project Manager lead a session about discussion grant funding opportunities that will allow us to address the City’s Sewer Infrastructure. Both of these projects were included in the Capital Improvement Plan for Fiscal Year 2024 – 2025.

In June 2024, the City Council approved and adopted the Fiscal Year 2024 – 2025 Budget and Capital Improvement Plan. The City Council is moving forward with the execution of the contract for Sewer Expansion Study with Davis Martin Powel Engineering. The Sewer Asset Inventory and Assessment Grant Application requires that the City Council approve and adopt a Resolution to Apply, before the City can move forward with the application process. The maximum award for this grant application is \$150,000. The North Carolina Department of Environmental Quality is the funding agency. The City will likely have to provide a local match for this grant as well. WithersRavenel will require \$7,500 to cover their cost for preparing the grant application.

Recommendation:

Staff is requesting that the City Council approve and adopt the Resolution to Apply for a Sewer Asset Inventory and Assessment Grant. Furthermore, Staff is requesting that the City Council approve the allocation of \$7,500 to cover the cost of preparing the grant application by WithersRavenel.

Attachment:

Resolution to Apply for Sewer Asset Inventory and Assessment Grant
Form For Certification by the Recording Officer
Asset Inventory and Assessment Grant Application Frequently Asked Questions

Frequently Asked Questions (FAQ) for Preparing the Preliminary Scopes of Work (Scope) for Asset Inventory and Assessment (AIA) Grants from The Division of Water Infrastructure (Division)

What is a Scope of Work for an AIA project?

- The Division of Water Infrastructure (Division) requires an approved Preliminary Scope of Work (Scope) prior to transmitting the formal Grant Offer to recipients of approved AIA grants (grantees).
- Scopes for AIA projects provide the Division with an overview of the project tasks, costs, timeline, and deliverables/recommendations used to direct disbursements.
- The Scope should be consistent with the activities or services described in the application that will address the challenges experienced by the utility. The scope should be consistent with the scope of work to which the grantee will agree to in an engineering contract.

How do I submit my AIA Scope?

- Scopes should be submitted by the grantee (not the consultant) via the Division's online portal to the Division's project manager identified in the project's Letter of Intent to Fund (LOIF), by the date indicated in the milestone schedule. Reference the Division's Project Number provided in the LOIF.
 - Form to upload documents: <https://edocs.deq.nc.gov/Forms/DW-Document-Upload-Form>
- The grantee's Authorized Representative (not the consultant) may request a modest extension of the submittal date via an email or letter on appropriate letterhead, sent to the Division's project manager. The request must include a justification for the delay and propose a new date for submitting the Scope.
- Prior to submitting your scope, contact your Division project manager regarding any anticipated changes to the project as described in the application.

What does DWI require in an AIA Scope?

- Scopes must be consistent with the project described in the approved funding application, including the budget and challenges described in the application narrative.
- Scopes must contain the following:
 - Anticipated activities and/or services to be performed during the AIA project
 - A concise narrative describing how each project activity addresses the challenges in the approved AIA application
 - The budget for each project activity
 - A schedule for completing the project within 24 months of the Letter of Intent to Fund
 - The deliverables to be produced for the project, including GIS shape files as applicable to the project

What are eligible AIA project Activities?

- Project activities should adhere to the Division’s “Water and Wastewater Utility Evaluation Guidance Document: Asset Inventory and Assessment, Capital Cost, and Operating Cost Analyses” document, which primarily serves to help guide engineers and consultants during an AIA project. The latest version is posted to the Division’s website ([here](#)).
- Regardless of eligibility, if the project includes activities NOT covered by the AIA grant, the Scope budget must distinguish (a) the activities (or a portion thereof) that will be funded by the AIA grant from (b) the activities (or a portion thereof) that will be funded outside of the AIA grant.
 - For example, a \$200,000 AIA project may receive \$150,000 in Division AIA grant funding. The budget table in the Scope should show one column for the costs and activities covered by the AIA grant (totaling \$150,000) and a separate column for the costs to be covered by the other funding source (totaling the remaining \$50,000), and also provide the source of the non-Division funding (i.e., local cash, USDA grant, etc.).
- If equipment is an integral part of your project, contact your Division project manager prior to submitting the scope.
 - Eligible equipment costs (tablets, computers, and asset management equipment) must comprise no more than 10 percent of the grant AND must be justified in the scope.
- If access to software is an integral part of your project, the initial purchase and/or subscription is eligible, but the renewal of software subscription is not eligible.

What is required for the Scope narrative?

- The Scope narrative should consist of a succinct discussion of each task. The description should explain how the tasks relate to the challenges and benefits identified in the application.
- Reference any applicable historic asset management work and describe how the proposed project Scope builds upon those past asset management efforts.
- Specify that any GIS data delivered to the grantee will be provided in a format they can easily and readily update with current resources, and clearly identify the owner of the data.
- Remember, the application was funded based on the specific needs of the system and proposed benefits of the AIA project.

What is required for the project schedule?

- The project schedule must show the anticipated start and end dates for each project activity.
- The final project completion date must be within 24 months of the date the Letter of Intent to Fund is sent to the applicant (this language is in the Letter of Intent to Fund). Typically, the Grant Offer will be issued within one month of scope approval.
- Specify that DWI will be copied on draft and final deliverables, including the appropriate GIS data

layers that show a complete service area boundary, including gaps within those boundaries.

- Provide regular (no less frequent than every other month unless otherwise directed by the Division) updates, preferably with the submittal of disbursement requests.

What makes up the Deliverable?

- The deliverable consists of the documents produced by the planning project. The documents may include, but are not limited to:
 - photos
 - maps
 - outputs and summaries of models and/or flow monitoring
 - copies of physical CCTV inspections
 - GIS data layers if applicable
 - Findings, recommendations, and/or conclusions
- Scopes must specify that both the draft and final deliverables will be submitted to the Division for review and approval prior to processing the final disbursement request.

What deliverables must be submitted to the Division?

- At the end of the AIA project, the grantee must submit to the Division a copy of the deliverable/report, an executive summary, and either:
 - A copy of the board meeting minutes where the report/recommendations were presented and the minutes of the subsequent board meeting showing adoption of the previous meeting's minutes, or
 - A resolution passed by the governing board adopting the findings/recommendations/conclusions presented in the report, including Capital Improvement Plans and adjoining rate studies as appropriate.
- The final report must be approved by the Division prior to final disbursement of the grant funds.
- For projects that develop a new or update an existing GIS database, GIS shapefiles and databases must be submitted to Division staff upon completion of the project. The shapefile should include the appropriate GIS data layers that show a complete service area boundary, including gaps within those boundaries, most commonly in the following file formats: .shp, .shx, and .dbf.
- Note that the data gathered during the Division-funded project is the property of the grantee; exceptions to grantee ownership of project deliverables, including incorporation of data into proprietary software, must be clarified in the scope.

What if my Local Government Unit (Unit) has been designated Distressed?

- Distressed Units are required to complete the activities established in NCGS §159G-45(b), and an AIA grant provides funding to fulfill some of those requirements.
- Remember, project activities should adhere to the Division's [guidance document](#).
- Distressed Units are required to complete short-term and long-term plans for infrastructure

repair, maintenance, and management, of which a complete AMP and 10-year CIP are integral parts. AIA projects for distressed units must either:

- Result in a complete Asset Management Plan (AMP) including at least a 10-year Capital Improvement Plan (CIP), or
- Establish the basis of an AMP and a timeline for fulfilling all the activities required of distressed units.
- In general, a complete AMP consists of:
 - List of assets/asset registry
 - Spatial database/GIS map
 - A risk-based condition assessment of all water and/or wastewater assets
 - Minimum 10-year Capital Improvement Plan
 - Recommended schedule and plan for Operation, Maintenance and Rehabilitation/Replacement, including time/cost estimates for annual budgeting
 - Staffing plan to implement AMP/CIP, as needed
 - Rate study (minimum 5-year rate programming to address CIP)
- As stated in the LOIF for the AIA project, contact your Division project manager prior to creating the Scope to discuss how this project helps the Distressed Unit fulfill the statutory requirements in §159G-45(b) and make progress toward de-designation.
- For Distressed Units with an approved or draft Short-Term Action Plan as a result of meeting with Division staff, reference the action items identified in the plan in the project Scope.

Suggested Scope Format (Adobe PDF or other non-editable format)

Section 1 – Reference: Contact information for the grantee, contact information for the consultant, project name as listed in the application and the LOIF, funding cycle, etc.

Section 2 – Narrative: A concise narrative description of the Scope, referencing any applicable historic asset management efforts, describing how the proposed Scope builds on past efforts, and connecting the challenges described in the application with the main project activities.

Section 3 – Itemized Tasks: A description, cost, and schedule/timeline of each main project activity, detailed enough that the Division can determine the tasks that will be accomplished during the project, the resulting deliverable, and what is/is not eligible for disbursement.

Section 4 – Deliverables: A summary of the anticipated documents and plans to be created during the project with milestones, including a timeline for the Division to approve the draft and final deliverables, detailed enough that the Division can determine that the grantee will meet the funding requirements.

RESOLUTION BY TRINITY CITY COUNCIL TO APPLY FOR A SEWER ASSET INVENTORY AND ASSESSMENT GRANT



WHEREAS, The City of Trinity has need for and intends to conduct a study for a project described as a Sewer Asset Inventory and Assessment grant, and

WHEREAS, The City of Trinity intends to request State grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF TRINITY:

That City of Trinity, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State grant award.

That City Manager, Stevie Cox, the **Authorized Representative** and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

That the **Authorized Representative**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, ordinances, and funding conditions applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 12th of **August** 2024 at Trinity, North Carolina.

IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of August 2024.

Richard McNabb, Mayor

Darien Comer, City Clerk



FORM FOR CERTIFICATION BY THE RECORDING OFFICER

The undersigned duly qualified and acting City Clerk/Office Manager of the City of Trinity, Darien Comer, does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Trinity City Council duly held on the 12th day of August 2024 and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN **WITNESS WHEREOF**, I have hereunto set my hand this 12th day of August 2024.

Darien Comer, City Clerk



MEMORANDUM

TO: Mayor and City Council

FROM: Carrie Spencer, Municipal Services Inc.

CC: Stevie Cox, City Manager

DATE: August 7, 2024

SUBJECT: Water Management Ordinance

Summary: The City of Trinity has asked Municipal Services, Inc. (MSI) to update their stormwater and watershed ordinances. MSI reviewed current ordinances and determined that they needed a lot of work to bring them into current legal compliance, make them easier to follow, and set them up in a way that could be efficiently enforced by the stormwater administrator.

Background: MSI has created a new model for a local ordinance that regulates the numerous ways in which water and development are interconnected. The model combines stormwater, watershed, and floodplain regulations into a single Water Management Ordinance (WMO). A comprehensive water ordinance has several advantages:

- Addresses all aspects of the effect of development on water quantity and quality in one resource
- Creates a single regulatory document for City staff to follow and enforce
- Creates the new role: “Water Management Administrator”, combining the roles of stormwater administrator, watershed administrator, and floodplain administrator
- Calls attention to the importance of the control of water quantity and quality
- Creates a resource more easily read and understood by property owners and developers
- Eliminates redundancies between stormwater, watershed, and floodplain regulation

This ordinance is the first of its kind in the state of North Carolina. The innovative format consolidates regulations that are managed by separate branches of state environmental agencies, resulting in efficient access for local property owners and developers.

State approval is required for the City to use the ordinance. Our planners and City staff have been working closely with state agencies on the drafting and review of the ordinance. We have, also, worked closely with the City’s stormwater administrator, planning director, and engineer during the project.

Recommendation: The Planning Board has reviewed the ordinance and recommended your approval. The adoption of the ordinance requires a public hearing. Staff requests you schedule a public hearing for the adoption of the City of Trinity Water Management Ordinance.