AMENDED AGENDA
REGULAR MEETING
CITY COUNCIL, CITY OF ASHEBORO
THURSDAY, NOVEMBER 10, 2022, 7:00 PM

1. Call to order.

2. Silent prayer and pledge of allegiance.

3. Public comment period.

4. Consent agenda:

   (a) Approval of the meeting minutes for the regular city council meeting held on October 6, 2022.

   (b) Approval of the meeting minutes for the special city council meeting held on October 27, 2022.

   (c) Approval of a temporary street closure order for the Veterans Parade that has been rescheduled for November 19, 2022.

   (d) Approval of a temporary street closure order for the Christmas Parade on December 2, 2022.

   (e) Approval of a temporary street closure order for the Christmas Downtown special event on December 9, 2022.

   (f) Approval of a temporary street closure order for the Leo's Whiskey Bar event on December 16, 2022.

   (g) Approval of an audit contract with Huneycutt, Parsley & Taylor, CPAs, PLLC for a gross fee, including expenses, that will not exceed $36,800.00.

   (h) Approval of the community development division's request to schedule for December 8, 2022, and to advertise, a legislative hearing on the question of a text amendment application prepared by the city planning staff for the purpose of updating a broad range of subdivision review/approval regulations and in order to make technical corrections in the text of both the zoning and subdivision ordinances.

   (i) Approval of ordinances amending Title VII (Traffic Code) in the Code of Asheboro and establishing a four-hour parking zone on Sunset Avenue between the railroad right-of-way and Church Street.

5. Ms. Amy Rudisill and Mr. Al LaPrade of Downtown Asheboro, Inc. will present a request from Mr. JB Davis of Farm at Little River, LLC, owner of 130 South Church Street, to increase the size of the Social District by extending the district boundary line southward down South Church Street.

6. Fire Chief Willie Summers will provide an update on the project to construct a third fire station.

7. Community Development Director Trevor Nuttall will introduce the following agenda items:

   (a) Legislative Hearing (Case No. RZ-22-11): An application to rezone property at 1622 Zoo Parkway (Randolph County Parcel Identification Number 7750955151), on the west side of Zoo Parkway and approximately 200 feet north of Ridge Street, from B2 to I1 zoning;

   (b) A request for authorization to enter into an agreement with the North Carolina Department of Transportation for the city to participate in the cost to construct sidewalks as part of TIP Number U-5813 (improvements to U.S. 64 from the Asheboro Bypass to east of I-73/I-74/U.S. 220) in the estimated amount of $137,655.00; and

   (c) Announcement of public workshops to seek public input related to the ongoing update to the city's Land Development Plan.

8. City Engineer Michael Leonard, PE will present the following agenda items:

   Annexation

   Request for council action on Cone Health's petition for Asheboro to annex in excess of 65 acres of land on the west side of I73/I74.

   (a) Resolution directing the city clerk to investigate the annexation petition.

   (b) Resolution setting the date of a public hearing on the question of annexation.

   Public Streets

   (a) Update on a traffic study at the intersection of Salisbury Street and Old Lexington Road.

   (b) Consideration of a resolution of intent to permanently close a section of West Pritchard Street.

Public Contracting

Request approval of a resolution authorizing the exemption of competitive bidding requirements due to sole source products as related to Zoo City Sportsplex.

9. Finance Director Deborah Reaves will present for the council's consideration the budget and project fund amendments listed below.

(a) Ordinance to Amend the General Fund – Turf around the Zoo City Sportsplex Beach Volleyball Courts

(b) Ordinance to Amend the Zoo City Sportsplex Fund – Beach Volleyball Courts

(c) Ordinance to Amend the General Fund – Zoo City Sportsplex Playground and Other Miscellaneous Expenses

(d) Ordinance to Amend the Zoo City Sportsplex Fund – Playground and Other Miscellaneous Expenses

(e) Ordinance to Amend the Water and Sewer Fund – Zoo City Sportsplex Pump Stations

(f) Ordinance to Amend the Zoo City Sportsplex Fund – Pump Stations

(g) Ordinance to Amend the General Fund – McCrary Ballpark Playground and Other Miscellaneous Expenses

(h) Ordinance to Amend the McCrary Ballpark Improvements Fund – Playground and Other Miscellaneous Expenses

(i) Ordinance to Amend the General Fund – Vehicle Purchase

(j) Ordinance to Amend the General Fund – Facade Grant

(k) Ordinance to Amend the Water and Sewer Fund – North Carolina Department of Transportation Utility Construction

10. City Attorney Jeff Sugg will present the following Asheboro Regional Airport items:

    (a) Consideration of a Civil Air Patrol lease agreement; and

    (b) Consideration of an amended fixed based operator lease agreement with Cardinal Air, LLC.

11. Mayor Smith will lead a discussion of potential changes in the city council's meeting schedule for 2023.

12. Consideration of a motion to go into closed session to discuss a matter within the attorney/client privilege.

13. Mayor Smith will lead a discussion of upcoming events and items not on the agenda.

14. Adjournment.

REGULAR MEETING
ASHEBORO CITY COUNCIL
CITY COUNCIL CHAMBER, ASHEBORO CITY HALL
THURSDAY, OCTOBER 6, 2022
7:00 P.M.

This being the time and place for a regular meeting of the Asheboro City Council, a meeting was held with the following elected officials and city management team members present:

David H. Smith	) – Mayor Presiding
Clark R. Bell	)
Edward J. Burks	)
Kelly L. Heath	) – Council Members Present
William N. McCaskill	)
Walker B. Moffitt	)
Jane H. Redding	)
Charles A. Swiers	) – Council Member Absent

John N. Ogburn, III, City Manager
Holly H. Doerr, CMC, NCCMC, City Clerk/Paralegal
Trevor L. Nuttall, Community Development Director
Deborah P. Reaves, Finance Director
Jeffrey C. Sugg, City Attorney

1. Call to Order

A quorum thus being present, Mayor Smith called the meeting to order for the transaction of business, and business was transacted as follows.

2. Moment of Silent Prayer and Pledge of Allegiance

After a moment of silence was observed in order to allow for private prayer and meditation, Mayor Smith asked everyone to stand and recite the pledge of allegiance.

3. Old Business: Continuation from September 8, 2022, of the quasi-judicial hearing on a subdivision ordinance variance application (Case No. SUB-22-01) for Windcrest Acres, Section 4

Mayor Smith re-opened the above-listed evidentiary hearing and recognized Community Development Director Trevor Nuttall as the first speaker. In turn, Mr. Nuttall presented a written request, which was transmitted to city staff members as an email message on October 5, 2022, by Summey Engineering Associates, PLLC on behalf of the subdivision variance applicant, Davidson Land Development.

By means of this message from the variance applicant's retained engineering firm, the applicant requested to withdraw the variance petition seeking to remove the curb and gutter requirements from the Windcrest Acres, Section 4 project. No witnesses expressed any opposition to this request.

Council Member Burks moved, and Council Member Heath seconded the motion, to accept the request to withdraw the stated subdivision variance application and to end the council's consideration of this land use case. Council Members Bell, Burks, Heath, McCaskill, Moffitt, and Redding voted aye. There were no dissenting votes.

4. Listing of the Asheboro Downtown Historic District on the National Register of Historic Places

Community Development Director Trevor Nuttall introduced Brett C. Sturm, who is a Restoration Specialist with the State Historic Preservation Office. Mr. Sturm discussed the recent listing of the Asheboro Downtown Historic District on the National Register of Historic Places.

This meeting agenda item was for informational purposes only. No formal action was taken by the council during this section of the meeting.

5. Public Hearing: A Potential Building Reuse Grant Application

Mayor Smith opened an advertised public hearing on a proposed economic development project that can be implemented by submitting a building reuse grant application. Kevin Franklin, who is the president of the Randolph County Economic Development Corporation, was recognized as the first speaker. Mr. Franklin described the details of the proposed project with Upstyled Goods and Salon, LLC.

As part of his comments, Mr. Franklin asked the city council to adopt the resolution printed below. Todd Trotter presented comments in support of the resolution.

No one spoke in opposition to the proposed project. When no other members of the public asked to be heard, Mayor Smith moved to the deliberative phase of the hearing.

Council Member Bell moved, and Council Member Burks seconded the motion, to adopt the following resolution by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, and Redding voted aye. There were no dissenting votes.

RESOLUTION NUMBER 34 RES 10-22

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

RESOLUTION AUTHORIZING AND SUPPORTING THE SUBMISSION OF A BUILDING REUSE GRANT APPLICATION AS PART OF AN ECONOMIC DEVELOPMENT PROJECT WITH UPSTYLED GOODS AND SALON, LLC

WHEREAS, the North Carolina Department of Commerce administers grants and loans to units of local government such as the City of Asheboro (the "City") to support economic development activity that will lead to the creation of new, full-time jobs; and

WHEREAS, UpStyled Goods and Salon, LLC (the "Company") is a startup retail operation that owns real property at 122 S. Church Street in Asheboro; and

WHEREAS, the Company is proposing to invest no less than $55,000 in upfits for its real property at 122 S. Church Street; and

WHEREAS, in addition to the above-stated investment in real property improvements, the Company is committed to creating five new, full-time jobs in Asheboro; and

WHEREAS, in light of the Company's stated commitment to job creation, the City's professional staff has joined with the Randolph County Economic Development Corporation to recommend that the municipal corporation submit an application for Building Reuse Grant funding in the amount of $25,000 for this project; and

WHEREAS, on October 6, 2022, the Asheboro City Council conducted a properly advertised public hearing on the question of whether to submit the above-described grant application; and

WHEREAS, after considering the information presented during the public hearing, the governing board concurred with the recommendation to submit an application for Building Reuse Grant funding.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the governing board supports the job creation associated with the Company's proposed project; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the governing board believes that, in addition to job creation, the City's participation in the proposed economic development project will increase the population, the taxable property base, and business prospects in the City; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that, for the above-stated reasons, the City is fully supportive of submitting a Building Reuse Grant application seeking $25,000 in funding; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the mayor and the City's appointed officials are hereby authorized to execute the legal instruments necessary to successfully complete the above-described grant application process.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on October 6, 2022.

/s/ David H. Smith
David H. Smith, Mayor

ATTEST:

/s/ Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

6. Public Comment Period

Mayor Smith opened the floor for comments from the public.

Joel McClosky, Clyde Foust, Charlie Lyons, Tammy Coley, Dwain Roberts, Eli Harmon, and Maria Foust commented on the council's previous adoption of a resolution pertaining to the confederate statue at the Historic Randolph County Courthouse.

In addition to commenting on issues related to the adoption of the above-referenced resolution, Barry Stutts commented on the ongoing traffic issues within the Dixieland Acres neighborhood.

Carey Durham commented on issues related to the operation of city-owned parks as well as the status of a previously discussed traffic study pertaining to Old Lexington Road and Salisbury Street.

7. Consent Agenda

Prior to calling for a vote on the consent agenda, Mayor Smith noted the request by City Attorney Jeff Sugg to withdraw, in order to allow time for additional staff work, the proposed consent agenda ordinance establishing a 4-hour parking zone on Sunset Avenue between the railroad right-of-way and Church Street. This proposed ordinance was identified on the meeting agenda as item 7(h).

Council Member Burks moved, and Council Member Heath seconded the motion, to approve/adopt, with the exception of the 4-hour parking zone ordinance that was removed from the meeting agenda, the following consent agenda items. Council

Members Bell, Burks, Heath, McCaskill, Moffitt, and Redding voted aye. There were no dissenting votes.

(a) City Council Meeting Minutes for September 8, 2022

The meeting minutes for the city council's regular meeting on September 8, 2022, were approved and have been filed in the city clerk's office. An electronic copy of the approved document has been posted on the city's website.

(b) Scheduling of a Legislative Hearing for November 10, 2022

The council approved a request from the community development division to schedule for November 10, 2022, and to advertise, a legislative hearing on an application to rezone property at 1622 Zoo Parkway (Randolph County Parcel Identification Number 7750955151), on the west side of Zoo Parkway and approximately 200 feet north of Ridge Street, from B2 to I1 zoning.

(c) 2022-2023 Canada Geese (including White-Fronted Geese) and Duck Hunting Season at Lake Reese

Canada Geese (including White-Fronted Geese) and duck hunting has been successfully offered at Lake Reese for the past 14 years and will be offered again this season.

The council approved the following dates for the 2022-2023 hunting season at Lake Reese for Canada Geese (including White-Fronted Geese) and ducks:

November 12th, 14th, and 17th
December 17th, 19th, and 22nd
January 21st, 23rd, and 26th

Hunting hours are ½ hour before sunrise to sunset. The lake will be closed to other activities while hunting takes place. Hunters are required to call Lake Reese at least 24 hours in advance to reserve a space. If hunting reservations are not made, the lake will operate on its regular winter schedule.

(d) Special Event Closure Order – Halloween Downtown

The council approved a special event closure order, including a temporary street closure, for the Halloween Downtown event. The temporary closure order will take effect at 1000 hours on October 29, 2022, and will end at 2200 hours on October 29, 2022. Pursuant to the special event closure order, the Zoo City Social District will not be impacted. A copy of the map with the special event closure order is on file in the city clerk's office.

(e) Special Event Closure Order – Veterans Day Parade

The council approved a special event closure order, including temporary street closures, for the Veterans Day Parade. The temporary closure order will take effect at 1500 hours on November 11, 2022, and will end at 1830 hours on November 11, 2022. Pursuant to the special event closure order, the Zoo City Social District provisions will not be in effect on November 11, 2022. A copy of the map with the special event closure order is on file in the city clerk's office.

(f) Budget Amendments Pertaining to the General Fund and the Zoo City Sportsplex Project

(i) General Fund Amendment – Score Boards at the Zoo City Sportsplex

64 ORD 10-22

ORDINANCE TO AMEND THE GENERAL FUND FY 2022-2023

WHEREAS, the City of Asheboro wishes to purchase two score boards for Fields 1 and 2 at the Zoo City Sportsplex.

WHEREAS, the estimated amount of each scoreboard is expected not to exceed $18,000.

WHEREAS, as of September 30, 2022, the City has allocated $50,000 of fund balance in FY 2022-2023.

WHEREAS, the City wishes to allocate fund balance in the amount of $36,000 from the General Fund to transfer to the Zoo City Sportsplex fund for this expense.

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

WHEREAS, the City of Asheboro desires to be in compliance with all generally accepted accounting principles, and;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

That the following Revenue line items be increased:

Line Item	Description	Increase
10-000-399.0000	Fund Balance Allocation	$36,000

That the following expense line items be increased:

Line Item	Description	Increase
10-620-574.7400	Contribution to Zoo City Sportsplex Fund	$36,000

Adopted this the 6th day of October 2022.

/s/ David H. Smith
David H. Smith, Mayor

ATTEST:

/s/ Holly H. Doerr
Holly H Doerr, CMC, NCCMC, City Clerk

(ii) Zoo City Sportsplex Fund Amendment – Score Boards and YMCA Donation for Playground

65 ORD 10-22

ORDINANCE TO AMEND THE ZOO CITY SPORTSPLEX FUND FY 2022-2023

WHEREAS, the City of Asheboro wishes to purchase two score boards for Fields 1 and 2 at the Zoo City Sportsplex.

WHEREAS, the estimated amount of each scoreboard is expected not to exceed $18,000.

WHEREAS, the City desires to recognize funding from the General Fund and appropriate for the expense in the Zoo City Sportsplex fund.

WHEREAS, the Randolph Asheboro YMCA has received a $300K state grant for capital improvements or equipment at the Zoo City Sportsplex and they are wishing to direct its use for a playground at the Zoo City Sportsplex.

WHEREAS, the City desires to recognize funding from the YMCA and appropriate for the expense in the Zoo City Sportsplex fund.

WHEREAS, the City of Asheboro desires amend the 2022-2023 capital project fund budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

WHEREAS, the City of Asheboro desires to be in compliance with all generally accepted accounting principles, and;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

That the following Revenue line items be increased:

Line Item	Description	Increase
74-000-370.0000	Contribution from General Fund	36,000
74-000-371.0000	Donations – YMCA	300,000
		$336,000

That the following expense line items be increased:

Line Item	Description	Increase
74-000-400.9005	Miscellaneous Expense- Scoreboards	36,000
74-000-400.9006	Playground	300,000
		$336,000

Adopted this the 6th day of October 2022.

/s/ David H. Smith
David H. Smith, Mayor

ATTEST:

/s/ Holly H. Doerr
Holly H Doerr, CMC, NCCMC, City Clerk

(iii) General Fund Amendment – George Washington Carver Community Enrichment Center After School Program

66 ORD 10-22

ORDINANCE TO AMEND THE GENERAL FUND FY 2022-2023

WHEREAS, the City of Asheboro contributes to a variety of agencies who provide services that enhance the quality of life of Asheboro Citizens.

WHEREAS, George Washington Carver Community Enrichment Center has requested funding for $50,000 for an after school program.

WHEREAS, the amount requested to fund this program is $50,000

WHEREAS, as of September 30, 2022, the City has allocated $50,000 of fund balance in FY 2022-2023.

WHEREAS, the City wishes to allocate fund balance in the amount of $50,000 for this expense.

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

WHEREAS, the City of Asheboro desires to be in compliance with all generally accepted accounting principles, and;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

That the following Revenue line items be increased:

Line Item	Description	Increase
10-000-399.0000	Fund Balance Allocation	$50,000

That the following expense line items be increased:

Line Item	Description	Increase
10-620-522.0008	Prof. Services- GWCCEC After school program	$50,000

Adopted this the 6th day of October 2022.

/s/ David H. Smith
David H. Smith, Mayor

ATTEST:

/s/ Holly H. Doerr
Holly H Doerr, CMC, NCCMC, City Clerk

(iv) General Fund Amendment – Vehicle and Equipment Purchase with Installment Financing

67 ORD 10-22

ORDINANCE TO AMEND THE GENERAL FUND FY 2022-2023

WHEREAS, orders for Vehicles and Equipment placed in fiscal year 2021-2022 have been cancelled by the vendors due to supply issues.

WHEREAS, the Facilities Maintenance Department and the Police Department were impacted by these cancellations.

WHEREAS, both departments wish to place order for vehicles in 2022-2023 in to replace the ones that were approved for last year purchase but were cancelled.

WHEREAS, the City of Asheboro would like to be able to use proceeds from financing to pay for these vehicles.

WHEREAS, the cost for the vehicle budgeted in the Engineering Department that is to be financed has increased by $1,300.

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

WHEREAS, the City Council of the City of Asheboro wants to be in compliance with all generally accepted accounting principles.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

That the following revenue line items be increased:

Line Item	Description	Increase
10-000-360.0000	Proceeds from Lease Purchase	$401,300

That the following expense line items be increased:

Line Item	Description	Increase
10-510-574.0000	Capital Outlay	310,000
10-575-574.0000	Capital Outlay	1,300
10-640-574.0000	Capital Outlay	90,000
		$401,300

Adopted this the 6th day of October 2022.

/s/ David H. Smith
David H. Smith, Mayor

ATTEST:

/s/ Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

(v) General Fund Amendment – Library HVAC System

68 ORD 10-22

ORDINANCE TO AMEND THE GENERAL FUND
FY 2022-2023

WHEREAS, the Asheboro Library is conditioned with a gas boiler, chiller and six air handling units.

WHEREAS, the system is not fully functioning and is not controlling the humidity adequately for the library.

WHEREAS, the City would like to completely replace the system with a new HVAC type system that will require mechanical and electrical design services.

WHEREAS, the estimated cost of the professional services is $26,900.

WHEREAS, as of September 30, 2022, the City has allocated $50,000 of fund balance in FY 2022-2023.

WHEREAS, the City wishes to allocate fund balance in the amount of $26,900 for this expense.

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

WHEREAS, the City Council of the City of Asheboro wants to be in compliance with all generally accepted accounting principles.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

That the following revenue line items be increased:

Line Item	Description	Increase
10-000-399.0000	Fund Balance Allocation	$26,900

That the following expense line items be increased:

Line Item	Description	Increase
10-630-522.0000	Professional Services – Library	$26,900

Adopted this the 6th day of October 2022.

/s/ David H. Smith
David H. Smith, Mayor

ATTEST:

/s/ Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

(g) An Ordinance Establishing a 4-way Stop at the Intersection of Sherwood Avenue and Lambert Drive

ORDINANCE NUMBER 69 ORD 10-22

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

ORDINANCE DESIGNATING A STOP INTERSECTION

WHEREAS, Section 160A-296 of the North Carolina General Statutes provides that a city shall have general authority and control over all public streets, sidewalks, alleys, bridges, and other ways of public passage within its corporate limits; and

WHEREAS, Section 70.29(B) of the Code of Asheboro provides, in pertinent part, as follows:

> Pursuant to instructions given to him by the City Council from time to time and entered in the council minute book, the City Manager shall:
>
> (B) Cause all intersections designated as stop intersections when entered from designated streets to be posted accordingly. He shall then notify the City Clerk, who shall enter the description of such intersections and the streets of . . . (entry) thereto upon which stops are required in schedule 7 of § 72.02 (of the Code of Asheboro); and

WHEREAS, after receiving requests from residents for safety improvements at the intersection of Lambert Drive and Sherwood Avenue, the city engineering department recommended establishing this intersection as a stop intersection; and

WHEREAS, the Asheboro City Council wishes to implement the above-stated recommendation.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Asheboro as follows:

Section 1. The intersection of Lambert Drive and Sherwood Avenue is hereby declared to be an all-way stop intersection that shall be properly posted to cause all vehicles approaching the intersection from any direction to stop immediately before entering the intersection.

Section 2. The city manager is hereby instructed to cause the proper placement of stop signs at the intersection listed in Section 1 of this Ordinance in order to establish an all-way stop intersection at the intersection of Lambert Drive and Sherwood Avenue.

Section 3. The city clerk shall properly record the actions taken pursuant to this Ordinance in schedule 7 of Section 72.02 of the Code of Asheboro.

Section 4. All ordinances and clauses of ordinances in conflict with this Ordinance are hereby repealed to the extent that such ordinances conflict with the intent of the Asheboro City Council to create an all-way stop at the intersection designated herein.

Section 5. This Ordinance shall take effect and be in force from and after the date of its adoption.

This Ordinance was adopted by the Asheboro City Council in open session during a regular meeting held on October 6, 2022.

/s/ David H. Smith
David H. Smith, Mayor

ATTEST:

/s/ Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

[As noted above, item 7(h) on the meeting agenda was withdrawn at the request of city staff. The following consent agenda items, while number sequentially in accordance with the item numbers used for these meeting minutes, correspond to the item numbers listed on the meeting agenda as items 7(i), (j), (k), (l), and (m).]

(h) A Resolution Awarding to Charles F. Voncannon His Service Side Arm Upon His Retirement from the Asheboro Police Department

RESOLUTION NUMBER 35 RES 10-22

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

A RESOLUTION AWARDING TO CHARLES FOSTER VONCANNON HIS SERVICE SIDE ARM UPON RETIREMENT FROM THE ASHEBORO POLICE DEPARTMENT

WHEREAS, after rendering honorable and valuable service to the City of Asheboro and its citizens throughout the course of his Asheboro Police Department career, which began on May 1, 2003, Master Police Officer Charles Foster Voncannon will begin his retirement from employment with the city on November 1, 2022; and

WHEREAS, pursuant to and in accordance with Section 20-187.2 of the North Carolina General Statutes, the Asheboro City Council wishes to recognize and honor Officer Voncannon for his dedicated service to the city by awarding to him, at a minimal monetary cost, the service side arm that he carried at the time of his retirement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that, effective November 1, 2022, in consideration of the combination of his dedicated service to the City of Asheboro and the payment to the city of $1.00, Charles Foster Voncannon is to be awarded ownership of his city-issued service side arm (a Glock model 45 9mm with serial no. BLKC004 and three magazines) upon a determination by the police department command staff that Mr. Voncannon is eligible under the applicable federal and state laws to receive, own, or possess a firearm.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on October 6, 2022.

/s/ David H. Smith
David H. Smith, Mayor

ATTEST:

/s/ Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

(i) A Resolution Declaring the Official Intent of the City of Asheboro to Purchase Municipal Vehicles and Equipment and to Reimburse the General Fund with Installment Financing Proceeds

RESOLUTION NUMBER 36 RES 10-22

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

A RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY OF ASHEBORO TO PURCHASE MUNICIPAL VEHICLES AND EQUIPMENT AND TO REIMBURSE THE GENERAL FUND WITH INSTALLMENT FINANCING PROCEEDS

WHEREAS, in order to maintain a satisfactory level of municipal services, the Asheboro City Council has adopted a budget ordinance for fiscal year 2022-2023 that, as amended, allocates funding for the acquisition of vehicles and equipment deemed essential for maintaining uninterrupted high-quality municipal services; and

WHEREAS, the following appropriations have been made for the acquisition of vehicles and equipment by city departments that receive their funding from the City of Asheboro General Fund (the "General Fund"):

1. $28,631.00 has been budgeted for vehicle and equipment acquisition by the building inspections department;

2. $26,300.00 has been budgeted for vehicle and equipment acquisition by the engineering department;

3. $290,000.00 has been budgeted for vehicle and equipment acquisition by the facilities maintenance department;

4. $310,000.00 has been budgeted for vehicle and equipment acquisition by the police department;

5. $105,000.00 has been budgeted for vehicle and equipment acquisition by the recreation services department; and

WHEREAS, the total budgeted amount for the above-described acquisition of vehicles and equipment needed by the listed city departments to deliver essential municipal services is $759,931.00; and

WHEREAS, Section 160A-20 of the North Carolina General Statutes authorizes the city to finance the purchase of personal property by means of installment financing that creates a security interest in the purchased property; and

WHEREAS, in order to provide uninterrupted high-quality municipal services, the above-referenced vehicles and equipment will be purchased and placed into service as soon as possible with available funds in the General Fund; and

WHEREAS, the Asheboro City Council has decided that the above-stated expenditures are to be reimbursed to the General Fund during the current fiscal year with proceeds from an installment financing agreement that will create security interests in the above-referenced municipal vehicles and equipment acquired by the city during its 2022-2023 fiscal year; and

WHEREAS, more favorable financing terms can be obtained if the city takes the steps necessary to allow the lending institution from which financing is ultimately obtained to exclude the interest paid or payable under an installment financing agreement with the city from the gross income of the lending institution; and

WHEREAS, in accordance with the applicable treasury regulations, one of the steps necessary to avoid jeopardizing the ability of a lender to exclude from its gross income the interest paid or payable under an installment financing agreement is for the city to declare its official intent to reimburse the General Fund for the expenditures used to purchase the needed vehicles and equipment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that, consistent with the city's budget ordinance for fiscal year 2022-2023, as amended, and with the explicit intent of seeking reimbursement for the expenditures from installment financing proceeds, a maximum of $759,931.00 may be expended from the General Fund for the above-described acquisition of municipal vehicles and equipment prior to the execution of any installment financing agreement; and

BE IT FURTHER RESOLVED that the City Council of the City of Asheboro does hereby formally and explicitly declare the official intent of the City of Asheboro to fully reimburse, with loan proceeds from an installment financing agreement that is to be executed prior to the end of the 2022-2023 fiscal year, any and all expenditures from the General Fund during the current fiscal year for the above-referenced vehicle and equipment acquisitions that are necessary to the provision of essential municipal services.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on October 6, 2022.

/s/ David H. Smith
David H. Smith, Mayor

ATTEST:

/s/ Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

(j) An Audit Contract Amendment Reflecting the Merger of William R. Huneycutt, CPA, PLLC with Huneycutt, Parsley, and Taylor, CPAs, PLLC

The above-referenced amendment reflecting the merger of William R. Huneycutt, CPA, PLLC with Huneycutt, Parsley, and Taylor, CPAs, PLLC was approved by the council. Copies of the executed contract amendment are on file in the finance department and in the city clerk's office.

(k) A Resolution Stating the Intent of the Asheboro City Council to Lease Hangar Space at the Asheboro Regional Airport to the Civil Air Patrol

RESOLUTION NUMBER 37 RES 10-22

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

A RESOLUTION STATING THE INTENT OF THE ASHEBORO CITY COUNCIL TO LEASE HANGAR SPACE AT THE ASHEBORO REGIONAL AIRPORT TO THE CIVIL AIR PATROL

WHEREAS, the Civil Air Patrol was incorporated under a Special Act of Congress that was approved on July 1, 1946 (Public Law 476, 79th Congress); and

WHEREAS, in preparation for the expiration of the existing hangar lease agreement at the end of the current calendar year, the Civil Air Patrol has requested the continuation of its lease of hangar space at the Asheboro Regional Airport for another 3-year term at the current rental rate of One Dollar ($1.00) per year; and

WHEREAS, the hangar space currently leased to the Civil Air Patrol has been continuously used by its Randolph Composite Squadron for a significant number of years; and

WHEREAS, this hangar space will not be needed by the city during the requested term of the lease.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that it intends to approve a lease agreement allowing the continued use of the existing Civil Air Patrol hangar space at the Asheboro Regional Airport for a new 3-year lease term at a rental rate of One Dollar ($1.00) per year; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the city clerk is hereby directed to publish in *The Courier Tribune* the statutorily mandated 30-day legal notice of the city council's intent to authorize a new hangar lease agreement with the Civil Air Patrol during the governing board's regular meeting on November 10, 2022.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on October 6, 2022.

/s/ David H. Smith
David H. Smith, Mayor

ATTEST:

/s/ Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

(l) Asheboro ABC Board Meeting Minutes for August 29, 2022

The council acknowledged the receipt of the Asheboro ABC Board's approved meeting minutes for August 29, 2022. This document has been filed in the city clerk's office and distributed to the city's elected officials.

8. Legislative Hearing – Case Nos. RZ-22-10 and SUB-22-05

Mayor Smith opened the legislative hearing on a land use application that included a requested zoning map amendment as well as a subdivision sketch design review. The initial witness, Community Development Director Trevor Nuttall, addressed the zoning map amendment application first.

Darren Lucas (the "Applicant") has submitted an application seeking the modification of the current R10 (CZ) medium-density conditional zoning district in order to develop a residential planned unit development on approximately 9.921 acres of land at 1223 Crestview Church Road. The land that is the subject of the zoning map amendment application (the "Zoning Lot") is more specifically identified by Randolph County Parcel Identification Number 7669289834.

The Zoning Lot is owned by Falling Oak Investments, LLC. A managing member, John Robbins, of the limited liability company joined the Applicant in executing the application for the requested zoning map amendment.

Community Development Director Trevor Nuttall informed the governing board that the required legal notice of the hearing was mailed, published, and also posted on the Zoning Lot in accordance with the applicable statutes and ordinances. Mr. Nuttall utilized a slide show to present the planning staff's analysis of the application. This analysis included the following information:

1. The Applicant revised the request following the planning board meeting, which was held on September 6, 2022. The proposal now seeks an R10 (CZ) district to allow 44 attached single-family dwellings on 44 lots. Townhomes are reviewed as planned unit developments under the City of Asheboro Zoning Ordinance. Units shown are single-story, approximately 1,000 square feet in size, and include a one-car garage. Each lot contains space for three vehicles. No additional parking is proposed. Lots would be served by privately maintained streets. Common elements incorporating open space preservation and recreational space are provided. Solid waste disposal would occur via three dumpsters shown to be screened from public street view. Landscaping would be preserved or installed adjacent to Zoo Parkway and Crestview Church Road, along the project's perimeter, and within the development per the plans provided.

2. The conditional zoning process allows an applicant to propose a project-specific zoning district that establishes approval conditions and site development requirements. The project-specific zoning district is allowed to diverge from the zoning ordinance's predetermined land use requirements.

3. The property is outside the city limits. The project proposes to connect to city water and sewer. The site plan shows privately maintained sewer and publicly maintained water extended into the property to serve the lots. Connection to city services will require annexation consistent with city policies.

4. Zoo Parkway (NC 159) is a state-maintained major thoroughfare. Crestview Church Road is a state-maintained minor thoroughfare. The US64 Bypass is approximately 0.75 mile from the property. The travel distance to access the bypass is about 1.9 miles.

5. The immediate area primarily consists of low to medium-density single-family residential uses. Institutional uses and multi-family residential uses exist to the south. There is also industrial zoning to the south along Zoo Parkway. The Jellystone Park Campground is approximately 0.3 mile southwest on Crestview Church Road. The Zoo City Sportsplex is approximately 0.3 mile southeast on Zoo Parkway.

6. In 2018, city council rezoned the subject property from R15 to R10 (CZ) and approved a planned unit development with 36 attached single-family townhome lots accessed by new public streets. Units proposed at that time ranged in size between approximately 1,400 and 1,600 square feet and included two-vehicle garages.

7. Conventional subdivisions in the R10 district require a minimum lot size of 10,000 square feet per lot for single-family dwellings or 15,000 square feet per lot for two-family (duplex) dwellings. Under the ordinance, generally the

maximum number of lots permitted is similar for planned unit developments and conventional subdivisions.

8. The R10 district is "intended to provide regulations which will produce a moderate intensity of residential uses, usually single-family or two-family in character and served by central water supply and sewage disposal systems, plus the necessary governmental and other support facilities to service such urban intensity living."

9. The LDP Proposed Land Use Map (2015) identifies the property as appropriate for Neighborhood Residential development which should include "new neighborhoods of similar density" to the surrounding neighborhoods "to provide a greater sense of community."

10. The proposed development density is approximately five dwellings per acre when accounting for land area necessary for street right-of-way to serve the lots. In the R10 district, the maximum possible dwelling per acre is 5.8 for a project consisting of duplex dwellings when no land area is necessary for street right-of-way; for single-family projects, the maximum possible density is reduced to 4.3 units per acre.

Mr. Nuttall noted that, when evaluating a rezoning application, careful consideration must be given to each goal and policy as outlined in the Land Development Plan.

Proposed Land Use Map Designation:	Neighborhood Residential
Small Area Plan:	Central
Growth Strategy Map Designation:	Secondary Growth

LDP Goals/Policies Which Support the Request:

<u>Checklist Item 1</u>:	Rezoning is compliant with the Proposed Land Use Map.
<u>Checklist Item 5</u>:	Complies with Growth Strategy Map
<u>Checklist Item 6</u>:	Existing infrastructure is adequate to support the desired zone *(water, sewer, roads, schools, etc.)*.
<u>Checklist Items 12 and 13</u>:	12.) Property is located outside of watershed; and 13.) The property is located outside of Special Hazard Flood Area.

LDP Goals Policies Which Do <u>Not</u> Support the Request:

<u>Checklist Item 3</u>:	The property on which the rezoning district is proposed does not fit the description of the Zoning Ordinance *(Article 200, Section 210, Schedule of Statements of Intent)*.
<u>Checklist Item 10</u>:	Rezoning is not consistent with land category descriptions.
<u>Checklist Item 14</u>:	Rezoning is located on steep slopes of greater than 20%.

As part of the analysis, the city planning staff also offered suggested conditions believed to be necessary to ensure Land Development Plan consistency and general conformity with city codes.

<u>Suggested Conditions from Planning Staff</u>:

(A) The use approved shall be a residential planned unit development with a total of 44 dwelling units on 44 lots.

(B) All parties involved in this request, including the owner, and the owner's heirs, successors, and assigns, must agree to the conditions and approved site plan.

(C) The enclosure of concrete pads or other additions to the rear of dwellings shall not be considered a modification requiring city council review so long as such additions are located on a recorded lot.

(D) Maintenance of all recreation areas and any utilities not publicly maintained as well as any roads and drainage facilities that are not specifically labeled on the approved site plan as publicly owned and maintained shall be the responsibility of the property owner and any successors in interest.

(E) Any water meter located outside the public right-of-way shall be located within a City of Asheboro waterline easement. Surveying of any required city easements shall be the responsibility of the property owner.

(F) Installation of traffic and street signs within the development shall be the responsibility of the developer.

(G) If solid waste disposal facilities as shown on the site plan are deemed to be inadequate, the property owner shall be responsible for ensuring that additional facilities or measures are installed. Any such facilities shall be consistent with city policies and codes.

(H) Landscaping, inclusive of street trees, front yard landscaping, and perimeter buffering, shall be installed consistent with the details and specifications shown on the site plan.

(I) Prior to the issuance of a zoning compliance permit for the proposed land use, the Applicant shall submit documentation detailing the following approvals:

   (i) Driveway permit from the North Carolina Department of Transportation; and
   (ii) Permitting from the North Carolina Department of Environmental Quality.

(J) Prior to the issuance of a zoning compliance permit, plans concerning water, including provisions for fire hydrants, and sanitary sewage that complies with city policies shall be submitted. Surveying of any required city easements shall be the responsibility of the property owner.

(K) Prior to the issuance of a zoning compliance permit, the applicant shall submit a site plan reflecting any revisions necessary to comply with city codes and conditions of approval.

(L) All dwellings shall be located on a subdivided lot that has been recorded in the public registry in accordance with the city's land development requirements.

(M) Prior to the issuance of a zoning compliance permit for the proposed land use, the owner(s) of the Zoning Lot shall properly execute and deliver to the zoning administrator for recordation in the Office of the Randolph County Register of Deeds, a Memorandum of Land Use Restrictions prepared by the city attorney for the purpose of placing notice of the conditions attached to this conditional zoning in the chain of title for the Zoning Lot.

The city planning staff provided the following analysis of the consistency of the proposed development with the adopted comprehensive plans as well as the reasonableness of the proposal.

> Since original adoption of the Land Development Plan (LDP) in 2000, this area has seen significant change. Construction and opening of the US 64 Bypass and Zoo Connector, the building of Zoo City Sportsplex, development of the Jellystone Park Campground, continued growth of the Crossroads Retirement Community, and other investments have altered the landscape.
>
> The LDP's "Neighborhood Residential" designation encourages new residential development to be comparable in density to surrounding neighborhoods. The rezoning requested proposes a project density higher than the immediate surrounding area, but the density is comparable to the Parkway South townhome development and, to a lesser extent, the Cross Road Retirement community. Staff believes that the reduction in proposed project density from the initial application is important in order for the district to more closely resemble development outcomes envisioned by the LDP. In addition, the housing proposed offers an important option to have in the community, and the inclusion of sidewalks and open space preservation advances other LDP objectives.

In response to Mayor Smith inviting comments from the public, Robert Wilhoit, Esq., H.R. Gallimore, and Darren Lucas presented comments in support of the application. Mickey Fields, Kenny Bradford, Charles Lewis, JJ Johnson, Dan Milano, and Donny Wright presented concerns about the potentially adverse consequences of approving the Applicant's request, such as the potential increase in traffic and the associated hazards at the intersection of Zoo Parkway and Crestview Church Road if this project is developed as proposed by the Applicant.

Additionally, Mayor Smith read a letter from Jonathan Bullington who resides at 810 Rockcliff Terrace. Mr. Bullington's letter expressed concerns relating to the proposed development. No other comments were offered from the public, and Mayor Smith then transitioned to the deliberative phase of the process.

After engaging in deliberations about the zoning map amendment application, Council Member Moffitt moved, and Council Member Bell seconded the motion, to adopt the plan consistency statement printed below and to approve the requested rezoning with the following two-part motion.

1. Since the time of the initial adoption of the Land Development Plan in 2000, the area around the Zoning Lot has seen significant change. The opening of the US 64 Bypass and Zoo Connector, the building of the Zoo City Sportsplex, the development of the Jellystone Park Campground, and the continued growth of the Crossroads Retirement Community have altered the landscape.

   The LDP's Neighborhood Residential designation encourages new residential development to be comparable in density to surrounding neighborhoods. The proposed project has a density that is comparable to the Parkway South townhome development and to a lesser extent the Cross Road Retirement Community. While the city council takes note of the planning board's negative recommendation, the council believes that the Applicant's subsequent reduction in the project's proposed density from the initial application is important and enables the requested district to more closely resemble development outcomes envisioned by the LDP.

   For all of the above-stated reasons, the council finds that the requested rezoning is compliant with the city's adopted comprehensive plans. Most specifically, the application is compliant with the Proposed Land

Use Map and the Growth Strategy Map. Furthermore, the proposal is reasonable and in the public interest. The existing infrastructure is adequate to support the desired conditional zoning district *(water, sewer, roads, schools, etc.)*.

2. In light of the above-stated analysis, the above-described zoning map amendment application for the development of a residential planned unit development on the Zoning Lot is approved; provided, however, this approval is conditioned upon the Applicant accepting and agreeing to the above-printed conditions recommended by the city planning staff for attachment to the approved conditional zoning ordinance.

Council Members Bell, Burks, Heath, McCaskill, Moffitt, and Redding voted aye. There were no dissenting votes.

In light of the above-described approval of the requested conditional zoning ordinance, the Council evaluated the staff's analysis of the subdivision sketch design submitted by the Applicant. The proposed subdivision, which has been named Zoocrest Townhomes, consists of approximately 44 lots plus common area. The average lot size is 1,256 square feet.

While the Applicant is proposing a total of 44 dwelling units on 44 lots, the units are attached single-family units. There are a total of 22 structures. One entrance from Crestview Church Road is proposed to serve the development. All driveways access internal private streets.

As proposed, the homeowners' association will be responsible for maintaining all streets within the development, trash pickup, and sewer service. A public water line, which is to be maintained by the City of Asheboro, is proposed.

The planning staff and planning board recommended approval of the sketch design for the subdivision based on the following comments and conditions:

1. The city's public works division recommends having an additional dumpster, and an additional street light closer to Crestview Church Road. Engineered drawings will need to be reviewed on the proposed water system with the preliminary plat, along with detail on hydrant locations and water line sizes.

2. Homeowners documents are required to be recorded with the final plat, which must include maintenance mechanisms for the common area and restrictions concerning recreational vehicle (RV) parking.

3. A final subdivision plat must be recorded prior to the issuance of a certificate of occupancy(s).

4. Since the initial proposal, the applicant has added a sidewalk to extend to the recreation area and right-of-way of Crestview Church Road. Details, including surfacing material and width of the walkway serving the recreation area, will need to be provided.

5. The plan was routed to the North Carolina Department of Transportation ("NCDOT"), Randolph County Schools, and the United States Postal Service ("USPS"). USPS confirmed the need for one community mailbox. NCDOT indicated driveway permitting is required, but the agency is not anticipating requiring roadway improvements.

6. Hydrant locations will need to be shown on the Preliminary Plat and approved by the Asheboro Fire Department.

7. Building Inspections indicated they will need to review engineered drawings and plans on the proposed private sewer prior to building permitting. If rock is encountered, revised engineering and as-built plans may be required.

8. Water Resources indicated that private sewer will be acceptable as long as it is built in compliance with the state plumbing code. Sealed/certified engineering plans to confirm the appropriate size lines and connection will be required by the city. If an 8-inch line is required, the city will require an 8-inch sewer main extension across Zoo Parkway with a manhole at the property line. City maintenance will end at the manhole.

Based on the above-stated analysis, Council Member Moffitt moved, and Council Member Heath seconded the motion, to approve, with and subject to the above-stated comments from the reviewing entities, the sketch design for the Zoocrest Townhomes Subdivision. Council Members Bell, Burks, Heath, McCaskill, Moffitt, and Redding voted aye. There were no dissenting votes.

9. Project Updates and Requests

(a) Frazier Park Improvements and Usage

Mr. Ogburn updated the council on the improvements that are underway at Frazier Park. Some of the improvements include, but are not limited to, a new roof installed on the picnic shelter and the restrooms, renovations to the restroom facilities, and playground repairs.

(b) I73/I74 Corridor Place Making and Branding Project

In furtherance of the referenced corridor place making and branding project, Mr. Ogburn requested authorization to proceed with finalizing an agreement for the services of design professionals. A standard abbreviated form of agreement is proposed for use between the City of Asheboro (Owner) and JDavis Architects, PC (Architect) for this project.

There were no objections to this proposal. With the general consent of the council, the city manager will proceed with procuring the described professional design services.

(c) Budget Amendments – I73/I74 Corridor Place Making and Branding Project

In light of the immediately preceding authorization, Finance Director Deborah Reaves presented and recommended adoption, by reference, of an amendment to the general fund for fiscal year 2022-2023. Council Member Heath moved, and Council Member Burks seconded the motion, to adopt the following ordinance to amend the General Fund. Council Members Bell, Burks, Heath, McCaskill, Moffitt, and Redding voted aye. There were no dissenting votes.

70 ORD 10-22

ORDINANCE TO AMEND THE GENERAL FUND
FY 2022-2023

WHEREAS, the City of Asheboro continues to look for ways to support promote Asheboro and the surrounding businesses, and;

WHEREAS, NCDOT started building a 14.4 mile highway interchange between I-73 and I-74 and US HWY 64 Asheboro in June 2015 and the segment was opened on December 18, 2020, and;

WHEREAS, the City recognizes a branding opportunity to the City of Asheboro, the NC Zoo and the region by establishing unique, creative and implementable designs at six highway interchanges of the I-73/I-74 corridor that will leverage the economic synergies between the City of Asheboro and the NC Zoo, and;

WHEREAS, the City appropriated $185,000 for Phase 1 of this project on March 4, 2021.

WHEREAS, the City desires to allocate funding and appropriate for the expense in the Economic and Tourism Development fund for the next phase of this project.

WHEREAS, the compensation to the Architect for Basic Services of this phase is $145,000.

WHEREAS, as of September 30, 2022, the City has allocated $50,000 of fund balance in FY 2022-2023.

WHEREAS, the City wishes to allocate fund balance in the amount of $145,000 from the General Fund to transfer to the Economic Development fund for this expense.

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

WHEREAS, the City of Asheboro desires to be in compliance with all generally accepted accounting principles, and;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

That the following Revenue line items be increased:

Line Item	Description	Increase
10-000-399.0000	Fund Balance Allocation	$145,000

That the following expense line items be increased:

Line Item	Description	Increase
10-490-572.0000	Contribution to Economic Development Fund	$145,000

Adopted this the 6th day of October 2022.

/s/ David H. Smith
David H. Smith, Mayor

ATTEST:

/s/ Holly H. Doerr
Holly H Doerr, CMC, NCCMC, City Clerk

As a companion recommendation to her immediately preceding request to amend the General Fund, Ms. Reaves presented and recommended the adoption, by reference, of an ordinance to amend the Economic & Tourism Development Fund in furtherance of the stated place making and branding project. In response, Council Member Bell moved, and Council Member Burks seconded the motion, to approve the following ordinance to amend the Economic & Tourism Development Fund. Council Members Bell, Burks, Heath, McCaskill, Moffitt, and Redding voted aye. There were no dissenting votes.

71 ORD 10-22

ORDINANCE TO AMEND THE ECONOMIC & TOURISM DEVELOPMENT FUND FY 2022-2023

WHEREAS, the City of Asheboro continues to look for ways to support promote Asheboro and the surrounding businesses, and;

WHEREAS, NCDOT started building a 14.4 mile highway interchange between I-73 and I-74 and US HWY 64 Asheboro in June 2015 and the segment was opened on December 18, 2020, and;

WHEREAS, the City recognizes a branding opportunity to the City of Asheboro, the NC Zoo and the region by establishing unique, creative and implementable designs at six highway interchanges of the I-73/I-74 corridor that will leverage the economic synergies between the City of Asheboro and the NC Zoo, and;

WHEREAS, the City appropriated $185,000 for Phase 1 of this project on March 4, 2021.

WHEREAS, the City desires to recognize funding and appropriate for the expense in the Economic and Tourism Development fund for the next phase of this project.

WHEREAS, the compensation to the Architect for Basic Services of this phase is $145,000.

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

WHEREAS, the City of Asheboro desires to be in compliance with all generally accepted accounting principles, and;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

That the following Revenue line items be increased:

Line Item	Description	Increase
72-000-371.0012	Allocation for Branding on HWY 64 bypass- Phase 2	$145,000

That the following expense line items be increased:

Line Item	Description	Increase
72-000-800.9004	Branding on HWY 64 bypass- Phase 2	$145,000

Adopted this the 6th day of October 2022.

/s/ David H. Smith
David H. Smith, Mayor

ATTEST:

/s/ Holly H. Doerr
Holly H Doerr, CMC, NCCMC, City Clerk

(d) Bicentennial Park

In order to enhance the utilization of Bicentennial Park, Mr. Ogburn requested authorization to proceed with procuring the professional services needed to conduct a design study of Bicentennial Park. The staff recommendation was to utilize the services of Freeman Kennett Architects, PLLC.

There were no objections to this proposal. With the general consent of the council, the city manager will proceed with procuring the described professional design services.

(e) Budget Amendment – Bicentennial Park

In order to properly account for the procurement of services authorized in the immediately preceding agenda item, Ms. Reaves presented and recommended adoption, by reference, of an ordinance to amend the General Fund. Council Member Burks moved, and Council Member Bell seconded the motion, to adopt the following ordinance by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, and Redding voted aye. There were no dissenting votes.

72 ORD 10-22

ORDINANCE TO AMEND THE GENERAL FUND
FY 2022-2023

WHEREAS, Bicentennial Park in Downtown Asheboro is a dynamic space for a variety of social and recreation activities.

WHEREAS, the City of Asheboro wishes to enlist the professional services of Freeman Kennett Architects, PLLC for concept design study of Bicentennial Park to come up with ideas of how to enhance the experiences of citizens who use Bicentennial Park.

WHEREAS, as of September 30, 2022, the City has allocated $50,000 of fund balance in FY 2022-2023.

WHEREAS, the compensation to Freeman Kennett Architects PLLC for the "concept phase" only of the study is $12,960.

WHEREAS, the City wishes to allocate fund balance in the amount of $12,960 for this expense.

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

WHEREAS, the City of Asheboro desires to be in compliance with all generally accepted accounting principles, and;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

That the following Revenue line items be increased:

Line Item	Description	Increase
10-000-399.0000	Fund Balance Allocation	$12,960

That the following expense line items be increased:

Line Item	Description	Increase
10-620-522.0000	Professional Services	$12,960

Adopted this the 6th day of October 2022.

/s/ David H. Smith
David H. Smith, Mayor

ATTEST:

/s/ Holly H. Doerr
Holly H Doerr, CMC, NCCMC, City Clerk

(f) Strategic Management Assistance

Mr. Ogburn discussed the need to obtain strategic management assistance for water line and wastewater service extensions that are currently under review. The city has an existing relationship with the Piedmont Triad Regional Council ("PTRC") for these types of services.

Due to demonstrated competence in this field, the city manager requested authorization to procure a revised agreement with the PTRC for the needed strategic management assistance. There were no objections to this proposal. With the general consent of the council, the city manager will proceed with procuring the described professional services.

(g) Budget Amendment – Strategic Management Assistance

In order to properly account for the procurement of services authorized in the immediately preceding agenda item, Ms. Reaves presented and recommended adoption, by reference, of an ordinance to amend the Water and Sewer Fund. Council Member Burks moved, and Council Member Heath seconded the motion, to adopt the following ordinance by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, and Redding voted aye. There were no dissenting votes.

73 ORD 10-22

ORDINANCE TO AMEND THE WATER & SEWER FUND
FY 2022-2023

WHEREAS, the City of Asheboro has production and treatment capacity at both the Water Treatment Plant and the Sewer Treatment Plant.

WHEREAS, the City of Asheboro would like to enlist the Piedmont Triad Regional Council (PTRC) to assist with strategic management assistance related water line extension and wastewater services.

WHEREAS, the proposed cost of the scope of work requested is $18,750.

WHEREAS, as of September 30, 2022, the City has not allocated any retained earnings for FY 2022-2023.

WHEREAS, the City wishes to allocate fund balance in the amount of $18,875 for this expense.

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

WHEREAS, the City of Asheboro desires to be in compliance with all generally accepted accounting principles, and;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

That the following Revenue line items be increased:

Line Item	Description	Increase
30-000-399.0000	Fund Balance Allocation	$18,750

That the following expense line items be increased:

Line Item	Description	Increase
30-820-522.0000	Professional Services	9,375
30-830-522.0000	Professional Services	9,375
		$18,750

Adopted this the 6th day of October 2022.

/s/ David H. Smith
David H. Smith, Mayor

ATTEST:

/s/ Holly H. Doerr
Holly H Doerr, CMC, NCCMC, City Clerk

10. Upcoming Events and Items not on the Agenda

Mayor Smith and City Manager John Ogburn led a discussion of upcoming events for the city government and within the community. No council action was taken during this segment of the meeting.

There being no further business, the meeting was adjourned at 9:58 p.m.

Holly H. Doerr, CMC, NCCMC, City Clerk	**David H. Smith, Mayor**

SPECIAL MEETING – ASHEBORO CITY COUNCIL

MEETING DATE: **THURSDAY, OCTOBER 27, 2022**

MEETING TIME: **4:00 P.M.**

LOCATION: **ASHEBORO CITY HALL**
146 N. CHURCH STREET
ASHEBORO, NORTH CAROLINA 27203

****

Notice is hereby given that, at 4:00 p.m. on Thursday, October 27, 2022, the Asheboro City Council will initially assemble for a special meeting in the public vehicular area located between the railroad right-of-way and the rear entrance to Asheboro City Hall, 146 N. Church Street, Asheboro, NC 27203. The purpose of this meeting is to tour the senior housing project that is under development next to city hall at 170 N. Church Street and is known as the Church Street Lofts. The Asheboro Redevelopment Commission will also participate in this tour.

Once the tour of the Church Street Lofts is concluded, the city council meeting will be recessed in order to travel to the city-owned Zoo City Sportsplex, 2981 Zoo Parkway, Asheboro, NC 27205. The council meeting will then be reconvened at approximately 6:00 p.m. in close proximity to the concession stand and associated facilities at the sportsplex. Along with the board of directors for the Randolph-Asheboro YMCA, the city council will review the progress of the construction of the Zoo City Sportsplex.

No legislative action is anticipated during this special meeting. Any person who wishes to attend the meeting is invited to attend.

This special meeting notice was issued on October 19, 2022.

/s/ David H. Smith
David H. Smith, Mayor
City of Asheboro, North Carolina

# # # # # # # # # #

SPECIAL MEETING – FIRST SESSION
ASHEBORO CITY COUNCIL
CHURCH STREET LOFTS
THURSDAY, OCTOBER 27, 2022
4:00 P.M.

This being the time and place for a special meeting of the Asheboro City Council, a meeting was held with the following elected officials and city management team members present:

David H. Smith) – Mayor Presiding

Clark R. Bell)
Edward J. Burks)
Kelly L. Heath)
William N. McCaskill) – Council Members Present
Walker B. Moffitt)
Jane H. Redding)
Charles A. Swiers)

John N. Ogburn, III, City Manager
Holly H. Doerr, CMC, NCCMC, City Clerk/Paralegal
Trevor Nuttall, Community Development Director
Michael Rhoney, PE, Water Resources Director
Jeffrey C. Sugg, City Attorney

In addition to the above-listed city elected officials and management team members, the following members of the Asheboro Redevelopment Commission were present: Chairman Ross Holt, Owen George, Gene Isom, David Jarrell, Ann McGlohon, Ryan Terry, and Delilah Warner. The following city staff members were also present for the tour of the Church Street Lofts: Planning & Zoning Administrator Justin Luck, Deputy City Clerk Bradley Morton, and Engineering Assistant Tammy Williams.

1. Call to Order

A quorum thus being present, Mayor Smith called the meeting to order for the transaction of business, and business was transacted as follows.

Likewise, Chairman Ross Holt called the meeting to order for the City of Asheboro Redevelopment Commission.

2. On-Site Status Report, Review, and Tour of the Church Street Lofts

After calling the meeting to order, Mayor Smith asked Community Development Director Trevor Nuttall to provide an overview of the senior housing project known as the Church Street Lofts. Once Mr. Nuttall completed his presentation, the city's elected officials and the members of the Asheboro Redevelopment Commission toured the Church Street Lofts premises.

Upon completion of the tour, a quorum of the council members reassembled with Mayor Smith to recess the meeting and prepare for the second session of the special meeting. Council Member Burks moved, and Council Member Redding seconded the motion, to recess the meeting and reconvene at 6:00 p.m. at the Zoo City Sportsplex. The motion passed unanimously. The first session of the special meeting recessed at approximately 4:57 p.m. No legislative action was taken during the first session of the special meeting.

SPECIAL MEETING – SECOND SESSION
ASHEBORO CITY COUNCIL
ZOO CITY SPORTSPLEX FACILITY
THURSDAY, OCTOBER 27, 2022

3. On-Site Status Report and Review of the Zoo City Sportsplex Construction Project.

At approximately 6:00 p.m., Mayor Smith reconvened the special meeting at the city-owned Zoo City Sportsplex. The following elected city officials and city management team members were present:

David H. Smith) – Mayor Presiding

Edward J. Burks)
Kelly L. Heath)
William N. McCaskill) – Council Members Present
Jane H. Redding)
Charles A. Swiers)

Clark R. Bell) – Council Members Absent
Walker B. Moffitt

John N. Ogburn, III, City Manager
Holly H. Doerr, CMC, NCCMC, City Clerk/Paralegal
Michael L. Leonard, PE, City Engineer
Jeffrey C. Sugg, City Attorney

In addition to the above-listed city elected officials and management team members, the following city staff members were present: Assistant Recreation Services Director Jonathan Maness, Assistant City Engineer Spencer Patton, Construction Inspector Travis Phillips, City Surveyor Tom Scaramastra, and Engineering Assistant Tammy Williams.

After reconvening, Mayor Smith asked City Engineer Michael Leonard to give an overview of the construction project. When Mr. Leonard completed his presentation, Mayor Smith recognized Randolph-Asheboro YMCA Board Chair Sandra Lail and Executive Director Patrick O'Hara.

On behalf of the Randolph-Asheboro YMCA, Board Chair Lail presented the City of Asheboro with a check for $300,000 for the construction of a playground at the Zoo City Sportsplex. The City of Asheboro will match the amount for a grand total of $600,000 for the construction of the playground.

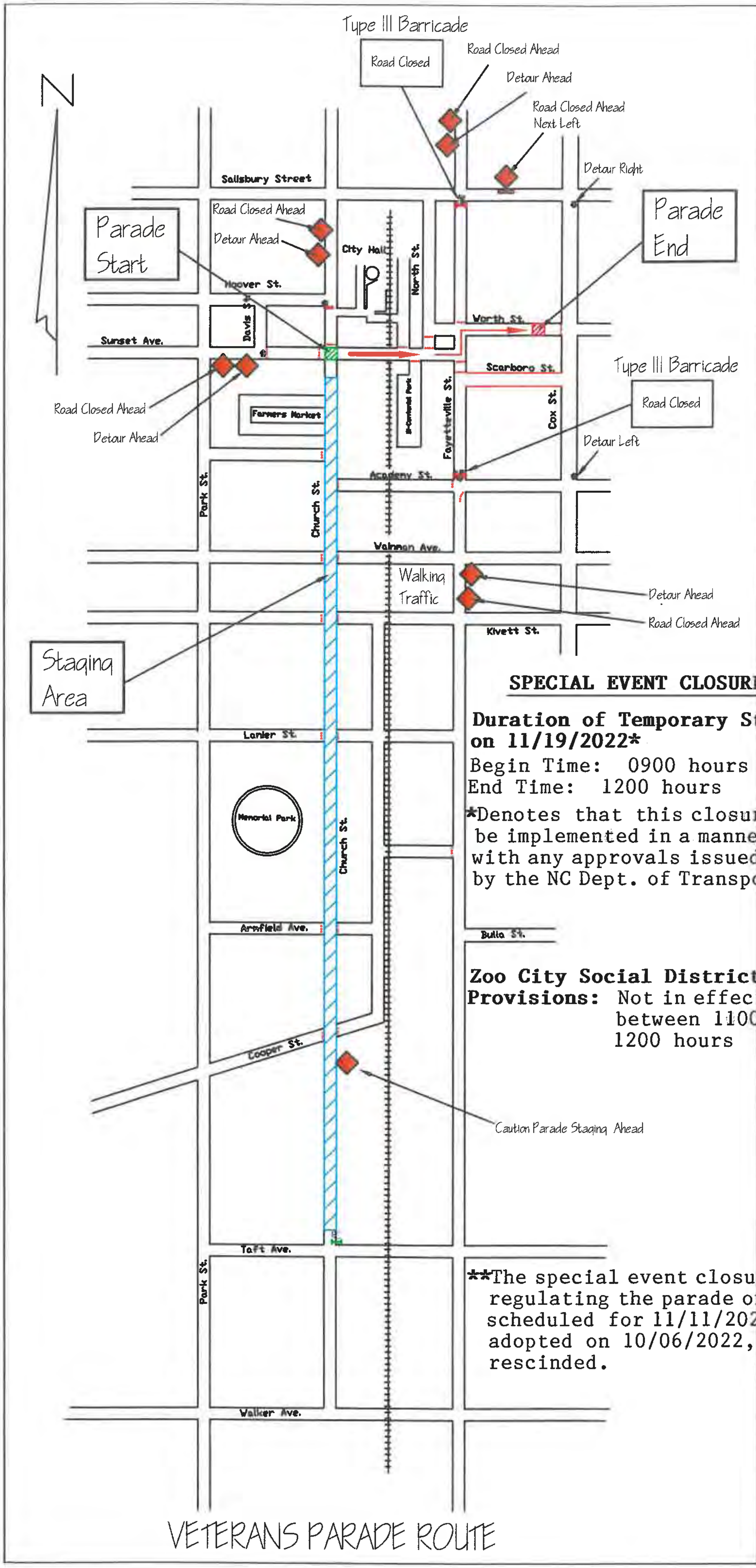
City Manager John Ogburn thanked the Randolph-Asheboro YMCA officials as well as the Armfield Foundation for their generosity. In addition, Mr. Ogburn thanked Terry Tucker with Terry's Plumbing and Utilities for his contributions to the sportsplex project.

After the opening comments and check presentation, all of the event attendees were provided with an opportunity to tour the sportsplex facility. Golf carts and utility vehicles were available for the tour.

4. Adjournment

No legislative action was taken by the city council during this section or any other section of the special meeting. At approximately 6:30 p.m., a quorum of the city council began to reassemble with Mayor Smith in order to adjourn the meeting. Council Member Heath moved, and Council Member Swiers seconded the motion, to adjourn the meeting. This motion passed unanimously, and the special meeting was adjourned at approximately 6:33 p.m.

Holly H. Doerr, CMC, NCCMC, City Clerk	**David H. Smith, Mayor**



SPECIAL EVENT CLOSURE ORDER

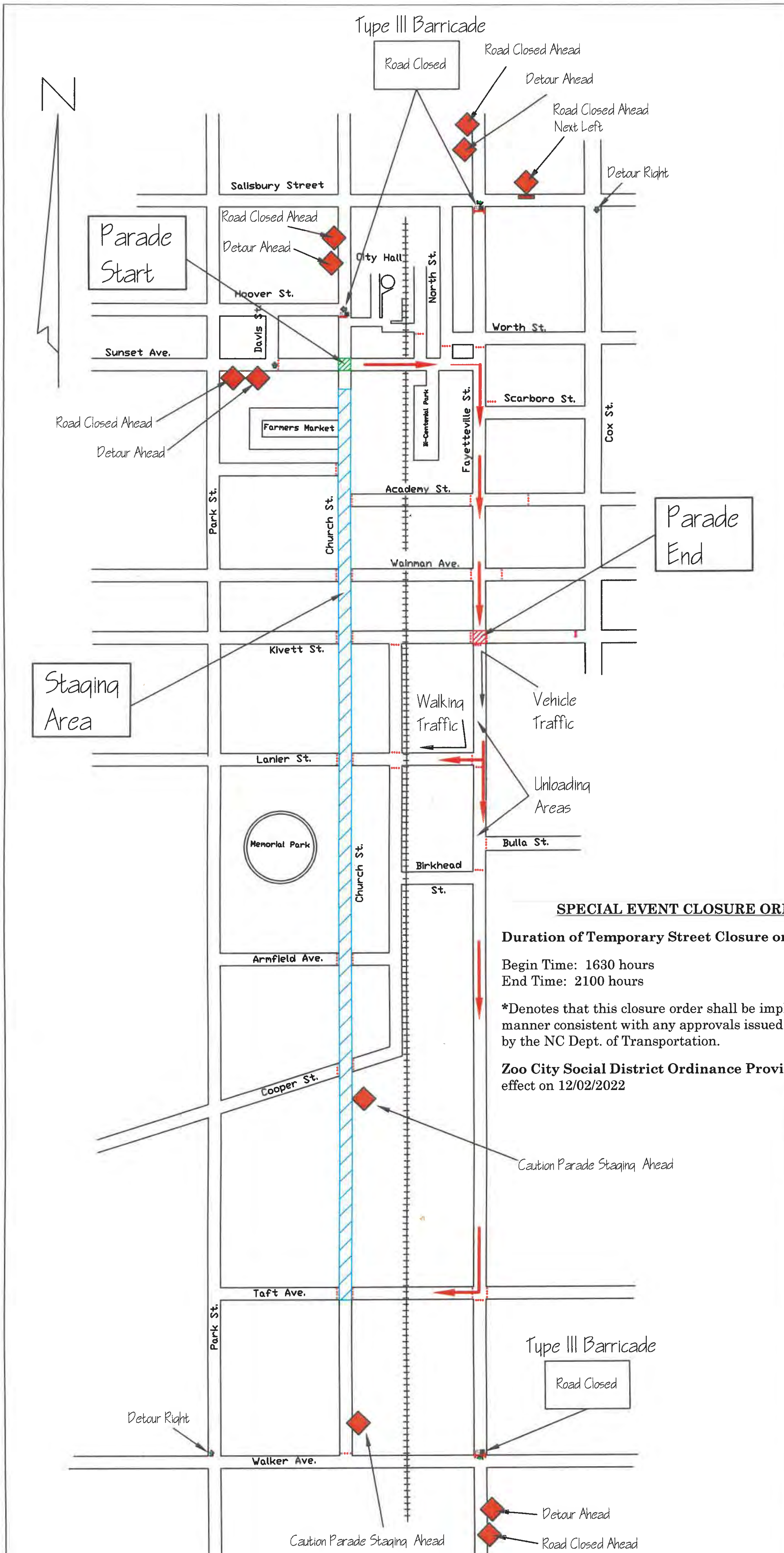
Duration of Temporary Street Closure on 11/19/2022*

Begin Time: 0900 hours
End Time: 1200 hours

*Denotes that this closure order shall be implemented in a manner consistent with any approvals issued for this event by the NC Dept. of Transportation.

Zoo City Social District Ordinance Provisions: Not in effect on 11/19/2022 between 1100 hours and 1200 hours

**The special event closure order regulating the parade originally scheduled for 11/11/2022, which was adopted on 10/06/2022, is hereby rescinded.



SPECIAL EVENT CLOSURE ORDER

Duration of Temporary Street Closure on 12/02/2022*

Begin Time: 1630 hours
End Time: 2100 hours

*Denotes that this closure order shall be implemented in a manner consistent with any approvals issued for this event by the NC Dept. of Transportation.

Zoo City Social District Ordinance Provisions: Not in effect on 12/02/2022

CHRISTMAS PARADE ROUTE SIGNAGE

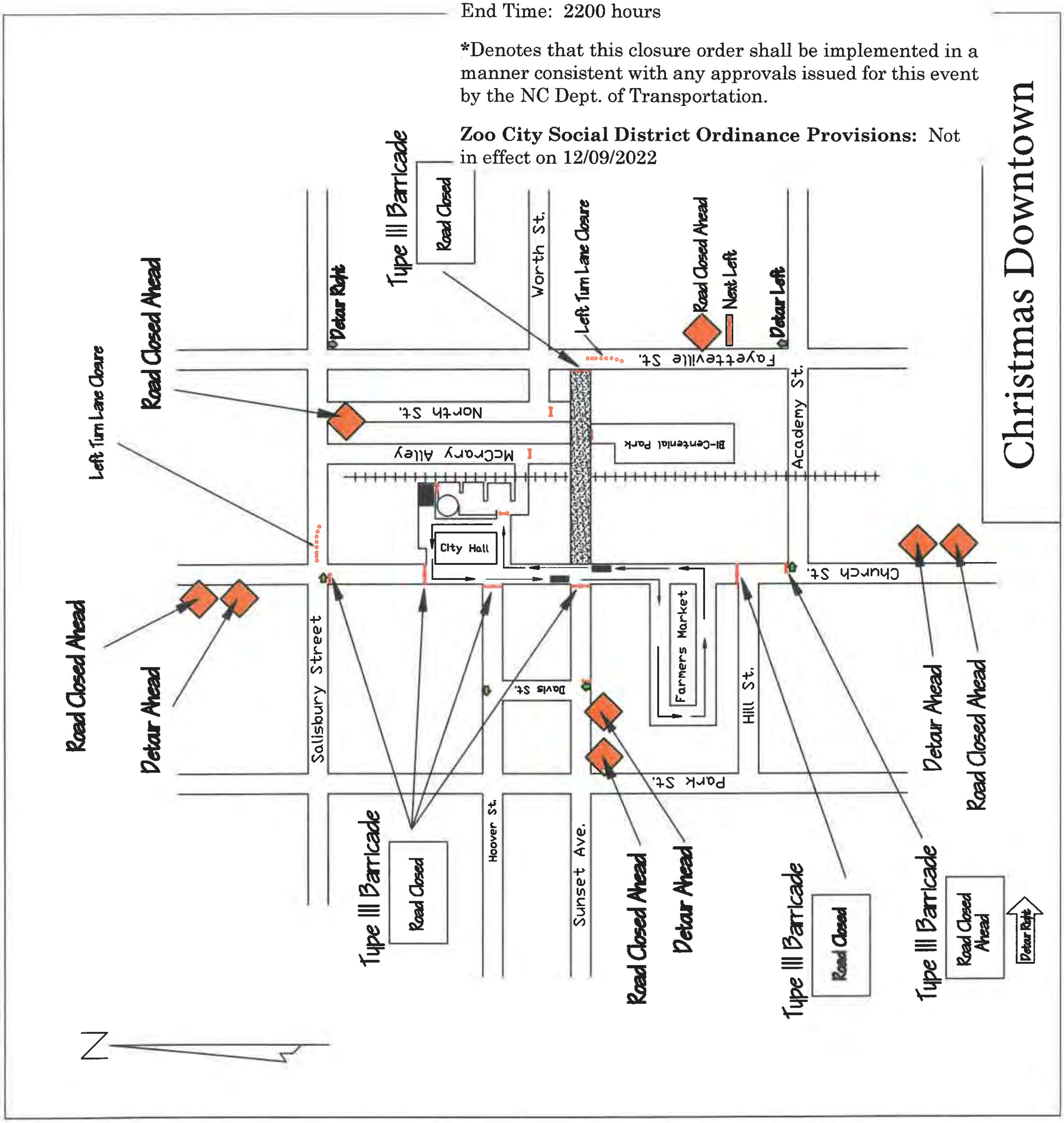
SPECIAL EVENT CLOSURE ORDER

Duration of Temporary Street Closure on 12/09/2022*

Begin Time: 1630 hours
End Time: 2200 hours

*Denotes that this closure order shall be implemented in a manner consistent with any approvals issued for this event by the NC Dept. of Transportation.

Zoo City Social District Ordinance Provisions: Not in effect on 12/09/2022



SPECIAL EVENT CLOSURE ORDER

Duration of Temporary Street Closure on 12/16/2022
Begin Time: 1400 hours
End Time: 2200 hours
Zoo City Social District Ordinance Provisions:
Not Impacted

Area to be Closed

Temporary Street Closure of North Street For The Cigar, Food, & Whiskey Event Hosted by Leo's Whiskey Bar
City of Asheboro, North Carolina
Drawing By City of Asheboro Engineering Dept.
November, 2022 Scale 1" = 100'

RGM
07033

HUNEYCUTT, PARSLEY & TAYLOR
CERTIFIED PUBLIC ACCOUNTANTS

October 19, 2022

Mr. David Smith, Mayor and
City Council of the City of Asheboro
146 N. Church Street
Asheboro, NC 27203

We are pleased to confirm our understanding of the services we are to provide for the City of Asheboro for the year ended June 30, 2022.

Audit Scope and Objectives

We will audit the financial statements of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information, including the disclosures, which collectively comprise the basic financial statements of the City of Asheboro as of and for the year ended June 30, 2022. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the City of Asheboro's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the City of Asheboro's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to my inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1. Management's Discussion and Analysis
2. Law Enforcement Officers' Special Separation Allowance Schedules
3. Other Postemployment Benefits Schedules
4. Local Government Employees' Retirement System Schedules

We have also been engaged to report on supplementary information other than RSI that accompanies the City of Asheboro's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and we will provide an opinion on it in relation to the financial statements taken as a whole, in a report combined with our auditor's report on the financial statements:

1. Budgetary Comparison Schedule
2. Combining and Individual Fund Financial Statements and Schedules
3. Schedule of Expenditures of Federal and State Awards

In connection with our audit of the basic financial statements, we will read the following other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

1. Introductory Information
2. Statistical Tables

The objectives of our audit are to obtain reasonable assurance about whether the City of Asheboro's financial statements as a whole are free from material misstatement, whether due to fraud or error, and issue an auditor's report that includes our opinions about whether your financial statements are fairly presented, in all material respects, in conformity with accounting principles generally accepted in the United States of America and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements taken as a whole. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with auditing standards generally accepted in the United States of America and *Government Auditing Standards* will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgement of a reasonable user made based on the financial statements. The objectives also include reporting on the City of Asheboro's:

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

- Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal and state statutes, regulations, and the terms and conditions of federal and state awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 *U.S. Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) and the State Single Audit Implementation Act.

Auditor's Responsibilities for the Audit of the Financial Statements and Single Audit

We will conduct our audit in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; the provisions of the Uniform Guidance; and the State Single Audit Implementation Act, and will include tests of accounting records, a determination of major program(s) in accordance with Uniform Guidance and the State Single Audit Implementation Act, and other procedures we consider necessary to enable us to express such opinions. As part of an audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, we will exercise professional judgement and maintain professional skepticism throughout the audit.

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

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is an unavoidable risk that some material misstatements or noncompliance may exist and not be detected by us, even though the audit is properly planned and performed in accordance with auditing standards generally accepted in the United States of America and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform you of any material errors and any fraudulent financial reporting or misappropriation of assets that comes to our attention. We will also inform you of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to matters that might arise during any latter periods for which we are not engaged as auditors.

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

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, creditors, funding sources, and financial institutions, an overview of the type of work to be performed on the financial information of component units, including the basis for a decision to make reference to a component auditor in the auditor's report. We will request written representations form your attorneys as part of this engagement, and they may bill you for responding to this inquiry.

We have identified the following significant risk of material misstatement as part of our audit planning: with the implementation of Governmental Accounting Standards Board (GASB) No. Statement 87 – Leases, there is a risk that assets and liabilities could be materially understated on the Statement of Financial Position.

Our audit of your financial statements does not relieve you of your responsibilities.

Audit Procedures – Internal Control

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

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements, applicable to each of the City of Asheboro's major federal and state award programs. However, our tests will be less in scope than would be necessary to render an opinion on those controls, and accordingly, no opinion will be expressed in my report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards* and the Uniform Guidance.

Audit Procedures – Compliance

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

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with federal and state statutes, regulations and the terms and conditions of federal and state awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Compliance Supplement* and the Audit Manual for Governmental Auditors in North Carolina, issued by the Local Government Commission, for the types of compliance requirements that could have a direct and material effect on each of the City of Asheboro's major programs. For federal programs that are included in the Compliance Supplement, our compliance and internal control procedures will relate to the compliance requirements that the Compliance Supplement identifies as being subject to the audit. The purpose of those procedures will be to express an opinion on the City of Asheboro's compliance with requirements applicable to major programs in our report on compliance issued pursuant to the Uniform Guidance.

Other Services

As part of the audit, we will assist with the preparation of your financial statements, schedule of expenditures of federal and state awards, and related notes in conformity with accounting principles generally accepted in the United States of America and the Uniform Guidance based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards.* We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statements, schedule of expenditures of federal and state awards, and related notes services previously defined. We, in my sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

You are responsible for making all management decisions and performing all management functions relating to the financial statements, schedule of expenditures of federal and state awards, and related notes, and any other nonaudit services we provide and for accepting full responsibility for such decisions. You will be required to acknowledge in the management representation letter my assistance with the preparation of the financial statements and the schedule of expenditures of federal and state awards, and related notes and that you have reviewed and approved them prior to their issuance and have accepted full responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Responsibilities of Management for the Financial Statements and Single Audit

Our audit will be conducted on the basis that you acknowledge and understand your responsibility for (1) designing, implementing, establishing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including internal controls over federal and state awards, and for evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is a reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and the financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles, for the preparation and fair presentation of the financial statements, schedule of expenditures of federal and state awards, and all accompanying information in conformity with U.S. generally accepted accounting principles, and for compliance with applicable laws and regulations (including federal and state statutes), rules, and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

Management is responsible for making drafts of financial statements, schedule of expenditures of federal and state awards, all financial records, and related information available to us and for the accuracy and completeness of that information (including information from outside of the general and subsidiary ledgers). You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters; (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance; (3) additional information that we may request for the purpose of the audit, and (4) unrestricted access to persons with the government from whom we determine it necessary to obtain audit evidence. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; schedule of expenditures of federal and state awards; federal and state awards programs; compliance with laws, regulations, contracts, and grant agreements; and related matters.

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

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (a) management, (b) employees who have significant roles in internal control, and (c) others where the fraud or could have a material effect on the financial statements. You are also responsible for informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. Additionally, you are responsible for identifying and ensuring that the entity complies with applicable laws, regulations, contracts, agreements, and grants and for taking timely and appropriate steps to remedy any fraud and noncompliance with provisions of laws, regulations, contracts and grant agreements that we may report. Additionally, as required by Uniform Guidance, it is management's responsibility to evaluate and monitor noncompliance with federal and state statutes, regulations, and the terms and conditions of federal and state awards; take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and prepare a summary schedule of prior audit findings and a separate corrective action plan. The summary schedule of prior audit findings should be available for my review on September 1, 2022.

You are responsible for identifying all federal and state awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal and state awards (including notes and noncash assistance received, and COVID-19 related concepts, such as lost revenues, if applicable) in conformity with the Uniform Guidance. You agree to include my report on the schedule of expenditures of federal and state awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal and state awards. You also agree to include the audited financial statements with any presentation of the schedule of expenditures of federal and state awards that includes our report thereon OR make the audited financial statements readily available to intended users of the schedule of expenditures of federal and state awards no later than the date the schedule of expenditures of federal and state awards id issued with our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal and state awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal and state awards, including its form and content, is stated fairly in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to me any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal and state awards.

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

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

Engagement Administration, Fees and Other

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

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to electronically submit the reporting package (including financial statements, schedule of expenditures of federal and state awards, summary schedule of prior audit findings, auditor's reports, and a corrective action plan) along with the Data Collection Form to the designated federal clearinghouse and, if appropriate, to pass-through entities. We will coordinate with you the electronic submission and certification. The Data Collection Form and the reporting package must be submitted within the earlier of 30 days after the receipt of the auditor's report or nine months after the end of the audit period. We will provide copies of our reports to the City of Asheboro; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Huneycutt, Parsley & Taylor, CPAs, PLLC and constitutes confidential information. However, pursuant to authority given by law or regulation, we may be requested to make certain audit documentation or individuals available to a grantor agency or its designee, a federal or state agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Huneycutt, Parsley & Taylor, CPAs, PLLC personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the photocopies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the grantor agency. If we are aware that a federal and state awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the parties contesting the audit finding for guidance prior to destroying the audit documentation.

We expect to issue our reports no later than October 31, 2022. Our fees for these services will be at standard hourly rates plus out-of –pocket costs (such as report production, typing, postage, travel copies, telephone, etc.) except that we agree that our gross fee, including expenses, will not exceed $36,800. Standard hourly rates vary according to degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoice for these fees will be rendered periodically as work progresses and are payable upon presentation. In accordance with firm policies, work may be suspended if your account becomes thirty days or more overdue and may not be resumed until your account is paid in full. If services are terminated due to nonpayment, you will be obligated to compensate for all time expended and to reimburse for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary; we will discuss it with you and arrive at a new fee estimate before additional cost is incurred.

Reporting

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

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will state that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering an entity's internal control and compliance. The Uniform Guidance report on internal control over compliance will state that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

We appreciate the opportunity to be of service to the City of Asheboro and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know.

If you agree with the terms of this engagement as described in this letter, please sign and return the original.

Sincerely,

Huneycutt, Parsley & Taylor, CPAs, PLLC

Huneycutt, Parsley & Taylor, CPAs, PLLC

RESPONSE:
This letter correctly sets forth the understanding of the City of Asheboro.

By: ______________________________________

Title: Mayor ______________________________

Date: ____________________________________

The	Governing Board City Council
of	Primary Government Unit City of Asheboro
and	Discretely Presented Component Unit (DPCU) (if applicable) N/A

Primary Government Unit, together with DPCU (if applicable), hereinafter referred to as Governmental Unit(s)

and	Auditor Name Huneycutt, Parsley & Taylor, CPAs, PLLC
	Auditor Address 221 South Fayetteville Street, Asheboro, North Carolina 27203

Hereinafter referred to as Auditor

for	Fiscal Year Ending 06/30/22	Audit Report Due Date 10/31/22

Must be within four months of FYE

hereby agree as follows:

1. The Auditor shall audit all statements and disclosures required by U.S. generally accepted auditing standards (GAAS) and additional required legal statements and disclosures of all funds and/or divisions of the Governmental Unit(s). The non-major combining, and individual fund statements and schedules shall be subjected to the auditing procedures applied in the audit of the basic financial statements and an opinion shall be rendered in relation to (as applicable) the governmental activities, the business- type activities, the aggregate DPCUs, each major governmental and enterprise fund, and the aggregate remaining fund information (non-major government and enterprise funds, the internal service fund type, and the fiduciary fund types). The basic financial statements shall include budgetary comparison information in a budgetary comparison statement, rather than as RSI, for the General Fund and any annually budgeted Special Revenue funds.

2. At a minimum, the Auditor shall conduct the audit and render the report in accordance with GAAS. The Auditor shall perform the audit in accordance with *Government Auditing Standards* if the Governmental Unit expended $100,000 or more in combined Federal and State financial assistance during the reporting period. The auditor shall perform a Single Audit if required by Title 2 US Code of Federal Regulations Part 200 *Uniform Administration Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) or the State Single Audit Implementation Act. This audit and all associated audit documentation may be subject to review by Federal and State agencies in accordance with Federal and State laws, including the staffs of the Office of State Auditor (OSA) and the Local Government Commission (LGC). If the audit requires a federal single audit in accordance with the Uniform Guidance (§200.501), it is recommended that the Auditor and Governmental Unit(s) jointly agree, in advance of the execution of this contract, which party is responsible for submission of the audit and the accompanying data collection form to the Federal Audit Clearinghouse as required under the Uniform Guidance (§200.512).

If the audit and Auditor communication are found in this review to be substandard, the results of the review may be forwarded to the North Carolina State Board of CPA Examiners (NC State Board).

3. If an entity is determined to be a component of another government as defined by the group audit standards, the entity's auditor shall make a good faith effort to comply in a timely manner with the requests of the group auditor in accordance with AU-6 §600.41 - §600.42.

4. This contract contemplates an unmodified opinion being rendered. If during the process of conducting the audit, the Auditor determines that it will not be possible to render an unmodified opinion on the financial statements of the unit, the Auditor shall contact the LGC Staff to discuss the circumstances leading to that conclusion as soon as is practical and before the final report is issued. The audit shall include such tests of the accounting records and such other auditing procedures as are considered by the Auditor to be necessary in the circumstances. Any limitations or restrictions in scope which would lead to a qualification should be fully explained in an attachment to this contract.

5. If this audit engagement is subject to the standards for audit as defined in *Government Auditing Standards*, 2018 revision, issued by the Comptroller General of the United States, then by accepting this engagement, the Auditor warrants that he/she has met the requirements for a peer review and continuing education as specified in *Government Auditing Standards*. The Auditor agrees to provide a copy of the most recent peer review report to the Governmental Unit(s) and the Secretary of the LGC prior to the execution of an audit contract. Subsequent submissions of the report are required only upon report expiration or upon auditor's receipt of an updated peer review report. If the audit firm received a peer review rating other than pass, the Auditor shall not contract with the Governmental Unit(s) without first contacting the Secretary of the LGC for a peer review analysis that may result in additional contractual requirements.

If the audit engagement is not subject to *Government Accounting Standards* or if financial statements are not prepared in accordance with U.S. generally accepted accounting principles (GAAP) and fail to include all disclosures required by GAAP, the Auditor shall provide an explanation as to why in an attachment to this contract or in an amendment.

6. It is agreed that time is of the essence in this contract. All audits are to be performed and the report of audit submitted to LGC Staff within four months of fiscal year end. If it becomes necessary to amend the audit fee or the date that the audit report will be submitted to the LGC, an amended contract along with a written explanation of the change shall be submitted to the Secretary of the LGC for approval.

7. It is agreed that GAAS include a review of the Governmental Unit's (Units') systems of internal control and accounting as same relate to accountability of funds and adherence to budget and law requirements applicable thereto; that the Auditor shall make a written report, which may or may not be a part of the written report of audit, to the Governing Board setting forth his/her findings, together with his recommendations for improvement. That written report shall include all matters defined as "significant deficiencies and material weaknesses" in AU-C 265 of the *AICPA Professional Standards (Clarified)*. The Auditor shall file a copy of that report with the Secretary of the LGC.

8. All local government and public authority contracts for audit or audit-related work require the approval of the Secretary of the LGC. This includes annual or special audits, agreed upon procedures related to internal controls, bookkeeping or other assistance necessary to prepare the Governmental Unit's (Units') records for audit, financial statement preparation, any finance-related investigations, or any other audit- related work in the State of North Carolina. Approval is not required on contracts and invoices for system improvements and similar services of a non-auditing nature.

9. Invoices for services rendered under these contracts shall not be paid by the Governmental Unit(s) until the invoice has been approved by the Secretary of the LGC. (This also includes any progress billings.)[G.S. 159-34 and 115C-447] All invoices for Audit work shall be submitted in PDF format to the Secretary of the LGC for approval. The invoice marked 'approved 'with approval date shall be returned to

the Auditor to present to the Governmental Unit(s) for payment. This paragraph is not applicable to contracts for audits of hospitals.

10. In consideration of the satisfactory performance of the provisions of this contract, the Governmental Unit(s) shall pay to the Auditor, upon approval by the Secretary of the LGC if required, the fee, which includes any costs the Auditor may incur from work paper or peer reviews or any other quality assurance program required by third parties (federal and state grantor and oversight agencies or other organizations) as required under the Federal and State Single Audit Acts. This does not include fees for any pre-issuance reviews that may be required by the NC Association of CPAs (NCACPA) Peer Review Committee or NC State Board of CPA Examiners (see Item 13).

11. If the Governmental Unit(s) has/have outstanding revenue bonds, the Auditor shall submit to LGC Staff, either in the notes to the audited financial statements or as a separate report, a calculation demonstrating compliance with the revenue bond rate covenant. Additionally, the Auditor shall submit to LGC Staff simultaneously with the Governmental Unit's (Units') audited financial statements any other bond compliance statements or additional reports required by the authorizing bond documents, unless otherwise specified in the bond documents.

12. After completing the audit, the Auditor shall submit to the Governing Board a written report of audit. This report shall include, but not be limited to, the following information: (a) Management's Discussion and Analysis, (b) the financial statements and notes of the Governmental Unit(s) and all of its component units prepared in accordance with GAAP, (c) supplementary information requested by the Governmental Unit(s) or required for full disclosure under the law, and (d) the Auditor's opinion on the material presented. The Auditor shall furnish the required number of copies of the report of audit to the Governing Board upon completion.

13. If the audit firm is required by the NC State Board, the NCACPA Peer Review Committee, or the Secretary of the LGC to have a pre-issuance review of its audit work, there shall be a statement in the engagement letter indicating the pre-issuance review requirement. There also shall be a statement that the Governmental Unit(s) shall not be billed for the pre-issuance review. The pre-issuance review shall be performed prior to the completed audit being submitted to LGC Staff. The pre-issuance review report shall accompany the audit report upon submission to LGC Staff.

14. The Auditor shall submit the report of audit in PDF format to LGC Staff. For audits of units other than hospitals, the audit report should be submitted when (or prior to) submitting the final invoice for services rendered. The report of audit, as filed with the Secretary of the LGC, becomes a matter of public record for inspection, review and copy in the offices of the LGC by any interested parties. Any subsequent revisions to these reports shall be sent to the Secretary of the LGC. These audited financial statements, excluding the Auditors' opinion, may be used in the preparation of official statements for debt offerings by municipal bond rating services to fulfill secondary market disclosure requirements of the Securities and Exchange Commission and for other lawful purposes of the Governmental Unit(s) without requiring consent of the Auditor. If the LGC Staff determines that corrections need to be made to the Governmental Unit's (Units') financial statements, those corrections shall be provided within three business days of notification unless another deadline is agreed to by LGC Staff.

15. Should circumstances disclosed by the audit call for a more detailed investigation by the Auditor than necessary under ordinary circumstances, the Auditor shall inform the Governing Board in writing of the need for such additional investigation and the additional compensation required therefore. Upon approval by the

Secretary of the LGC, this contract may be modified or amended to include the increased time, compensation, or both as may be agreed upon by the Governing Board and the Auditor.

16. If an approved contract needs to be modified or amended for any reason, the change shall be made in writing and pre-audited if the change includes a change in audit fee (pre-audit requirement does not apply to hospitals). This amended contract shall be completed in full, including a written explanation of the change, signed and dated by all original parties to the contract. It shall then be submitted to the Secretary of the LGC for approval. No change to the audit contract shall be effective unless approved by the Secretary of the LGC, the Governing Board, and the Auditor.

17. A copy of the engagement letter, issued by the Auditor and signed by both the Auditor and the Governmental Unit(s), shall be attached to this contract, and except for fees, work, and terms not related to audit services, shall be incorporated by reference as if fully set forth herein as part of this contract. In case of conflict between the terms of the engagement letter and the terms of this contract, the terms of this contract shall take precedence. Engagement letter terms that conflict with the contract are deemed to be void unless the conflicting terms of this contract are specifically deleted in Item 30 of this contract. Engagement letters containing indemnification clauses shall not be accepted by LGC Staff.

18. Special provisions should be limited. Please list any special provisions in an attachment.

19. A separate contract should not be made for each division to be audited or report to be submitted. If a DPCU is subject to the audit requirements detailed in the Local Government Budget and Fiscal Control Act and a separate audit report is issued, a separate audit contract is required. If a separate report is not to be issued and the DPCU is included in the primary government audit, the DPCU shall be named along with the primary government on this audit contract. DPCU Board approval date, signatures from the DPCU Board chairman and finance officer also shall be included on this contract.

20. The contract shall be executed, pre-audited (pre-audit requirement does not apply to hospitals), and physically signed by all parties including Governmental Unit(s) and the Auditor, then submitted in PDF format to the Secretary of the LGC.

21. The contract is not valid until it is approved by the Secretary of the LGC. The staff of the LGC shall notify the Governmental Unit and Auditor of contract approval by email. The audit should not be started before the contract is approved.

22. Retention of Client Records: Auditors are subject to the NC State Board of CPA Examiners' Retention of Client Records Rule 21 NCAC 08N .0305 as it relates to the provision of audit and other attest services, as well as non-attest services. Clients and former clients should be familiar with the requirements of this rule prior to requesting the return of records.

23. This contract may be terminated at any time by mutual consent and agreement of the Governmental Unit(s) and the Auditor, provided that (a) the consent to terminate is in writing and signed by both parties, (b) the parties have agreed on the fee amount which shall be paid to the Auditor (if applicable), and (c) no termination shall be effective until approved in writing by the Secretary of the LGC.

24. The Governmental Unit's (Units') failure or forbearance to enforce, or waiver of, any right or an event of breach or default on one occasion or instance shall not constitute the waiver of such right, breach or default on any subsequent occasion or instance.

25. There are no other agreements between the parties hereto and no other agreements relative hereto that shall be enforceable unless entered into in accordance with the procedure set out herein and approved by the Secretary of the LGC.

26. E-Verify. Auditor shall comply with the requirements of NCGS Chapter 64 Article 2. Further, if Auditor utilizes any subcontractor(s), Auditor shall require such subcontractor(s) to comply with the requirements of NCGS Chapter 64, Article 2.

27. **Applicable to audits with fiscal year ends of June 30, 2020 and later.** For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct and Governmental Auditing Standards, 2018 Revision (as applicable). Financial statement preparation assistance shall be deemed a "significant threat" requiring the Auditor to apply safeguards sufficient to reduce the threat to an acceptable level. If the Auditor cannot reduce the threats to an acceptable level, the Auditor cannot complete the audit. If the Auditor is able to reduce the threats to an acceptable level, the documentation of this determination, including the safeguards applied, must be included in the audit workpapers.

All non-attest service(s) being performed by the Auditor that are necessary to perform the audit must be identified and included in this contract. The Governmental Unit shall designate an individual with the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the services and accept responsibility for the results of the services performed. If the Auditor is able to identify an individual with the appropriate SKE, s/he must document and include in the audit workpapers how he/she reached that conclusion. If the Auditor determines that an individual with the appropriate SKE cannot be identified, the Auditor cannot perform both the non-attest service(s) and the audit. See "Fees for Audit Services" page of this contract to disclose the person identified as having the appropriate SKE for the Governmental Unit.

28. **Applicable to audits with fiscal year ends of June 30, 2021 and later.** The auditor shall present the audited financial statements including any compliance reports to the government unit's governing body or audit committee in an official meeting in open session as soon as the audited financial statements are available but not later than 45 days after the submission of the audit report to the Secretary. The auditor's presentation to the government unit's governing body or audit committee shall include:

a) the description of each finding, including all material weaknesses and significant deficiencies, as found by the auditor, and any other issues related to the internal controls or fiscal health of the government unit as disclosed in the management letter, the Single Audit or Yellow Book reports, or any other communications from the auditor regarding internal controls as required by current auditing standards set by the Accounting Standards Board or its successor;

b) the status of the prior year audit findings;

c) the values of Financial Performance Indicators based on information presented in the audited financial statements; and

d) notification to the governing body that the governing body shall develop a "Response to the Auditor's Findings, Recommendations, and Fiscal Matters," if required under 20 NCAC 03 .0508.

29. Information based on the audited financial statements shall be submitted to the Secretary for the purpose of identifying Financial Performance Indicators and Financial Performance Indicators of Concern. See 20 NCAC 03 .0502(c)(6).

30. All of the above paragraphs are understood and shall apply to this contract, except the following numbered paragraphs shall be deleted (See Item 17 for clarification).

31. The process for submitting contracts, audit reports and invoices is subject to change. Auditors and units should use the submission process and instructions in effect at the time of submission. Refer to the N.C. Department of State Treasurer website at https://www.nctreasurer.com/state-and-local-government-finance-division/local-government-commission/submitting-your-audit

32. All communications regarding audit contract requests for modification or official approvals will be sent to the email addresses provided on the signature pages that follow.

33. Modifications to the language and terms contained in this contract form (LGC-205) are not allowed.

FEES FOR AUDIT SERVICES

1. For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct (as applicable) and *Governmental Auditing Standards,2018 Revision*. Refer to Item 27 of this contract for specific requirements. The following information must be provided by the Auditor; contracts presented to the LGC without this information will be not be approved.

Financial statements were prepared by: ☑Auditor ☐Governmental Unit ☐Third Party

If applicable: Individual at Governmental Unit designated to have the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the non-attest services and accept responsibility for the results of these services:

Name:	***Title and Unit / Company:***	***Email Address:***
Deborah Reaves	Finance Officer/City of Asheboro	dreaves@ci.asheboro.nc.us

OR Not Applicable ☐ *(Identification of SKE Individual not applicable for GAAS-only audit or audits with FYEs prior to June 30, 2020.)*

2. Fees may not be included in this contract for work performed on Annual Financial Information Reports (AFIRs), Form 990s, or other services not associated with audit fees and costs. Such fees may be included in the engagement letter but may not be included in this contract or in any invoices requiring approval of the LGC. See Items 8 and 13 for details on other allowable and excluded fees.

3. Prior to the submission of the completed audited financial report and applicable compliance reports subject to this contract, or to an amendment to this contract (if required) the Auditor may submit interim invoices for approval for services rendered under this contract to the Secretary of the LGC, not to exceed 75% of the billings for the unit's last annual audit that was submitted to the Secretary of the LGC. Should the 75% cap provided below conflict with the cap calculated by LGC Staff based on the billings on file with the LGC, the LGC calculation prevails. All invoices for services rendered in an audit engagement as defined in 20 NCAC .0503 shall be submitted to the Commission for approval before any payment is made. Payment before approval is a violation of law. (This paragraph not applicable to contracts and invoices associated with audits of hospitals).

PRIMARY GOVERNMENT FEES

Primary Government Unit	City of Asheboro
Audit Fee	$ 33,800
Additional Fees Not Included in Audit Fee:	
Fee per Major Program	$ -0-
Writing Financial Statements	$ 3,000
All Other Non-Attest Services	$ -0-
75% Cap for Interim Invoice Approval ***(not applicable to hospital contracts)***	$ 27,562.00

DPCU FEES (if applicable)

Discretely Presented Component Unit	N/A
Audit Fee	$
Additional Fees Not Included in Audit Fee:	
Fee per Major Program	$
Writing Financial Statements	$
All Other Non-Attest Services	$
75% Cap for Interim Invoice Approval ***(not applicable to hospital contracts)***	$

SIGNATURE PAGE

AUDIT FIRM

Audit Firm* Huneycutt, Parsley & Taylor, CPAs, PLLC	
Authorized Firm Representative (typed or printed)* William R. Huneycutt	Signature* William R Huneycutt
Date* 10/19/22	Email Address* steve@wrhuneycuttcpa.com

GOVERNMENTAL UNIT

Governmental Unit* City of Asheboro	
Date Primary Government Unit Governing Board Approved Audit Contract* (G.S.159-34(a) or G.S.115C-447(a))	
Mayor/Chairperson (typed or printed)* David Smith, Mayor	Signature*
Date	Email Address dreaves@ci.asheboro.nc.us

Chair of Audit Committee (typed or printed, or "NA") N/A	Signature
Date	Email Address

GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE

Required by G.S. 159-28(a1) or G.S. 115C-441(a1).
Not applicable to hospital contracts.

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

Primary Governmental Unit Finance Officer* (typed or printed) Deborah Reaves	Signature*
Date of Pre-Audit Certificate*	Email Address* dreaves@ci.asheboro.nc.us

Case No. RZ-22-11: Request to rezone property at 1622 Zoo Parkway (Parcel Identification Number 7750955151) from B2 General Commercial to I1 Light Industrial

Planning Board Recommendation and Staff Report

Planning Board Recommendation & Comments to City Council

NOTE: Have applicant Certify to Council mailings to all adjoining property owners.

Case # **RZ-22-11**

Date 10/3/2022 PB

Applicant Bob Crumley (JBBC Properties, LLC)

Legal Description

The property of JBBC Properties, LLC, located at 1622 Zoo Parkway, on the west side of Zoo Parkway approximately 200 ft. north of the intersection of Ridge Street, totaling approximately 1.69 acres +/-.

Requested Action Rezone from B2 General Commercial to I1 Light Industrial

Existing Zone B2

Land Development Plan See rezoning staff report

Planning Board Recommendation

Approve

Reason for Recommendation

The Planning Board concurred with staff reasoning.

Planning Board Comments

Rezoning Staff Report

RZ Case # **RZ-22-11** **Date** 10/3/2022 Planning Board

General Information

Applicant JBBC Properties, LLC

Address 1622 Zoo Parkway

City Asheboro NC 27203

Phone 336-953-2009

Location West side of Zoo Parkway (approximately 200 feet north of Ridge Street)

Requested Action Rezone from B2 (General Commercial) to I1 (Light Industrial)

Existing Zone B2 **Existing Land Use** Undeveloped

Size 1.69 acres +/- **Pin #** 7750955151

Applicant's Reasons as stated on application

Property is adjacent to I1 zoning and a gas station. Commercial zoning has been unsuccessful. The area is a combination of industrial, commercial, and residential. The small size of this parcel will result in a small user and does not significantly change the "flavor" of the area.

Surrounding Land Use

North Undeveloped **East** Commercial

South Commercial/Single-family **West** Manufacturing, processing and assembly

Zoning History The subject property was part of RZ-86-14, a request to rezone from R10 to B2 approved in 1986.

Legal Description

The property of JBBC Properties, LLC, located at 1622 Zoo Parkway, on the west side of Zoo Parkway approximately 200 ft. north of the intersection of Ridge Street, totaling approximately 1.69 acres +/-.

Analysis

1. The property is located within the City limits.
2. Zoo Parkway (NC 159) is a state-maintained major thoroughfare. B2 building design standards (i.e. permissible building materials to be used on a street facing facade) are enforced in industrial districts located on such thoroughfares.
3. This section of Zoo Parkway, between East Dixie Drive and Ridge Street, primarily is commercially zoned and developed, with limited interspersed industrial and residential zoning.
4. The zoning ordinance describes the I1 zoning district as intended "to produce areas for manufacturing, processing and assembly uses, commercial uses, distribution and servicing enterprises, controlled by performance standards to limit the effect of such uses on uses within the district and on adjacent districts."
5. Earlier in 2022, Council approved a B2-CZ district on the adjacent property to the north for Manufacturing, Processing, and Assembly and retail shoppers & convenience goods uses.
6. The Land Development Plan Central Small Area Plan recommends the following for new industrial uses: "industrial uses are designated throughout the planning area, to accommodate existing industrial development, and provide opportunities for some new industrial development." It also identifies "preservation and revitalization of existing residential neighborhoods" as a key issue.
7. The Land Development Categories intent for industrial districts is as follows: "to expand existing and develop new industrial uses, requiring transitional uses & buffers". The Land Categories description further states that "special emphasis should be placed on providing adequate buffering and screening between industrial uses and adjacent residential and commercial uses. Whenever possible, appropriate transitional uses will be provided to surround and soften the impact of industrial uses."
8. The LDP Proposed Land Use map designates the subject property for commercial development. The plan projected new industrial development to occur along the north side of Ridge Street.

Rezoning Staff Report

RZ Case # **RZ-22-11**

Consistency with the 2020 LDP Growth Strategy designations

In reviewing this request, careful consideration is given to each Goal and Policy as outlined in the Land Development Plan. Some Goals and Policies will either support or will not support the request, while others will be neutral or will not apply. Only those Goals and Policies that support or do not support the request will be shown.

Proposed Land Use Map Designation	Commercial
Small Area Plan	Central
Growth Strategy Map Designation	Primary Growth

LDP Goals/Policies Which Support Request

Checklist Item 3: The property on which the rezoning district is proposed fits the description of the Zoning Ordinance. *(Article 200, Section 210, Schedule of Statements of Intent*)

Checklist Item 5: Complies with Growth Strategy Map

Checklist Item 7: The proposed rezoning is compatible with the applicable Small Area Plan.

Checklist Items 12, 13, and 14: 12.) Property is located outside of watershed
13.) The property is located outside of Special Hazard Flood Area.
14.) Rezoning is not located on steep slopes of greater than 20%.

Rezoning Staff Report

RZ Case # **RZ-22-11**

LDP Goals/Policies Which Do <u>Not</u> Support Request

<u>**Checklist Item 1**</u>: Rezoning is not compliant with the Proposed Land Use Map.

<u>**Checklist Item 10**</u>: Rezoning is not consistent with land category descriptions

<u>**2.1.1**</u> The City will ensure development regulations provide appropriate transitional land uses, such as office and institutional, between high-intensity industrial/commercial and low-intensity residential uses.

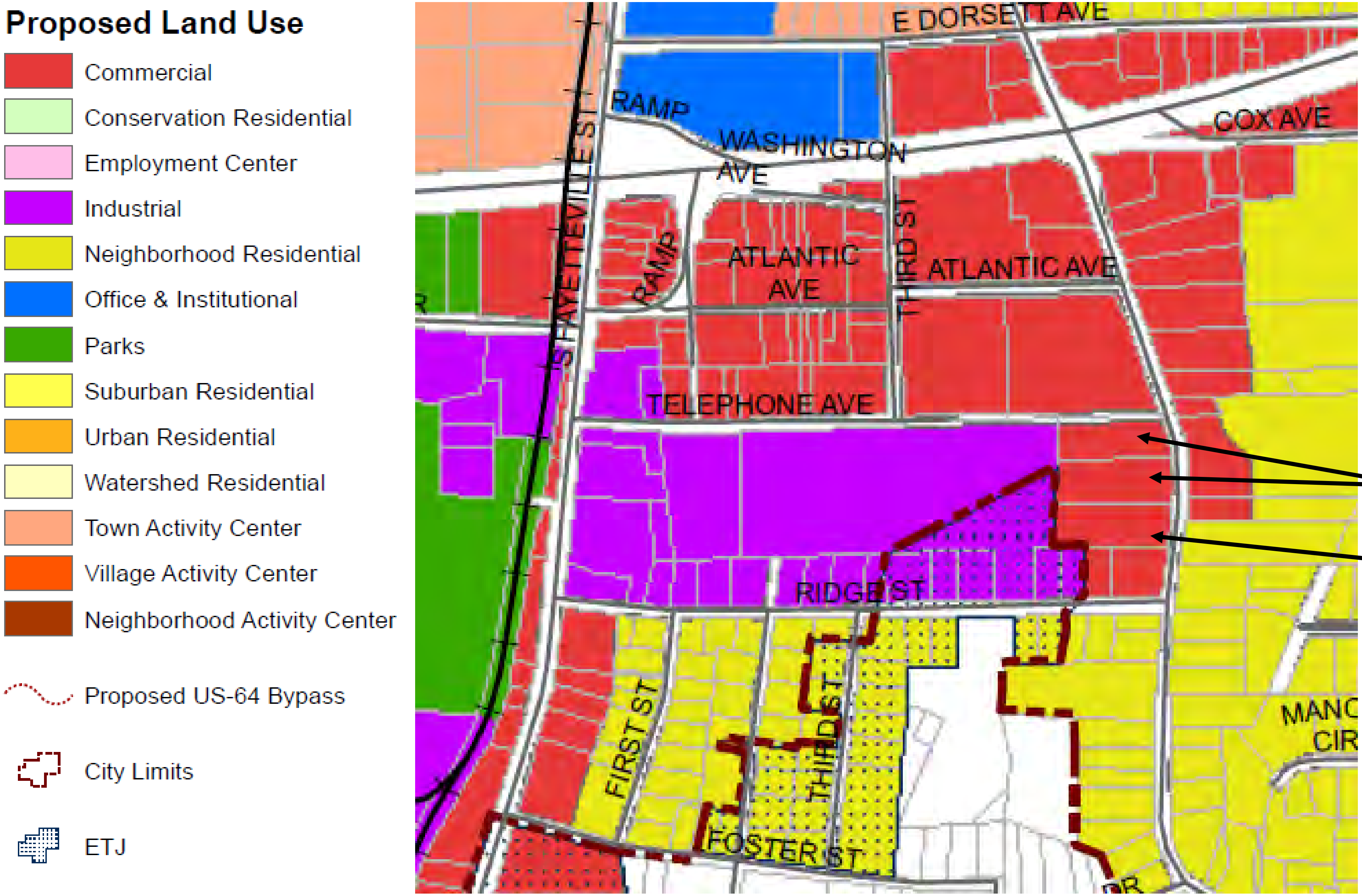
Staff's Final Analysis Concerning Consistency with Adopted Comprehensive Plans, Reasonableness and Public Interest

The Land Development Plan (LDP), recognizing Oliver Rubber's large footprint, contemplates limited industrial expansion in the area. The Proposed Land Use map forecasts such industrial growth to occur along Ridge Street instead of Zoo Pkwy. However, there remains a stable neighborhood of homes on Ridge Street and the industrial growth that had been expected has not happened. Instead, City Council recently authorized a manufacturing processing and assembly operation and related retail use (RZ-22-01) on Zoo Pkwy to the north of the property requested for rezoning. That property is currently vacant and at one time also was owned by the applicant.

Approval of this request, when combined with the RZ-22-01 approval, would accommodate the limited industrial growth envisioned by the Land Development Plan while preserving the residential continuity that exists on Ridge Street. While a general non-conditioned zoning district does introduce uncertainty in terms of how the property ultimately will be used, the zoning ordinance contains development standards addressing light, noise, odor, parking, and landscaping requirements. In addition, the relatively small size of the property and adjacent B2 and B2-CZ zoning helps to assuage compatability concerns.

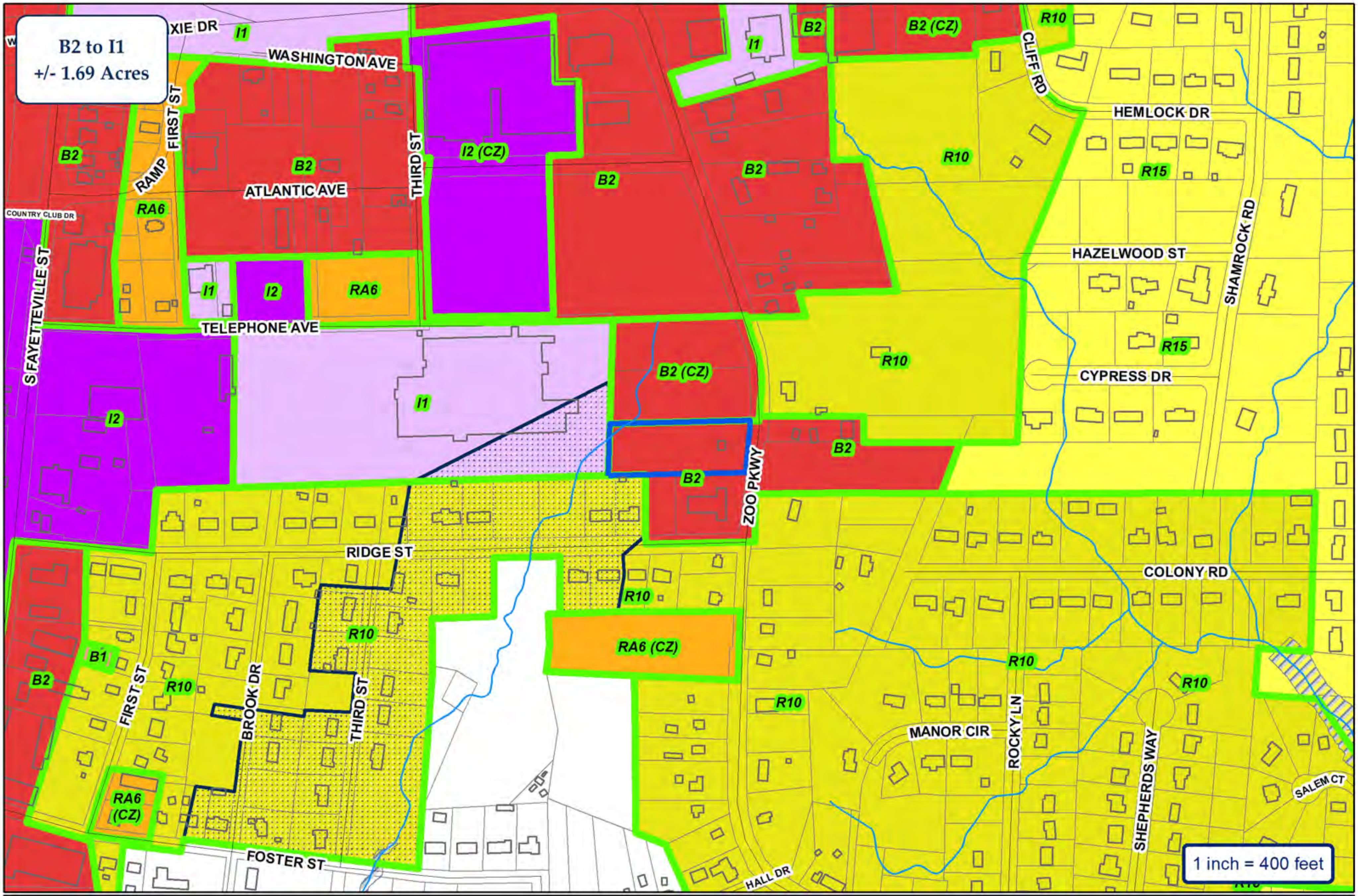
Recommendation In light of the above analysis, staff's recommendation is to approve the application.

RZ-22-11: Request to rezone 1622 Zoo Parkway from B2 to I1



B2 (CZ) for manufacturing, Processing, and assembly and retail (RZ-22-01)

Subject property 1622 Zoo Parkway



ETJ

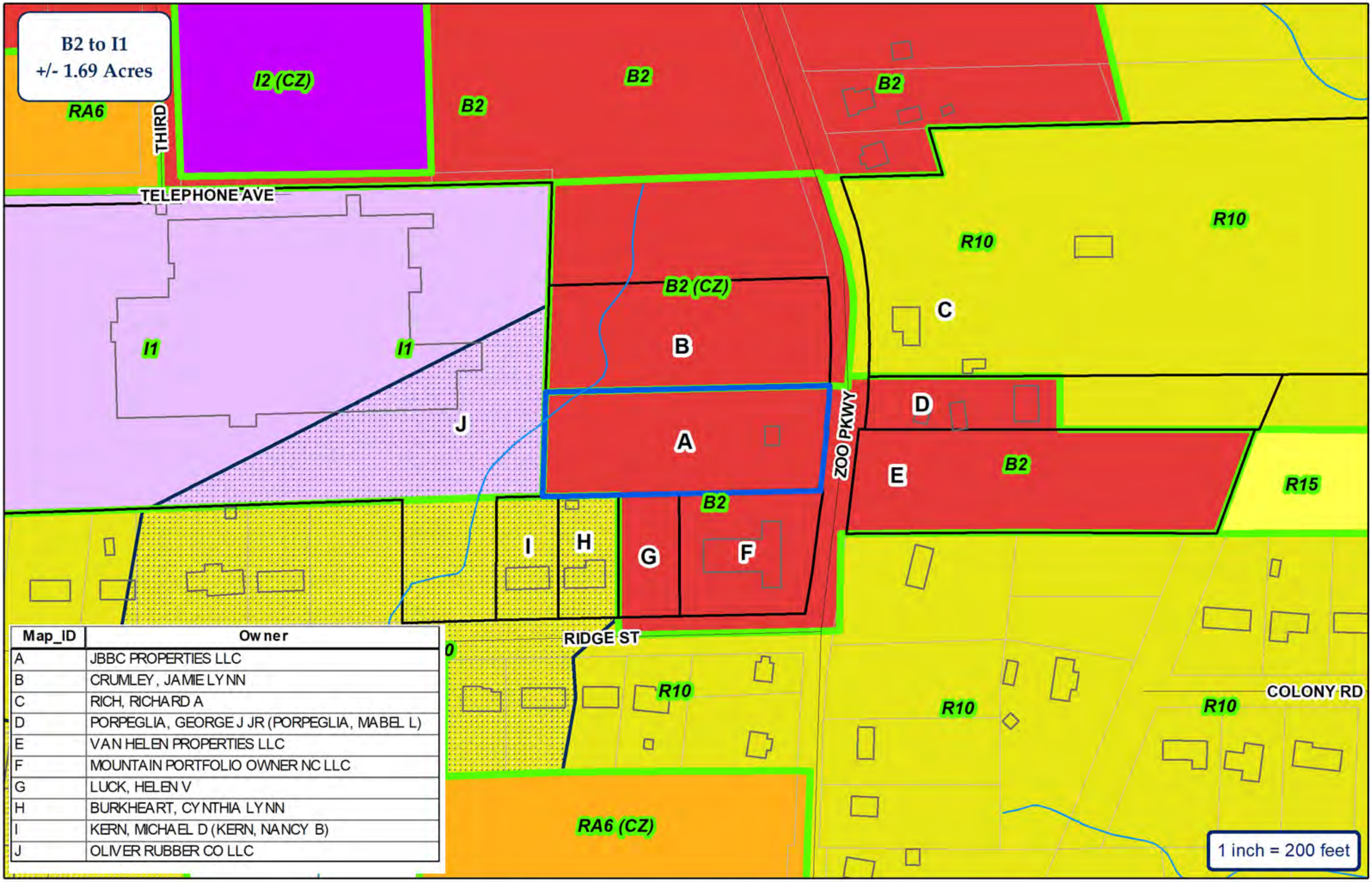
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-22-11

Parcels: 7750955151

Subject Property

Zoning



Map_ID	Owner
A	JBBC PROPERTIES LLC
B	CRUMLEY, JAMIE LYNN
C	RICH, RICHARD A
D	PORPEGLIA, GEORGE J JR (PORPEGLIA, MABEL L)
E	VAN HELEN PROPERTIES LLC
F	MOUNTAIN PORTFOLIO OWNER NC LLC
G	LUCK, HELEN V
H	BURKHEART, CYNTHIA LYNN
I	KERN, MICHAEL D (KERN, NANCY B)
J	OLIVER RUBBER CO LLC

CITY OF ASHEBORO
NORTH CAROLINA
Exactly where you want to be.

ETJ

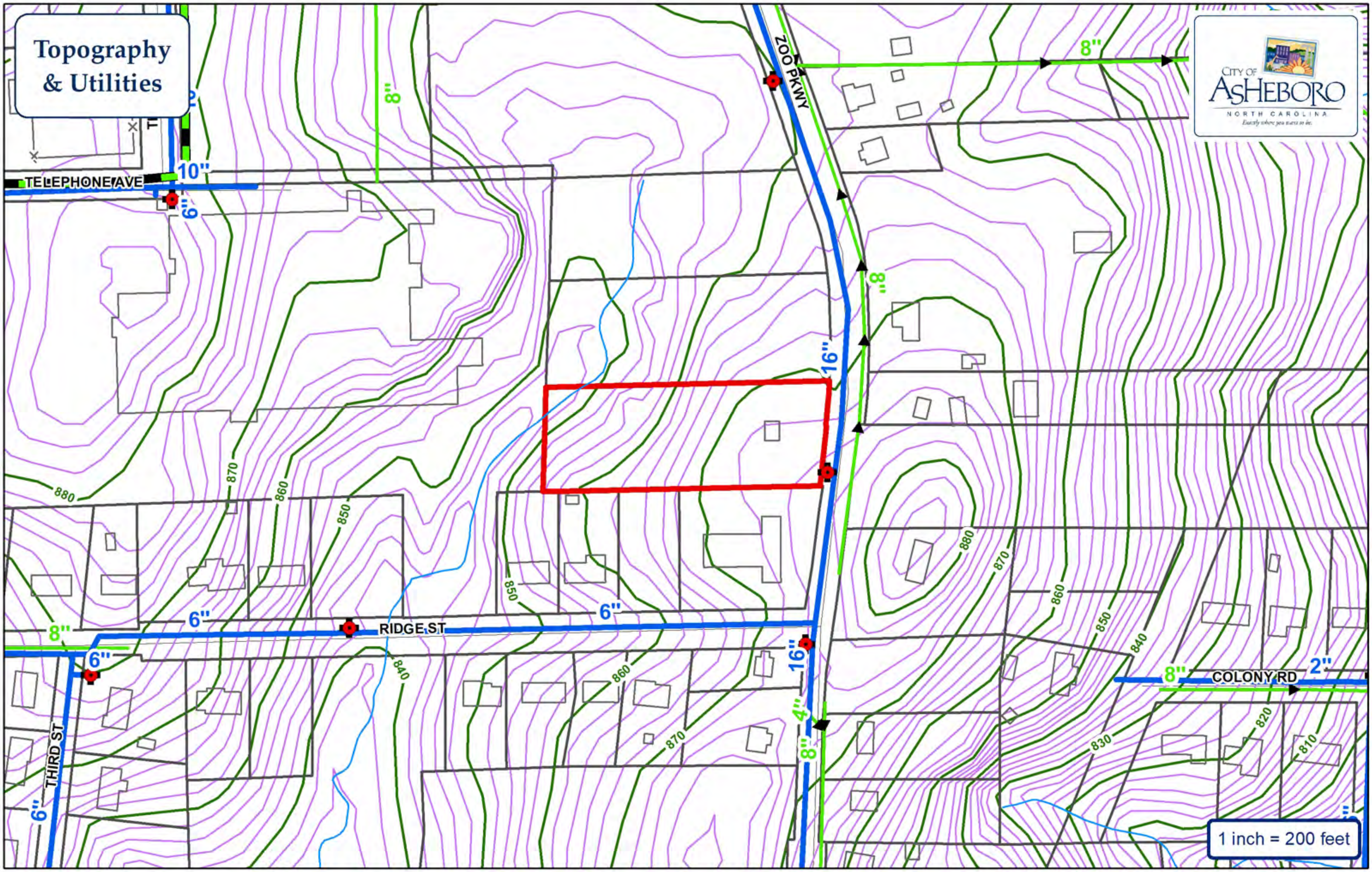
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-22-11

Parcels: 7750955151

Subject Property
Adjoining Properties
City Zoning

N
W
E
S



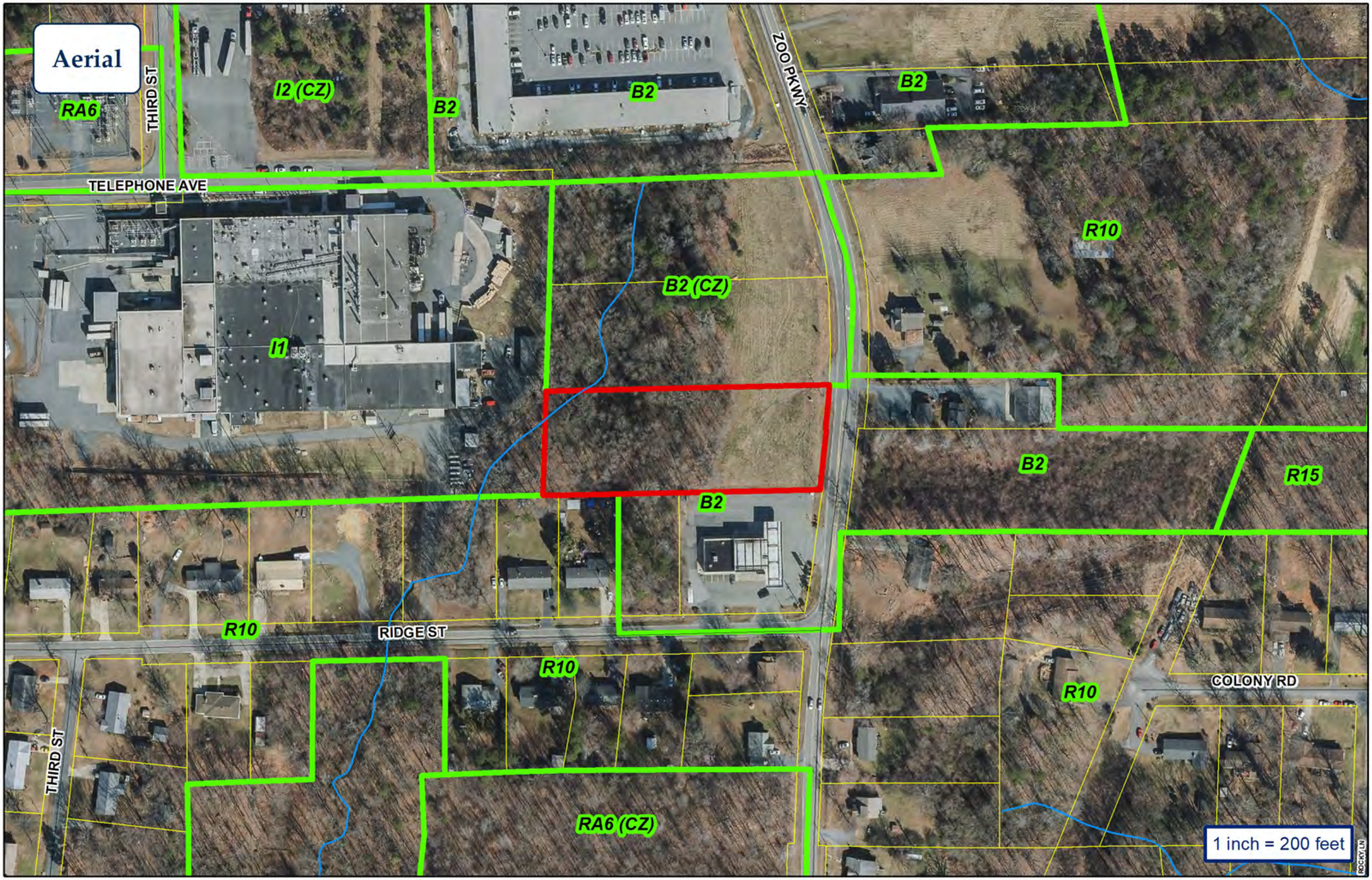
Water Main
Sewer Main
Force Main
Fire Hydrant
Pump Station
Watershed

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-22-11

Parcels: 7750955151

Subject Property



City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-22-11

Parcels: 7750955151

Subject Property
Zoning

APPLICANT INFORMATION

Applicant JBRC Properties, LLC

Applicant's Phone # 336-953-2009

Applicant's Address 1213 S. Cox Street Suite B
Asheboro NC 27203

Applicant Email Address bob@crumley commercial.com

PROPERTY INFORMATION FOR MAP AMENDMENTS

Property Owner's Name JBRC properties, LLC

Location of Property 200 Parkway L3

Property Size (ac. or s.f.) 1.69

Randolph County Property Identification Number (PIN#) 7750953751

Current Zoning District B2

Requested Zoning District I1

Date Property Title Acquired JAn 24, 2008

Deed Book 2062 Page 1865

Subdivision 200 Parkway Commercial Section ____ Lot # 3

Plat Book 126 Page 2

ORDINANCE AMENDMENT INFORMATION

1. In what manner will the proposed amendment carry out the intent of the Land Development Plan?

Property is adjacent to I1 zoning and a gas station. Commercial zoning has been unsuccessful

For questions (2) and (3), if either of these questions apply, please state a reason. If you believe these do not apply, please check "does not apply".

2. Are there alleged errors in this Ordinance that would be corrected by the proposed amendment? If so, give a detailed explanation of such error and detailed reasons how the proposed amendment will correct the errors.

no

Does not apply ☐

3. What are the changed or changing conditions, if any, in the jurisdiction of the City of Asheboro generally, which would make the proposed amendment reasonably necessary to the promotion of the public health, safety, and general welfare?

Does not apply ☑

4. Are there any other circumstances, factors, or reasons that the applicant offers in support of the proposed amendment?

The AREA is A Combination of Industrial, Commercial AND Residential. The Small Size of this parcel will Result in A Small user and does not significantly change the overall "flavor" of the AREA.

APPLICATION SIGNATURES

It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for the proposed amendment rests with the applicant. The applicant for rezoning to any district other than a conditional use district shall be prohibited from offering any testimony or evidence concerning the specific manner in which he or she intends to use or develop the property.

Applicant Signature

____

Printed Name of Authorized Signatory (if different from Applicant)

Bobby J Crumley

Position/Relationship of Authorized Signatory to Applicant

Manager of LLC

Owner Signature (if different than Applicant)

____

Owner Address

____

____

Telephone Number

____

Printed Name of Authorized Signatory (if different from Owner)

____

Position/Relationship of Authorized Signatory to Owner

____

STAFF USE
Received by: John Evans ***Date:*** 8-25-22 ***Case Number:*** RZ-22-11

ACCOUNTS RECEIVABLE
TIP AGREEMENT-ADDITIONAL WORK
CONSTRUCTION
1000015499

AGREEMENT OVERVIEW

DATE: 10/19/2022

NORTH CAROLINA
RANDOLPH COUNTY

PROJECT NUMBERS

TIP NUMBER: U-5813

PARTIES TO THE AGREEMENT:

WBS ELEMENT (CON): 44385.3.gv3

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

AND

CITY OF ASHEBORO

The purpose of this Agreement is to identify the participation in project costs, project delivery and/or maintenance, by the other party to this Agreement, as further defined in this Agreement.

SCOPE OF TIP Project ("Project"): The Project takes place from the US 64 Asheboro Bypass to east of I-73/I-74/US 220. The Project consists of widening to multi lanes, reconstructing the interchange at NC 49, modifying the interchange at I-73/I-74/ US 220 and replace Bridge 750171 over US 64 and NC 49.

ADDITIONAL WORK: Construction of a sidewalk within the confines of the Project.

ESTIMATED COST OF THE ADDITIONAL WORK: $458,850
COSTS TO OTHER PARTY: $137,655

PAYMENT TERMS: The Department will bill City of Asheboro upon completion of the Agreement.

MAINTENANCE: Department

EFFECTIVE DATES OF AGREEMENT:
START: Upon Full Execution of this Agreement
END: When work is complete and all terms are met.

This **AGREEMENT** is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the **Department** and **City of Asheboro**, hereinafter referred to as the **Municipality.**

The parties to this Agreement, listed above, intend that this Agreement, together with all attachments, schedules, exhibits, and other documents that both are referenced in this Agreement and refer to this Agreement, represents the entire understanding between the parties with respect to its subject matter and supersedes any previous communication or agreements that may exist.

I. WHEREAS STATEMENTS

WHEREAS, this Agreement is made under the authority granted to the **Department** by the North Carolina General Assembly under General Statutes of North Carolina (NCGS), particularly Chapter 136-66.1 and 136-66.3; and,

WHEREAS, the **Department** and the **Municipality** have agreed that the jurisdictional limits of the Parties, as of the date of entering the agreement for the above-mentioned project, are to be used in determining the duties, responsibilities, rights and legal obligations of the Parties hereto for the purposes of this Agreement; and,

WHEREAS, the **Municipality** has requested that the **Department** perform all phases of said work or provide services; and,

WHEREAS, the Parties hereto wish to enter into an agreement for scoped work to be performed or provided by the **Department** (including reviews, goods or services) with reimbursement for the costs thereof by the **Municipality** as hereinafter set out; and,

NOW, THEREFORE, this Agreement states the promises and undertakings of each party as herein provided, and the parties do hereby covenant and agree, each with the other, as follows:

II. RESPONSIBILITIES

1. The **Department** shall be responsible for all phases of project delivery to include planning, design, right of way acquisition, and construction as shown in the **PROJECT DELIVERY** Provision. The **Department** shall be responsible for maintenance.
2. The **Municipality** shall be responsible for payment as shown in the **COSTS AND FUNDING** Provision.

III. PROJECT DELIVERY REQUIREMENTS

A. PLANNING, DESIGN, AND CONSTRUCTION

The **Department** will be responsible for preparing the environmental and/or planning document, obtaining any environmental permits and preparing the project plans and specifications.

The **Department** shall construct the Project in accordance with the plans and specifications for the Project. The **Department** shall administer the construction contract for said Project.

All work shall be done in accordance with Departmental standards, specifications, policies and procedures.

B. RIGHT OF WAY ACQUISITION

The **Department** will be responsible for acquiring any needed right of way required for the Project in accordance with the policies and procedures set forth in the North Carolina Right of Way Manual.

C. COSTS AND FUNDING

If applicable, the **Department** will reimburse the **Municipality** in accordance with NCGS 136-27.1. A separate utility agreement may be prepared to address these costs and payment terms.

D. UTILITY RELOCATION BY DEPARTMENT

If the **Municipality** requests the **Department** to include the relocation and/or adjustment of municipally owned utilities in its construction contract provisions, and the **Department** agrees, then a separate utility agreement will be prepared to state the cost estimate and the reimbursement terms, if applicable. The **Municipality** shall reimburse the **Department** all or a portion of the costs associated with said relocation, in accordance with NCGS 136-27.1. Reimbursement will be based on final project plans and actual costs of relocation.

E. MAINTENANCE

Upon completion of the Project:

1. The **Department** shall be responsible for all traffic operating controls and devices which shall be established, enforced, and installed and maintained in accordance with the North Carolina General Statutes, the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways, the latest edition of the "Policy on Street and Driveway Access to North Carolina Highway," and department criteria.

2. The roadway improvements that are within state-owned right of way shall be considered a part of the State Highway System and shall be owned and maintained by the **Department**.

IV. COSTS AND FUNDING

1. ADDITIONAL WORK

A. At the request of the **Municipality** and in accordance with the Department's Pedestrian Policy Guidelines or the Complete Streets Guidelines, the **Department** shall include provisions in its construction contract for the construction of pedestrian facilities and/or other additional work as indicated in the Table below. Said work shall be performed in accordance with the additional work as indicated in the Table below. Said work shall be performed in accordance with the Department's policies, procedures, standards, and specifications, and the provisions of this Agreement.

2. PROJECT COSTS

The Municipality has agreed to participate in Project costs as follows:

A. The estimated cost of the Additional Work is $458,850. The Municipality shall participate in 30% of actual Project Costs. The Department will participate in 70% of actual Project Costs. Both parties understand that this is an estimated cost and is subject to change.

Description	Cost to Municipality	Percentage
• Sidewalk (including: construction/mobilization/contract)	$137,655	30%
Total Estimated Cost to Municipality	**$137,655**	

The estimated Municipal share of the additional work is $137,655. The Parties understand that this is an estimated cost and subject to change.

3. INVOICING BY THE DEPARTMENT

A. Upon completion of the Project, the Department will calculate actual costs of the Project and will invoice the **Municipality** for their share of the actual costs of the Additional Work and/or Project Costs. Reimbursement to the Department shall be made in one final payment within sixty days of invoicing by the Department. A late payment penalty and interest will be charged on any unpaid balance due in accordance with G. S. 147-86.23.

If the **Municipality** has pre-paid or made any previous down payment, those funds will be counted against final costs. If costs are less than the funding received, then the Department will return any overpayment.

V. STANDARD PROVISIONS

1. Agreement Modifications

Any modification to scope, funding, responsibilities, or time frame will be agreed upon by all parties by means of a written Supplemental Agreement.

2. Assignment of Responsibilities

The **Department** must approve any assignment or transfer of the responsibilities of the **Municipality** set forth in this Agreement to other parties or entities.

3. Agreement for Identified Parties Only

This Agreement is solely for the benefit of the identified parties to the Agreement and is not intended to give any rights, claims, or benefits to third parties or to the public at large.

4. Other Agreements

The **Municipality** is solely responsible for all agreements, contracts, and work orders entered into or issued by the **Municipality** to meet the terms of this Agreement. The Department is not responsible for any expenses or obligations incurred for the terms of this Agreement except those specifically eligible for the funds and obligations as approved by the Department under the terms of this Agreement.

5. Authorization to Execute

The parties hereby acknowledge that the individual executing this Agreement has read this Agreement, conferred with legal counsel, fully understands its contents, and is authorized to execute this Agreement and to bind the respective parties to the terms contained herein.

6. DocuSign

Department and **Municipality** acknowledge and agree that the electronic signature application DocuSign may be used, at the sole election of the Department or the **Municipality**, to execute this Agreement. By selecting "I Agree," "I Accept," or other similar item, button, or icon via use of a keypad, mouse, or other device, as part of the DocuSign application, Department and **Municipality** consent to be legally bound by the terms and conditions of Agreement and that such act constitutes Department's signature as if actually signed by Department in writing or **Municipality**'s signature as if actually signed by **Municipality** in writing. Department and **Municipality** also agree that no certification authority or other third-party verification is necessary to validate its electronic signature and that the lack of such certification or third-party verification will not in any way affect the enforceability of its electronic signature. Department and **Municipality** acknowledge and agree that delivery of a copy of this Agreement or any other document contemplated hereby through the DocuSign application, will have the same effect as physical delivery of the paper document bearing an original written signature.

7. Debarment Policy

It is the policy of the Department not to enter into any agreement with parties that have been debarred by any government agency (Federal or State). By execution of this agreement, the **Municipality** certifies that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal or State Agency or Department and that it will not enter into agreements with any Municipality that is debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction.

8. Indemnification

To the extent authorized by state and federal claims statutes, the **Municipality** shall be responsible for its actions under the terms of this agreement and save harmless the FHWA (if applicable), the Department, and the State of North Carolina, their respective officers, directors, principals, employees, agents, successors, and assigns to the extent allowed by law, from and against any and all claim for payment, damages and/or liabilities of any nature, asserted against the Department in connection with this Agreement. The Department shall not be liable and shall be held harmless from any and all third-party claims that might arise on account of the **Municipality**'s negligence and/or responsibilities under the terms of this agreement.

9. Availability of Funds

All terms and conditions of this Agreement are dependent upon, and, subject to the allocation of funds for the purpose set forth in the Agreement and the Agreement shall automatically terminate if funds cease to be available.

10. Gift Ban

By Executive Order 24, issued by Governor Perdue, and NCGS 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e. Administration, Commerce, Environmental Quality, Health and Human Services, Information Technology, Military and Veterans Affairs, Natural and Cultural Resources, Public Safety, Revenue, Transportation, and the Office of the Governor).

SIGNATURE PAGE

IN WITNESS WHEREOF, this Agreement has been executed the day and year heretofore set out, on the part of the **DEPARTMENT** and the **MUNICIPALITY** by authority duly given.

City of Asheboro

FED TAX ID NO: _________________

REMITTANCE ADDRESS:

____

____

Authorized Signer: ___________________

Print Name: ________________________

Title: ______________________

Date Signed: _____________

If applicable, this Agreement has been pre-audited in the manner required by the Local Government Budget and Fiscal Act:

Finance Officer: ____________________

Print Name: ________________________

Date Signed: _______________________

DEPARTMENT OF TRANSPORTATION

BY: ______________________________

TITLE: ___________________________

DATE: ____________________________

APPROVED BY BOARD OF TRANSPORTATION ITEM O:________ (DATE)

NORTH CAROLINA SURVEYOR'S CERTIFICATION

"I, KIM R. LILLY, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, FROM DEED BOOK 1543, PAGE 1085; DEED BOOK 1543, PAGE 1088; DEED BOOK 1622, PAGE 1395; AND DEED BOOK 1681, PAGE 429; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN DEED BOOK 1173, PAGE 1101; DEED BOOK 1173, PAGE 1103; DEED BOOK 1442, PAGE 299; DEED BOOK 1666, PAGE 386; DEED BOOK 1710, PAGE 846; DEED BOOK 2030, PAGE 1375; DEED BOOK 2502, PAGE 95; DEED BOOK 2563, PAGE 472; DEED BOOK 2720, PAGE 1625; DEED BOOK 33, PAGE 274; PLAT BOOK 52, PAGE 25; PLAT BOOK 109, PAGE 56; AND PLAT BOOK 130, PAGE 63; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:61,653; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600). WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 3RD DAY OF NOVEMBER, 2022, A.D.

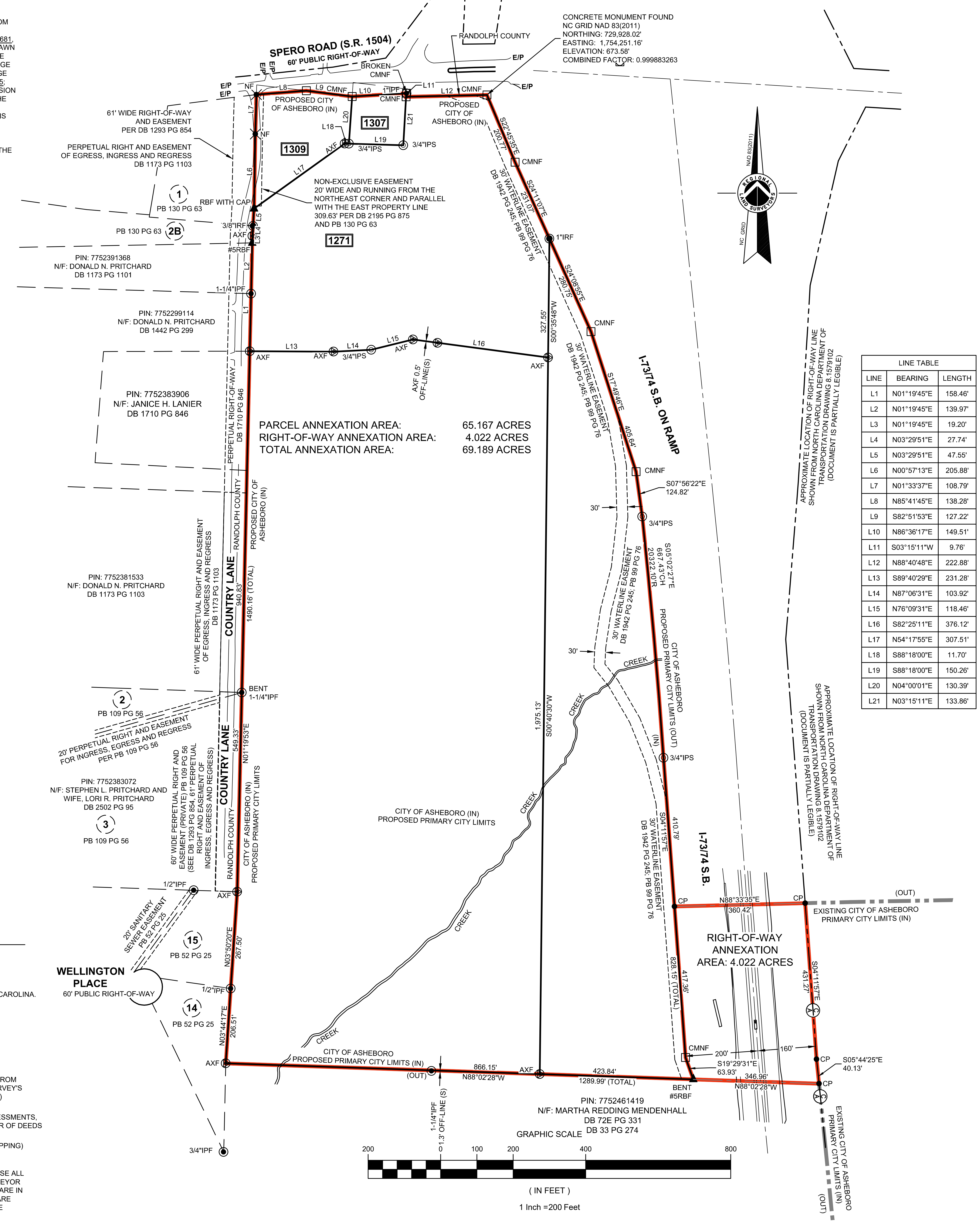
I, KIM R. LILLY , FURTHER CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

1) CLASS OF SURVEY: URBAN LAND SURVEY (CLASS A)
2) POSITIONAL ACCURACY: 0.073'
3) TYPE OF GPS FIELD PROCEDURE: GPS/VRS
4) DATES OF SURVEY: MARCH 1, 2022
5) DATUM/EPOCH: NAD 83 (NSRS 2011)
6: PUBLISHED/FIXED-CONTROL USE: NONE
7) GEOID MODEL: GEOID 12B
8) COMBINED GRID FACTOR(S): 0.9998832
9) UNITS: US FEET

SURVEYOR

L-3612
LICENSE NUMBER

PRELIMINARY
NOT FOR RECORDATION, CONVEYANCES, OR SALES



LEGEND

- COMPUTED POINT [CP]
- IRON PIPE SET (SIZE AS NOTED) [IPS]
- IRON ROD FOUND (SIZE AS NOTED) [IRF]
- IRON PIPE FOUND (SIZE AS NOTED) [IPF]
- REBAR FOUND (SIZE AS NOTED) [RBF]
- AXLE FOUND [AXF]
- CONCRETE MONUMENT FOUND [CMNF]
- NAIL FOUND [NF]

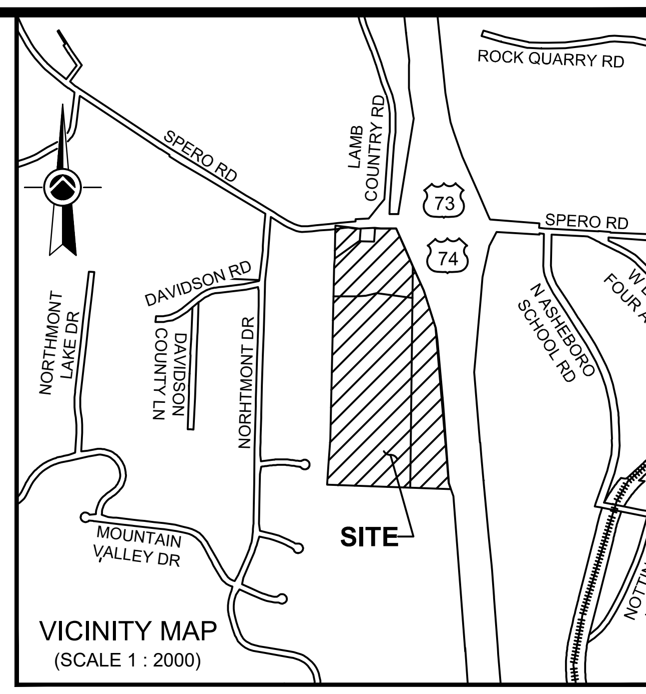
1234	ADDRESS
N/F	NOW OR FORMERLY
DB	DEED BOOK
PB	PLAT BOOK
PG	PAGE
E/P	EDGE OF PAVEMENT
RCP	REINFORCED CONCRETE PIPE

LINE LEGEND

- ANNEXATION AREA BOUNDARY LINE
- SUBJECT BOUNDARY LINE (SURVEYED)
- SUBJECT BOUNDARY LINE INTERIOR (SURVEYED)
- ADJOINER BOUNDARY LINE (NOT SURVEYED)
- RIGHT-OF-WAY LINE
- EASEMENT

NOTES:

1. SITES: FIRST ASSEMBLY OF GOD CHURCH OF ASHEBORO, INC.
   PIN: 7752396762 DEED BOOK 1543, PAGE 1088;
   PIN: 7752398870; DEED BOOK 1622, PAGE 1395;
   PIN: 7752389302; DEED BOOK 1681, PAGE 429 AND
   PIN: 7752399337; DEED BOOK 1543, PAGE 1085
   AS RECORDED IN THE REGISTER OF DEEDS OF RANDOLPH COUNTY, NORTH CAROLINA.
2. ALL DISTANCES ARE HORIZONTAL GROUND, UNLESS OTHERWISE NOTED.
3. ZONING: B-2
4. PARCEL ANNEXATION AREA: 65.167 ACRES
   RIGHT-OF-WAY ANNEXATION AREA: 4.022 ACRES
   TOTAL ANNEXATION AREA: 69.189 ACRES
5. INFORMATION SHOWN HEREON IS FROM DIRECT FIELD DATA COLLECTED MARCH 1 TO MAY 5, 2022 AND JULY 8 TO AUGUST 4, 2022.
6. NORTH CAROLINA GRID COORDINATES AS SHOWN HEREON WERE DERIVED FROM DIRECT GPS OBSERVATIONS UTILIZING THE NORTH CAROLINA GEODETIC SURVEY'S NETWORK RTK SYSTEM AND ARE REFERENCED TO THE NC GRID NAD 83(2011) DATUM. GPS OBSERVATION PERFORMED ON MARCH 1, 2022.
7. SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS-OF-WAY, STREETS AND ASSESSMENTS, AS THE SAME MAY APPEAR OF RECORD IN THE RANDOLPH COUNTY REGISTER OF DEEDS
8. SITE IS NOT LOCATED IN A KNOWN FLOOD PLAIN AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (NORTH CAROLINA FLOOD MAPPING) AS ILLUSTRATED BY THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER: 3710775200J, DATED: JANUARY 1, 2008.
9. THE SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.



VICINITY MAP
(SCALE 1 : 2000)

STATE OF NORTH CAROLINA, RANDOLPH COUNTY:

I, ______________________, REVIEW OFFICER FOR RANDOLPH COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

APPROVED ______________________________
DIRECTOR OF PLANNING / REVIEW OFFICER

THIS _________ THE DAY OF ______________________
RANDOLPH COUNTY, NORTH CAROLINA

CITY OF ASHEBORO ANNEXATION ORDINANCE:

ADOPTED BY THE ASHEBORO CITY COUNCIL ON ______________________,
TO BE EFFECTIVE ON ______________________.

LINE TABLE

LINE	BEARING	LENGTH
L1	N01°19'45"E	158.46'
L2	N01°19'45"E	139.97'
L3	N01°19'45"E	19.20'
L4	N03°29'51"E	27.74'
L5	N03°29'51"E	47.55'
L6	N00°57'13"E	205.88'
L7	N01°33'37"E	108.79'
L8	N85°41'45"E	138.28'
L9	S82°51'53"E	127.22'
L10	N86°36'17"E	149.51'
L11	S03°15'11"W	9.76'
L12	N88°40'48"E	222.88'
L13	S89°40'29"E	231.28'
L14	N87°06'31"E	103.92'
L15	N76°09'31"E	118.46'
L16	S82°25'11"E	376.12'
L17	N54°17'55"E	307.51'
L18	S88°18'00"E	11.70'
L19	S88°18'00"E	150.26'
L20	N04°00'01"E	130.39'
L21	N03°15'11"E	133.86'

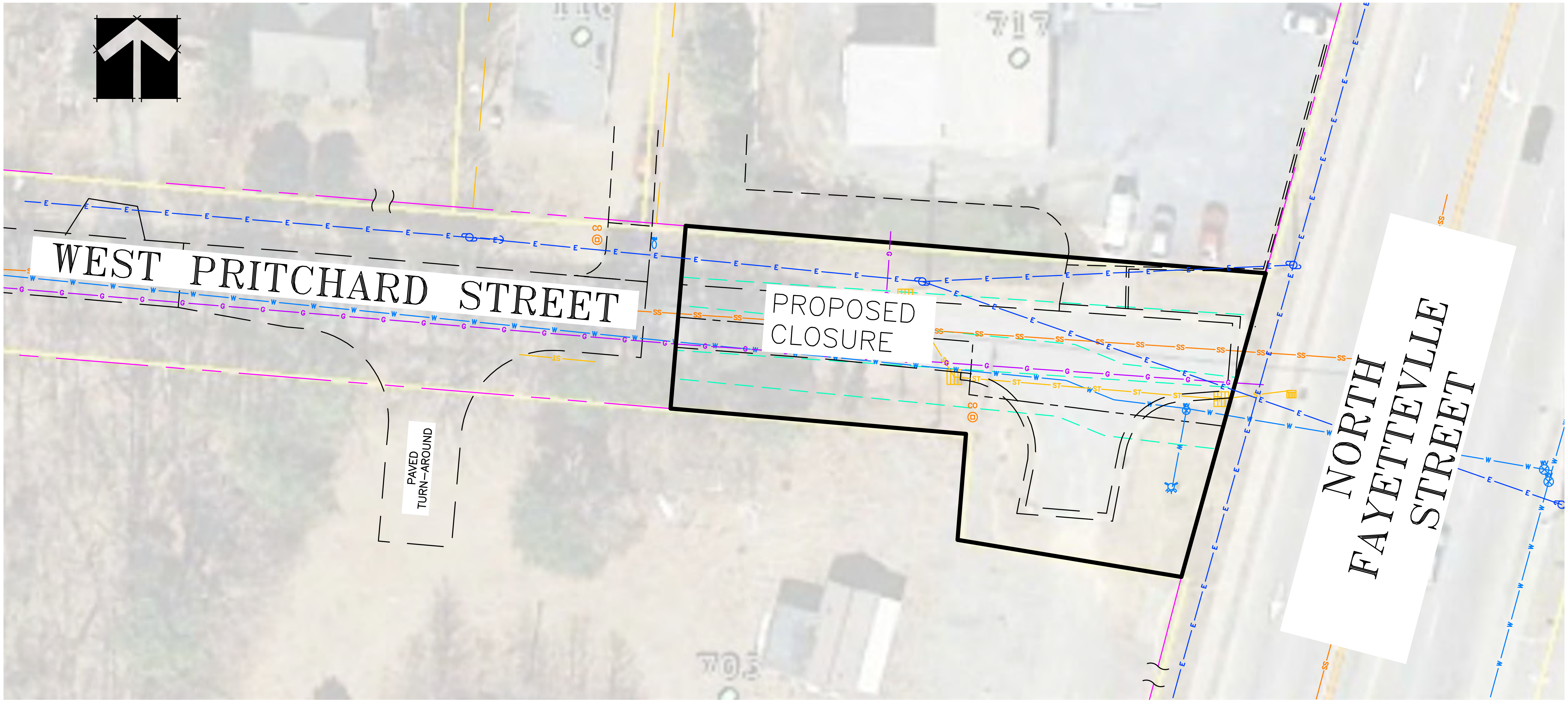
PRELIMINARY
NOT FOR RECORDATION, CONVEYANCES, OR SALES

ANNEXATION PLAT
CONE HEALTH
1271, 1307 AND 1319 SPERO ROAD
BACK CREEK TOWNSHIP, RANDOLPH COUNTY
NORTH CAROLINA

RLS SURVEYING & CONSULTING
REGIONAL LAND SURVEYORS, INC.
8642 WEST MARKET STREET, SUITE 100
GREENSBORO, NORTH CAROLINA 27409
NC FIRM LICENSE NO. C-1362

JOB#: 2196.02 | DRAWN BY: HAD | DATE: 11-03-2022 | CREW CHIEF: TML

EXHIBIT 1



LINETYPE LEGEND

—W—W—	Water Line	—E—E—	Overhead Power
—G—G—	Gas Line	—UGE—UGE—	Underground Power
—SS—SS—	Sanitary Sewer	—UGT—UGT—	Underground Phone
—ST—ST—	Storm Sewer	—TV—TV—	TV Cable
—X—X—X—	Fence	—FO—FO—	Fiber Optic Cable

Proposed Closure of a portion of

West Pritchard Street

LEGEND

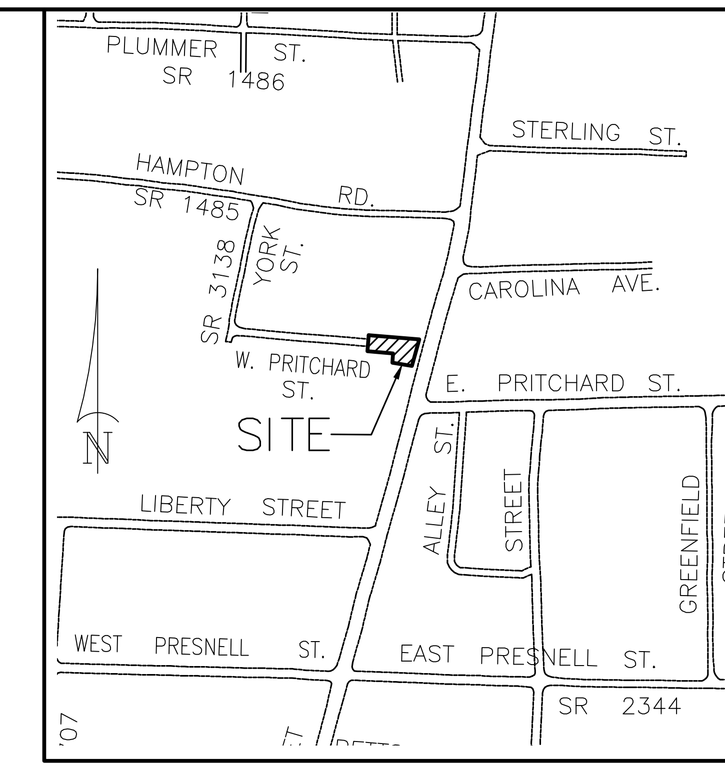
EIR	Existing Iron Rod
EIP	Existing Iron Pipe
NIP	New Iron Pipe
CP	Computed Point
R/W	Right of Way
PB/PG	Plat Book – Page
DB/PG	Deed Book – Page
Ac.	Acre

State of North Carolina
County of Randolph

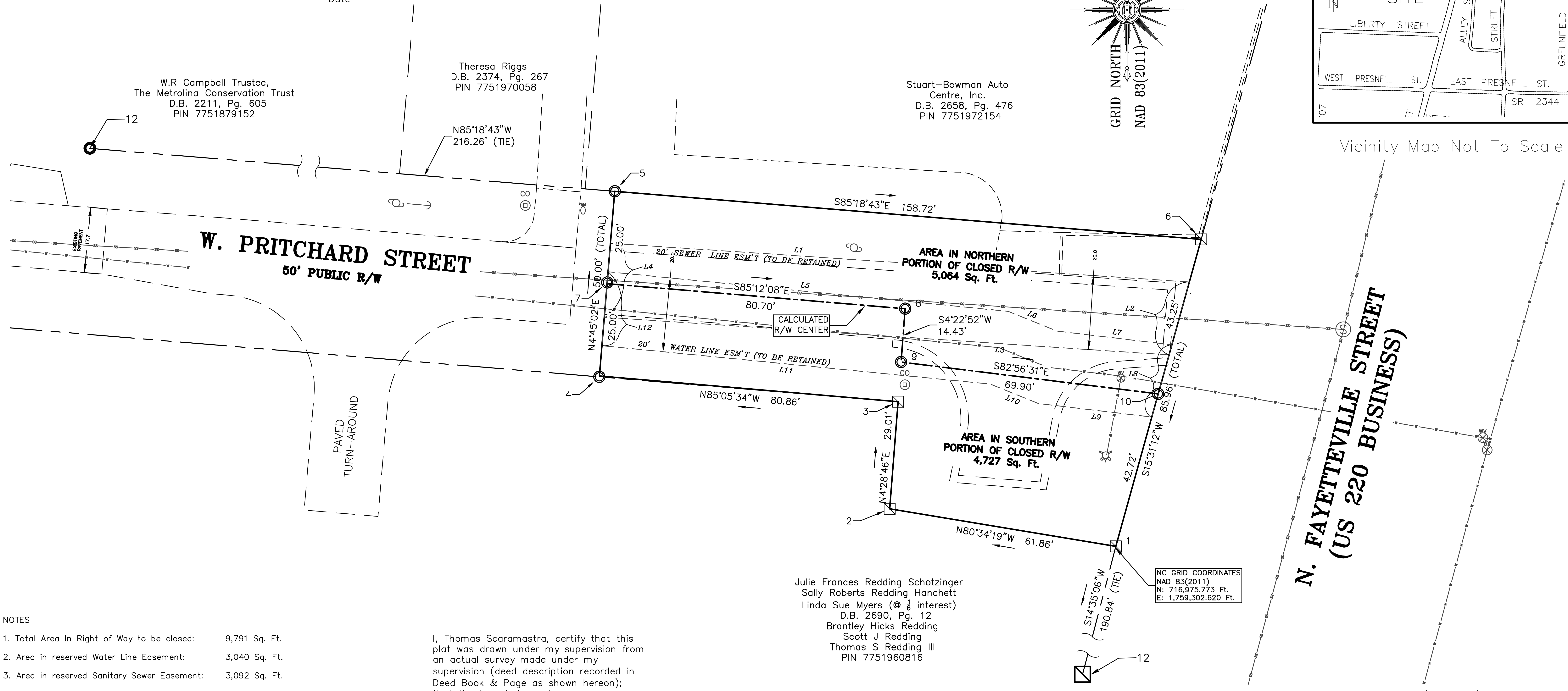
I, _____________________, Review Officer of Randolph County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

____
Review Officer

____
Date



Vicinity Map Not To Scale



(Pick Up:) City of Asheboro

NOTES

1. Total Area In Right of Way to be closed: 9,791 Sq. Ft.

2. Area in reserved Water Line Easement: 3,040 Sq. Ft.

3. Area in reserved Sanitary Sewer Easement: 3,092 Sq. Ft.

4. Deed Reference – D.B. 2658, Pg. 476
19–E–2196

5. Adjacent Parcel ID Nos. – 7751972454; 7751960816

6. NC Grid coordinate basis based on North Carolina Network RTK system. NAD 83 (NSRS 2011) Datum; Field Survey Date Feb 17, 2021; Positional Accuracy 0.002 Ft; Combined Factor 0.99986979; Units US Survey Feet; Distances shown are ground unless otherwise indicated.

7. The purpose of this plat is to define the location of the proposed public Right of Way closure shown. It is not a full property survey and no locations were performed on and other other improvements on these property other than those shown hereon.

8. All points labeled NIP are 5/8" iron pipes set flush with ground.

9. Location work shown hereon was derived by above ground indicators only, unless otherwise noted.

10. This property is subject to any Easements, Agreements, or Rights–of–Way of record prior to this date and not visible at the time of inspection.

11. This survey was prepared without the benefit of a legal title search, and is subject to any facts an accurate title search may disclose.

I, Thomas Scaramastra, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Deed Book & Page as shown hereon); that the boundaries not surveyed are clearly indicated as drawn from information found in Book __AS__, Page __SHOWN__; that the Ratio of Precision as calculated is 1:34,417; that this plat was prepared in accordance with G. S. 47–30 as amended; that this survey is of another category, such as the recombination of existing parcels, a court–ordered survey, or other exception to the definition of subdivision. Witness my original signature, License Number and Seal this

____day of________A.D. 2022.

____
Professional Surveyor

License Number L–4421

POINT DESCRTIPTIONS	
NUMBER	DESCRIPTION
1	CONC. MONUMENT, DOWN 2"
2	CONC. MONUMENT, DOWN 1"
3	CONC. MONUMENT, DOWN 1"
4	5/8" IRON PIPE, SET FLUSH
5	5/8" IRON PIPE, SET FLUSH
6	CONC. MONUMENT, IN CURB LINE
7	COMPUTED POINT
8	COMPUTED POINT
9	COMPUTED POINT
10	COMPUTED POINT
11	1" IRON PIPE, UP 2"
12	CONC. MONUMENT, DOWN 1"

LINETYPE LEGEND

—W—W—W—	Water Line	—E—E—E—	Overhead Power
—G—G—G—	Gas Line	—UGE—UGE—UGE—	Underground Power
—SS—SS—SS—	Sanitary Sewer	—UGT—UGT—UGT—	Underground Phone
—ST—ST—ST—	Storm Sewer	—TV—TV—TV—	TV Cable
—X—X—X—X—	Fence	—FO—FO—FO—	Fiber Optic Cable

Proposed Street Closure
City of Asheboro

WEST PRITCHARD STREET

Asheboro Township, City of Asheboro
Randolph County, North Carolina
Scale : 1"=20' November 3, 2022

40 0 20 40 80 160

Surveyed and Mapped By
Thomas Scaramastra, PLS
City of Asheboro Engineering Dept.
146 N. Church St.
Asheboro, North Carolina 27203
Ph : (336) 626–1200

Job # 19–015

ORDINANCE TO AMEND THE GENERAL FUND
FY 2022-2023

WHEREAS, The City of Asheboro wishes to purchase and install 15,944 sq. ft. of 1.5" tall Max Natural Easy Turf around the Beach Volleyball courts at the Zoo City Sportsplex to maintain standardization and compatibility with the playing surface that has previously been installed at the Zoo City Sportsplex

WHEREAS, the estimated cost for the purchase is not to exceed $209,000.

WHEREAS, the City desires to appropriate General Fund Balance for this expense.

WHEREAS, the City of Asheboro desires amend the 2022-2023 General Fund budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

WHEREAS, the City of Asheboro desires to be in compliance with all generally accepted accounting principles, and;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

That the following Revenue line items be increased:

Line Item	Description	Increase
10-000-399.0000	Fund Balance Allocation	209,000

That the following expense line items be increased:

Line Item	Description	Increase
10-620-574.7400	Contribution to Zoo City Sportsplex Fund	209,000

Adopted this the 10th day of November 2022.

____
David H. Smith, Mayor

ATTEST:

____
Holly H Doerr, CMC, NCCMC, City Clerk

ORDINANCE TO AMEND THE ZOO CITY SPORTSPLEX FUND
FY 2022-2023

WHEREAS, The City of Asheboro wishes to purchase and install 15,944 sq. ft. of 1.5" tall Max Natural Easy Turf around the Beach Volleyball courts at the Zoo City Sportsplex to maintain standardization and compatibility with the playing surface that has previously been installed at the Zoo City Sportsplex

WHEREAS, the estimated cost for the purchase is not to exceed $209,000.

WHEREAS, the City desires to recognize funding from the General Fund and appropriate for this expense in the Zoo City Sportsplex fund.

WHEREAS, the City of Asheboro desires amend the 2022-2023 capital project fund budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

WHEREAS, the City of Asheboro desires to be in compliance with all generally accepted accounting principles, and;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

That the following Revenue line items be increased:

Line Item	Description	Increase
74-000-370.0000	Contribution from General Fund	209,000

That the following expense line items be increased:

Line Item	Description	Increase
74-000-400.9007	Beach Volleyball	209,000

Adopted this the 10th day of November 2022.

____
David H. Smith, Mayor

ATTEST:

____
Holly H Doerr, CMC, NCCMC, City Clerk

ORDINANCE TO AMEND THE GENERAL FUND
FY 2022-2023

WHEREAS, at the October 2022 City Council Meeting, the City recognized the YMCA contribution of $300,000 toward a playground at Zoo City Sportsplex.

WHEREAS, the estimated contract for installation and the purchase of the playground equipment is estimated not to exceed $533,500.

WHEREAS, the City desires to appropriate $233,500 from the General Fund Balance to cover the difference between the estimated contract cost and the donation form the YMCA for the playground.

WHEREAS, the City of Asheboro desires to appropriate $300,000 from the General Fund Balance for miscellaneous expenses at Zoo City Sportsplex that fall outside of the scope of the executed contracts to construct the park.

WHEREAS, the total combined appropriation of General Fund Balance is $533,500 as a transfer to the Zoo City Sportsplex fund.

WHEREAS, the City of Asheboro desires amend the 2022-2023 General Fund operating budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

WHEREAS, the City of Asheboro desires to be in compliance with all generally accepted accounting principles, and;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

That the following Revenue line items be increased:

Line Item	Description	Increase
10-000-399.0000	Fund Balance Allocation	533,500

That the following expense line items be increased:

Line Item	Description	Increase
10-620-574.7400	Contribution to Zoo City Sportsplex Fund	533,500

Adopted this the 10th day of November 2022.

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David H. Smith, Mayor

ATTEST:

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Holly H Doerr, CMC, NCCMC, City Clerk

ORDINANCE TO AMEND THE ZOO CITY SPORTSPLEX FUND
FY 2022-2023

WHEREAS, at the October 2022 City Council Meeting, the City Recognized the YMCA contribution of $300,000 toward a playground at Zoo City Sportsplex.

WHEREAS, the estimated contract for installation and the purchase of the playground equipment is estimated not to exceed $533,500.

WHEREAS, the City desires to appropriate $233,500 to cover the difference between the estimated contract cost and the donation from the YMCA for the playground.

WHEREAS, the City of Asheboro desires to appropriate $300,000 for miscellaneous expenses at Zoo City Sportsplex that fall outside of the scope of the executed contracts to construct the park.

WHEREAS, the City desires to recognize funding from the General Fund and appropriate for these expenses in the Zoo City Sportsplex fund.

WHEREAS, the City of Asheboro desires amend the 2022-2023 capital project fund budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

WHEREAS, the City of Asheboro desires to be in compliance with all generally accepted accounting principles, and;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

That the following Revenue line items be increased:

Line Item	Description	Increase
74-000-370.0000	Contribution from General Fund	233,500
74-000-370.0000	Contribution from General Fund	300,000
		$533,500

That the following expense line items be increased:

Line Item	Description	Increase
74-000-400.9005	Miscellaneous Expense- unallocated	300,000
74-000-400.9006	Playground	233,500
		$533,500

Adopted this the 10th day of November 2022.

David H. Smith, Mayor

ATTEST:

Holly H Doerr, CMC, NCCMC, City Clerk

ORDINANCE TO AMEND
THE WATER & SEWER FUND
FY 2022-2023

WHEREAS, the City of Asheboro is installing pump stations at the Zoo City Sportsplex.

WHEREAS, these are water & sewer fund activities and the funding for these activities needs to be recognized in the Water & Sewer Fund but the expense needs to be recognized in the Zoo City Sportsplex project fund.

WHEREAS, the City of Asheboro desires amend the 2022-2023 Water & Sewer Fund operating budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

WHEREAS, the City of Asheboro desires to be in compliance with all generally accepted accounting principles, and;

THEREFORE, BE IT ORDAINED by the City Council of the City of Asheboro, North Carolina that following revenue and expense line items are changed as follows:

Section 1: That the following revenue line item be increased:

Account #	Expense Description	Increase
30-000-399.0000	Fund Balance Appropriation	$50,000

Section 2: That the following expense line item be increased:

Account #	Expense Description	Increase
30-870-574.7400	Contribution to ZCSP fund	$50,000

Adopted this 10th day of November, 2022.

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David H. Smith, Mayor

ATTEST:

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Holly H. Doerr, CMC, NCCMC, City Clerk

ORDINANCE TO AMEND
THE ZOO CITY SPORTSPLEX FUND
FY 2022-2023

WHEREAS, the City of Asheboro is installing pump stations at the Zoo City Sportsplex.

WHEREAS, since these are water & sewer fund activities, the funding for these activities need to be recognized in the Water & Sewer Fund but the expense needs to be recognized in the Zoo City Sportsplex project fund.

WHEREAS, the City of Asheboro desires amend the 2022-2023 Zoo City Sportsplex project fund budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

WHEREAS, the City of Asheboro desires to be in compliance with all generally accepted accounting principles, and;

THEREFORE, BE IT ORDAINED by the City Council of the City of Asheboro, North Carolina that following revenue and expense line items are changed as follows:

Section 1: That the following revenue line item be increased:

Account #	Expense Description	Increase
74-000-300.0000	Contribution from W&S Fund	$50,000

Section 2: That the following expense line item be increased:

Account #	Expense Description	Increase
74-000-400.9007	Construction – Pump Stations	$50,000

Adopted this 10th day of November, 2022.

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David H. Smith, Mayor

ATTEST:

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Holly H. Doerr, CMC, NCCMC, City Clerk

ORDINANCE TO AMEND THE GENERAL FUND
FY 2022-2023

WHEREAS, at the September 2022 City Council Meeting, the City recognized the Kiwanis Club contribution of $50,000 toward a playground at McCrary Ballpark.

WHEREAS, the estimated contract for installation and the purchase of the playground equipment is not to exceed $73,000.

WHEREAS, the City desires to appropriate $23,000 from the General Fund Balance to cover the difference between the estimated contract cost and the donation from the Kiwanis Club for the playground.

WHEREAS, the City of Asheboro desires to appropriate $250,000 from the General Fund Balance for miscellaneous expenses for the McCrary Ballpark renovation that fall outside of the scope of the executed construction contracts.

WHEREAS, the total combined appropriation of General Fund Balance is $273,000 as a transfer to the McCrary Ballpark Improvements Fund.

WHEREAS, the City of Asheboro desires amend the 2022-2023 General Fund operating budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

WHEREAS, the City of Asheboro desires to be in compliance with all generally accepted accounting principles, and;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

That the following Revenue line items be increased:

Line Item	Description	Increase
10-000-399.0000	Fund Balance Allocation	273,000

That the following expense line items be increased:

Line Item	Description	Increase
10-620-574.6500	Contribution to McCrary Ballpark Fund	273,000

Adopted this the 10th day of November 2022.

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David H. Smith, Mayor

ATTEST:

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Holly H Doerr, CMC, NCCMC, City Clerk

ORDINANCE TO AMEND
THE MCCRARY BALLPARK IMPROVEMENTS FUND
FY 2022-2023

WHEREAS, at the September 2022 City Council Meeting, the City recognized the Kiwanis Club contribution of $50,000 toward a playground at McCrary Ballpark.

WHEREAS, the estimated contract for installation and the purchase of the playground equipment is not to exceed $73,000.

WHEREAS, the City desires to appropriate $23,000 from the General Fund Balance to cover the difference between the estimated contract cost and the donation from the Kiwanis Club.

WHEREAS, the City of Asheboro desires to appropriate $250,000 from the General Fund Balance for miscellaneous expenses for the McCrary Ballpark renovation that fall outside of the scope of the executed construction contracts.

WHEREAS, the City desires to recognize funding from the General Fund and appropriate for these expenses in the McCrary Ballpark Improvements fund.

WHEREAS, the City of Asheboro desires amend the 2022-2023 capital project fund budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

WHEREAS, the City of Asheboro desires to be in compliance with all generally accepted accounting principles, and;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

Section 1: The following revenue line items be increased:

Line Item	Description	Increase
65-000-300.0001	Contribution from General Fund	273,000

Section 2: The following expense line item be increased:

Line Item	Description		Increase
65-000-404.9000	Construction- Playground		23,000
65-000-405.0000	Miscellaneous		250,000
		Total	273,000

Adopted this the 10th day of November 2022.

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David H. Smith, Mayor

ATTEST:

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Holly H Doerr, CMC, NCCMC, City Clerk

ORDINANCE TO AMEND THE GENERAL FUND
FY 2022-2023

WHEREAS, the City Manager authorized the purchase of an SUV for City Hall use in 2017.

WHEREAS, the City Manager has identified a need to have a second vehicle assigned to City Hall.

WHEREAS, The City Manager feels that a 4x4 truck assigned to City Hall would be beneficial for emergency preparedness purposes.

WHEREAS, the current adopted 2022-2023 budget does not allocate funding for this expense.

WHEREAS, the City Manager approved moving funds from the Street Department budget to City Hall budget department in order to purchase a used vehicle.

WHEREAS, the City of Asheboro Budget Ordinance gives authority to the City Manager to make internal budgetary movement of funds between departments with follow up to the City Council at the next council meeting.

WHEREAS, the estimated cost of the vehicle is $36,000.

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

WHEREAS, the City Council of the City of Asheboro wants to be in compliance with all generally accepted accounting principles.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

That the following expense line items be decreased / increased:

Line Item	Description	Increase
10-565-534.0002	Other supplies – asphalt (street dept)	(36,000)
10-500-574.0000	Capital Outlay	36,000
		0

Adopted this the 10th day of November 2022.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

ORDINANCE TO AMEND THE GENERAL FUND
FY 2022-2023

WHEREAS in December 2021, the City Council approved funding the Downtown Asheboro Inc.(DAI) “Downtown Redevelopment Grant” program focused on spurring economic development in Downtown Asheboro Historic District by providing financial consideration to incentivize owners and tenants to invest in property improvements that are focused on historic preservation of architectural character that is unique to Asheboro.

WHEREAS, the one hundred thousand dollars allocated for this grant were used for improvements to 6 locations in the historic downtown Asheboro district – 200 Block S. Fayetteville St., 135-139 Sunset Ave, 127 Trade Street, 216 S. Fayetteville St., 226 S. Fayetteville St, and 138 Sunset Ave.

WHEREAS, the DAI is excited with how the grant funding has helped encourage property owners invest in upgrades or beautifications to their downtown properties.

WHEREAS, DAI has more qualified applications than allocated grant funding could support and has requested a second round of grant funding from the City of Asheboro in the amount of one hundred thousand dollars for this program, and

WHEREAS, the City of Asheboro recognizes long term economic development aspect of investment in the Downtown Historic District and would like to appropriate fund balance for this purpose, and

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to be in compliance with all generally accepted accounting principles.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

That the following Revenue line items be increased:

Line Item	Description	Increase
10-000-399.0000	Fund Balance Allocation	$100,000

That the following Expense line items be increased:

Line Item	Description	Increase
10-490-551.0000	Community Redevelopment	$100,000

Adopted this the 10th day of November 2022.

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David H. Smith, Mayor

ATTEST:

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Holly H Doerr, CMC, NCCMC, City Clerk

ORDINANCE TO AMEND
THE WATER & SEWER FUND
FY 2022-2023

WHEREAS, the NC Department of Transportation is in the process of replacing bridge 750038 over Cedar Fork Creek on SR 3255 (Farmer Rd.).

WHEREAS, the bridge construction will impact existing water and sewer lines owned by the City of Asheboro.

WHEREAS, the City of Asheboro agreed to cover the cost for the utility relocation for an estimated amount of $48,000.

WHEREAS, the City has requested that an existing 2" water main line be upgraded to a proposed 6" water main and this 6" betterment cost is approximately $25,000.

WHEREAS, the City of Asheboro desires amend the 2022-2023 Water & Sewer Fund operating budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

WHEREAS, the City of Asheboro desires to be in compliance with all generally accepted accounting principles, and;

THEREFORE, BE IT ORDAINED by the City Council of the City of Asheboro, North Carolina that following revenue and expense line items are changed as follows:

Section 1: That the following revenue line item be increased:

Account #	Expense Description	Increase
30-000-399.0000	Fund Balance Appropriation	$72,000

Section 2: That the following expense line item be increased:

Account #	Expense Description	Increase
30-840-546.0000	Contracted Maintenance	49,000
30-850-546.0000	Contracted Maintenance	24,000
		$72,000

Adopted this 10th day of November, 2022.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

2023 Regular Meeting Schedule Discussion

Month	Standard Meeting Date	Alternate Meeting Date
January **[City Hall is closed Monday, January 2, 2023.]**	5^{th}	
February	9^{th}	
March	9^{th}	
April	6^{th}	
May	4^{th}	
June	8^{th}	
July **[City Hall is closed Tuesday, July 4, 2023.]**	6^{th}	13^{th}
August	10^{th}	
September **[City Hall is closed Monday, September 4, 2023.]**	7^{th}	
October	5^{th}	
November **[Veterans Day is Saturday, November 11, 2023.]**	9^{th}	8^{th}
December	7^{th}	