

**REGULAR MEETING
ASEHBORO CITY COUNCIL
CITY COUNCIL CHAMBER, ASHEBORO CITY HALL
THURSDAY, FEBRUARY 5, 2026
6:00 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:

W. Joseph Trogdon, Jr.	) – Mayor Presiding
Edward J. Burks	)
Phillip R. Cheek	)
Kelly L. Heath	) – Councilmembers Present
Mary Joan M. Pugh	)
Phillip W. Skeen	)
Charles A. Swiers	)

Donald E. Duncan, Jr., City Manager
Robert L. Brown, Jr., Chief of Police
Alyssa R. Chapuis, Public Information Officer
Timothy E. Cockman, Fire Chief
Holly H. Doerr, CMC, NCCMC, City Clerk/Paralegal
John L. Evans, Community Development Director
Michael L. Leonard, PE, City Engineer
Matthew D. Needham, Assistant Fire Chief (Admin)
Trevor L. Nuttall, Assistant City Manager
Michael D. Rhoney, PE, Water Resources Director
Jeffrey C. Sugg, City Attorney

1. Call to Order

A quorum thus being present, Mayor Trogdon 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 or meditation, Mayor Trogdon asked everyone to stand and repeat the pledge of allegiance.

3. Award Presentation by the Daughters of the American Revolution

Councilmember Heath moved, and Councilmember Cheek seconded the motion to amend the agenda to remove item 3 and to amend Agenda Item 18 to include personnel basis. Councilmembers Burks, Cheek, Heath, Pugh, Skeen, and Swiers voted aye. There were no dissenting votes.

4. Recognition of Retired Fire Captain Chris Moore

Fire Chief Eddie Cockman recognized retired Fire Captain Chris Moore for his many years of dedicated service to the City of Asheboro and its citizens.

No formal action was taken by the city during this portion of the meeting.

5. Recognition of City Attorney Jeff Sugg

Mayor Trogdon and Assistant City Manager Trevor Nuttall recognized City Attorney Jeff Sugg for his many years of dedicated public service. Along with this recognition,

Representative Brian Biggs presented Mr. Sugg with the Order of the Long Leaf Pine Award.

Mr. Sugg thanked the citizens of Asheboro and the Asheboro City Council for allowing him to serve the community for many years.

No formal action was taken by the city during this portion of the meeting.

[At approximately 6:20 Mayor Trogdon paused the meeting for approximately 5 minutes.]

6. Public Comment Period

Mayor Trogdon opened the floor for comments from the public.

When no one asked to speak, Mayor Trogdon closed the public comment period.

7. Consent Agenda

Councilmember Heath moved, and Councilmember Pugh seconded the motion to approve/adopt the following consent agenda items. Councilmembers Burks, Cheek, Heath, Pugh, Skeen, and Swiers voted aye. There were no dissenting votes.

(a) Approval of the Meeting Minutes for January 8, 2026

The meeting minutes for the city council's regular meeting on January 8, 2026, 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) Acknowledgement of the Receipt of the Meeting Minutes for the Asheboro ABC Board Meeting Held on December 2, 2025

The meeting minutes for the above-listed Asheboro ABC Board meeting were received and distributed to the elected officials. The document has been filed in the city clerk's office.

(c) Acknowledgement of the Receipt of the Monthly Report Detailing Major Subdivisions Administratively Approved

There have been none approved.

(d) Approval of the Community Development Division's Request to Schedule for the City Council Meeting on March 5, 2026 and to Advertise, a Legislative Hearing on a Zoning Map Amendment Application Seeking to Rezone Property Located North of the Northern Termination of Oakland Avenue (Randolph County Parcel Identification Number 7751693581) from R15 Low-Density Single-Family Residential to OA6 (CZ) Office-Apartment Conditional Zoning for a Congregate Living Facility

(e) Approval of a Resolution Amending the City of Asheboro Schedule of Fees, Specifically Including the Implementation of a New Bulk Hydrant Meter Fee

RESOLUTION NUMBER 7 RES 2-26

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

Resolution Amending the City of Asheboro Schedule of Fees

WHEREAS, the City of Asheboro has an established schedule of fees that is amended from time to time by the city council; and

WHEREAS, the city’s professional staff has recommended amending the City of Asheboro Schedule of Fees to incorporate the Bulk Hydrant Meter rates and the ABC Permitted Establishments Curbside Glass Recycling fee; and

WHEREAS, the city council concurs with this recommendation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the Bulk Hydrant Meter rate is established in the Engineering section of the City of Asheboro Schedule of Fees at the following rates:

Bulk Hydrant Meter	Old Rate	New Rate
Deposit	\$84.69/\$211.66	\$500
Rental/Availability Fee – Billed Monthly	\$3.29/\$8.22	\$50.00
CF is the billing unit of measure		
Volumetric Charge per gallon	\$0.00440/\$0.0110	\$0.00440
Annual Backflow Testing Fee	\$0	\$65
Non-Compliance Fee	\$0	\$50
Damaged Meter	\$0	\$1300
Stealing Water Fine	\$0	\$1000

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the ABC Permitted Establishments Curbside Glass Recycling fee is established in the Environmental Services Section of the City of Asheboro Schedule of Fees at \$200 per month (weekly pickup).

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the effective date of the above-described rate changes shall be effective February 5, 2026.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting on February 5, 2026.

/s/W. Joseph Trogdon, Jr.,
W. Joseph Trogdon, Jr., Mayor

ATTEST:

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

(f) Approval of an Ordinance Adopting a Parking Plan for a Portion of Peachtree Street

ORDINANCE NUMBER 3 ORD 2-26

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

ORDINANCE ADOPTING A PARKING PLAN FOR A
SECTION OF PEACHTREE STREET

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 160A-301(a) of the North Carolina General Statutes provides that the “city may by ordinance regulate, restrict, and prohibit the parking of vehicles on the public streets, alleys, and bridges within the city;” and

WHEREAS, Section 71.06(A) of the Code of Asheboro provides, in part, that on “any street which is marked off with lines indicating the parking spaces for vehicles, vehicles shall be parked between such lines;” and

WHEREAS, citizens have expressed concerns about on-street parking conditions found on a section of Peachtree Street between W. Salisbury Street (North Carolina Highway 42) and Chestnut Street; and

WHEREAS, Peachtree Street is a city-maintained street; and

WHEREAS, based on an evaluation of the situation by city staff members, the city engineering department has prepared a diagram titled “Parking Plan for Peachtree Street” to serve as the new official on-street parking plan for the section of street shown on the diagram; and

WHEREAS, the diagram described in the immediately preceding paragraph is attached to this Ordinance as EXHIBIT 1 and is hereby incorporated into this instrument by reference as if copied fully herein (the parking plan proposed for adoption by the Asheboro City Council and shown on the attached diagram will be hereinafter referred to as the “February 2026 Peachtree Street Parking Plan”); and

WHEREAS, the Asheboro City Council has concluded that the safety and quality of life concerns raised by citizens will be properly addressed with the adoption of the attached February 2026 Peachtree Street Parking Plan.

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

Section 1. The February 2026 Peachtree Street Parking Plan attached to this Ordinance as EXHIBIT 1 is hereby approved and adopted, without modification, as the city’s official on-street parking plan for the section of Peachtree Street located between W. Salisbury Street and Chestnut Street.

Section 2. The city manager is hereby directed to cause the public street areas shown on the adopted February 2026 Peachtree Street Parking Plan to be posted with signage and otherwise marked in accordance with the applicable laws and generally accepted industry standards so as to fully implement the parking plan approved by this Ordinance.

Section 3. As shown on the attached exhibit, on-street parking on the eastern side of the section of Peachtree Street between W. Salisbury Street and Chestnut Street is prohibited at all times.

Section 4. As shown on the attached exhibit, on-street parking on the western side of the section of Peachtree Street between W. Salisbury Street and Chestnut Street is prohibited at any location other than within the lines for marked parking spaces shown by the adopted parking plan.

Section 5. All ordinances and clauses of ordinances in conflict with this Ordinance are hereby repealed.

Section 6. The city council initially acted on the question of the establishment of a new on-street parking plan for the section of Peachtree Street between W. Salisbury Street and Chestnut Street during the regular city council meeting on January 8, 2026, and final action was taken during the regular city council meeting on February 5, 2026. This Ordinance shall take effect and be in force from and after February 15, 2026.

This Ordinance was adopted by the Asheboro City Council in open session during a regular meeting on February 5, 2026.

/s/W. Joseph Trogdon, Jr.
W. Joseph Trogdon, Jr., Mayor

ATTEST:

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

- (g) **Authorization for the City Manager to Enter into a Community Service Work Program Agreement with the NC Department of Adult Correction**

With the adoption of the consent agenda, the city manager was authorized to execute a community service work program recipient agency agreement.

- (h) **Approval of a Fire Protection Automatic Aid Agreement with the City of Randleman**

NORTH CAROLINA

**FIRE PROTECTION AUTOMATIC AID
AGREEMENT**

RANDOLPH COUNTY

THIS FIRE PROTECTION AUTOMATIC AID AGREEMENT (the “**Agreement**”), which is made and entered into as of the date of the last signature found on the signature page for this instrument (such date shall be the “**Effective Date**”), is by and between the **CITY OF ASHEBORO**, a North Carolina municipal corporation with its own fire department, (this municipal fire department shall be hereinafter referred to as the “**AFD**”) and the **CITY OF RANDLEMAN**, a North Carolina municipal corporation with its own fire department, (this municipal fire department shall be hereinafter referred to as the “**RFD**”).

WITNESSETH:

WHEREAS, the AFD and RFD desire to participate in Automatic Aid; and

WHEREAS, the AFD and RFD desire to provide the highest level of fire protection possible to their respective fire districts, along with the lowest possible ISO public protection classification ratings; and

WHEREAS, both municipalities, by and through their respective fire departments, desire to enter into this Agreement whereby Automatic Aid assistance as described herein will be provided for all structure fire calls.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, it is hereby agreed as follows:

Section 1. Automatic Aid assistance will be provided within both the Asheboro Fire District and Randleman Fire District in furtherance of the purpose of this Agreement to provide for mutual cooperation between the AFD and RFD in accordance with a pre-determined plan specified in written Automatic Aid dispatch protocols maintained and utilized by the Randolph County Communications Center.

Section 2. The Automatic Aid department shall be dispatched with the initial alarm to all structure fires within the fire district receiving assistance in accordance with the above-referenced Automatic Aid dispatch protocols.

Section 3. The Automatic Aid assistance provided by the AFD and RFD will be comprised of apparatus with personnel.

Section 4. When providing Automatic Aid under the terms of this Agreement, each party shall assume all liability and responsibility for damage to its own apparatus and/or equipment. The responding party shall also assume all liability and responsibility for any damage caused by its own apparatus while responding to or returning from a specific location.

Section 5. Each party to this Agreement shall assume all costs of salaries, wages, bonuses, or other compensation for its own personnel that respond for duty under the terms of this Agreement.

Section 6. Each party to this Agreement shall also assume all costs involving the use of apparatus, equipment, and tools used in providing Automatic Aid and shall make no charge for such use to the party receiving assistance.

Section 7. Pursuant to Section 58-83-1 of the North Carolina General Statutes, when a party to this Agreement sends firefighters and apparatus beyond the territorial limits normally served by the fire department providing Automatic Aid, members and employees of the municipal fire department providing the Automatic Aid shall have all authority, rights, privileges, and immunities, including coverage under the Workers' Compensation Laws, as they have when responding to a call and while working at a fire or other emergency inside the territorial limits normally served by the municipal fire department providing the Automatic Aid.

Section 8. Both the AFD and RFD will work with the Randolph County Communications Center to maintain accurate information pertaining to this Agreement.

Section 9. Any party may, at any time, terminate this Agreement upon a 60-day written notice to the other party.

Section 10. All current contracts agreed to by the parties will supersede this Agreement.

**CITY OF ASHEBORO,
a North Carolina municipal corporation**

By: _____
W. Joseph Trogon, Jr., Mayor

Date: _____

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

By: _____
Timothy E. Cockman, Fire Chief

CITY OF RANDLEMAN,
a North Carolina municipal corporation

By: _____
Gary B. Betts, Sr., Mayor

Date: _____

ATTEST:

Connie M. Peeler, CMC, NCCMC, City Clerk

By: _____
Brian C. Causey, Fire Chief

8. Legislative Hearings:

(a) **Legislative Hearing (Case No. RZ-26-01): Request to rezone property located at 312 West Ward Street (Randolph County Parcel Identification Number 7751744501) from B2 (CZ) General Commercial Conditional Zoning to OA6 Office-Apartment**

Mayor Trogdon opened the legislative hearing on the zoning map amendment application filed as Case No. RZ-26-01. Community Development Director John Evans was the first speaker. In addition to entering into the record the notation that notice of this land use case had been advertised, posted, and mailed as required by North Carolina law, he gave an overview of the zoning map amendment application submitted by Compleat Kids.

The land for which the above-described zoning has been requested is located at 312 West Ward Street. The property is approximately 0.95 of an acre of land in size and is more specifically identified by Randolph County Parcel Identification Number 7751744501 (this property will be hereinafter referred to as the “Zoning Lot.”)

In addition to the written staff report, Mr. Evans utilized a slide show presentation in conjunction with his comments. The noted points of information are listed below.

1. The requested OA6 district would allow all uses permitted by right, subject to compliance with city land use regulations. No site-specific development plan is considered with this request.
2. The existing B2 (CZ) district is described as, “intended to serve the convenience goods, shoppers’ goods retail and service needs of the motoring public, both local and transient. The district should always be located with access directly to minor thoroughfares or higher classification streets, but never local residential streets.”
3. The OA6 Office-Apartment district is described as “intended to produce moderate intensity office and residential development to serve adjacent residential areas and to provide a transition from residential to commercial uses. Land designated OA6 shall normally be located with access to a minor thoroughfare or higher classification street with access to local residential streets discouraged.”
4. The OA6 district allows residential uses (single-,two-, and multi-family), institutional uses (such as places of worship), and some lighter commercial uses (medical/professional offices, and service uses such as hair salons). Heavier commercial uses (such as eating establishments,

motor vehicle repair/sales/rental, and retail businesses) are not permitted.

5. The property is within the Center City Planning Area, Tier 3 (Commercial and Employment Center). Certain supplemental development standards, including but not limited to permissible off-street parking locations and impervious coverage apply in Tier 3.

Mr. Evans 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: City Activity Center

Growth Strategy Map: Primary Growth Area

Small Area Map: Central

LDP Goals/Policies Supporting the Request:

Checklist Item 1: Rezoning is compliant with Land Development Plan.

Checklist Item 5: The proposed rezoning is compliant with the objectives of the Growth Strategy Map.

Checklist Items 12-14: 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%.

2.1.5: 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.

There were no LDP Goals/Policies not supporting the request.

The City of Asheboro Planning Board considered the zoning map amendment application and recommended approving the placement of the Zoning Lot into the requested OA6 Office-Apartment zoning district. In making this recommendation, the planning board concurred with the planning staff's analysis of the consistency of the proposed zoning with the adopted comprehensive plans as well as the reasonableness of the proposal. The planning staff's analysis is summarized in the following indented paragraphs.

The Land Development Plan map designates this property as part of the City Activity Center, which encourages a mi of compatible land uses, including office and institutional and residential uses, supporting the request. The property's location in the primary growth area also supports the request.

The zoning map amendment is reasonable give the size and physical conditions of the property in which the majority was previously zoned OA6, the benefit to the public through continued investment into the property, the benefit to the property owner by continued use of the existing site and buildings with additional flexibility given to the potential land uses, the amount of commercia/industrial uses in the immediate area, and the protections offered to adjoining property owners by having a non-residential district designed to be an

appropriate transition between residential and industrial/commercial properties with permissible non-resident uses limited to those compatible with nearby residential properties.

Mayor Trogon opened the floor for comments from the public. Jen Lahn presented comments in support of the requested rezoning. When no one else asked to speak, Mayor Trogon transitioned to the deliberative phase of the process.

After engaging in deliberations about the zoning map amendment application, Councilmember Skeen moved, and Councilmember Cheek seconded the motion to adopt the plan consistency/reasonableness statement below and to approve the requested zoning map amendment with the following multi-part motion.

1. The Land Development Plan map designates this property as part of the City Activity Center, which encourages a mix of compatible land uses, including office and institutional and residential uses, supporting the request. The property's location in the primary growth area also supports the request.

The zoning map amendment is reasonable given the size and physical conditions of the property in which the majority was previously zoned OA6, the benefit to the public through continued investment into the property, the benefit to the property owner by continued use of the existing site and buildings with additional flexibility given to the potential land uses, the amount of commercial/industrial uses in the immediate area, and the protections offered to adjoining property owners by having a non-residential district designed to be an appropriate transition between residential and industrial/commercial properties with permissible non-resident uses limited to those compatible with nearby residential properties.

2. Consequently, and subject to the above-listed conditions, the zoning map amendment application seeking to place the Zoning Lot into the OA6 zoning district is hereby approved.

Councilmembers Burks, Cheek, Heath, Pugh, Skeen, and Swiers voted aye. There were no dissenting votes.

- (b) Legislative Hearing (Case No. RZ-26-02): Request to apply initial city zoning, I2 General Industrial, on property located at 4306, 4308, 4400, and 4402 US Highway 220 Business South (Randolph County Parcel Identification Number 7659304064).**

Mayor Trogon opened the legislative hearing on the zoning map amendment application filed as Case No. RZ-26-02. Mr. Evans was the first speaker. In addition to entering into the record the notation that notice of this land use case had been advertised, posted, and mailed as required by North Carolina law, he gave an overview of the zoning map amendment application submitted by Frank Edmondson, IV.

The land for which the above-described zoning has been requested is located at 4306, 4308, 4400, and 4402 US Highway 220 Business South. The property is approximately 62.09 acres in size and is more specifically identified by Randolph County Parcel Identification Number 7659304064 (this property will be hereinafter referred to as the "Zoning Lot.")

In addition to the written staff report, Mr. Evans utilized a slide show presentation in conjunction with his comments. The noted points of information are listed below.

1. The requested I2 district is described as intending "to produce areas for intensive manufacturing, warehousing, processing and assembly uses,

controlled by performance standards to limit the effect of such uses on adjacent districts.”

- 2. The current zoning district only allows furniture manufacturing, which ceased in 2023. The general district rezoning would allow uses permitted by right, subject to compliance with city land use regulations. No site-specific development plan is considered with this request.
- 3. As a point of information, noting (2) above, a recent economic development project for manufacturing, processing, and assembly-heavy; was announced related to the property in November 2025.
- 4. The property owner has requested annexation of the property, with the public hearing for annexation scheduled during the city council’s February 5, 2026 meeting. City zoning must be applied to the property, as it is not currently located within the city’s zoning jurisdiction.

Mr. Evans 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:	Unmapped
Growth Strategy Map:	Unmapped
Small Area Map:	Unmapped

LDP Goals/Policies Supporting the Request:

<u>Checklist Item 3:</u>	The property on which the rezoning district is proposed fits the description of the zoning ordinance.
<u>Checklist Item 6:</u>	Existing infrastructure is adequate to support the desired zone. <i>(water, sewer, roads, schools, etc.)</i>
<u>Checklist Item 9:</u>	Rezoning will benefit the economic vitality of NC Department of Commerce State Development Areas and/or city designated economic development areas.
<u>Goal 1.2:</u>	Diversified employment opportunities enabling a long-term, stable, high-pay, skilled workforce.
<u>Policy 1.2.1:</u>	The city will coordinate with the Randolph County Economic Development Corporation and the Chamber of Commerce to retain existing business and industry and recruit a diversity of sustainable business and industry.

LDP Goals/Policies Not Supporting the Request:

<u>Checklist Items 12-13:</u>	13.) The property is located within Special Hazard Flood Area. 14.) Rezoning is located on steep slopes greater than 20%. <i>These issues only apply for a small portion of undeveloped property located on the southern end of the property.</i>
<u>2.1.5:</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.

The City of Asheboro Planning Board considered the zoning map amendment application and recommended approving the placement of the Zoning Lot into the requested I2 General Industrial zoning district. In making this recommendation, the planning board concurred with the planning staff's analysis of the consistency of the proposed zoning with the adopted comprehensive plans as well as the reasonableness of the proposal. The planning staff's analysis is summarized in the following indented paragraphs.

While the property is just outside of the city's current jurisdiction and is not mapped by the current Land Development Plan's Proposed Land Use or Growth Strategy Maps, general goals and policies guide the assessment of the request's consistency with the Land Development Plan. The plan anticipated the US 64 Bypass to have a significant impact on future growth in this area. The property is close to that corridor, other economic development activities located within various nodes along the I-73/I-74 corridor, and considerable existing and planned residential growth in this general area of Asheboro. Although it is ideal to have a transitional land use between industrial and residential uses, the history of the property having heavy industrial use for decades makes a general district rezoning beneficial to encouraging economic development, along with providing protections to property owners found in ordinance requirements, such as buffering and screening, and industrial district performance standards help make this request reasonable.

Mayor Trogon opened the floor for comments from the public. Frank Edmondson, IV presented comments in support of the rezoning, while Lash Hammond posed general questions about the requested rezoning. When no one else asked to speak, Mayor Trogon transitioned to the deliberative phase of the process.

While in the deliberative phase, Councilmember Heath moved, and Councilmember Burks seconded the motion to recess deliberations until after Agenda Item 9(a). Councilmembers Burks, Cheek, Heath, Pugh, Skeen, and Swiers voted aye. There were no dissenting votes.

9. Public Hearings and Council Action on Annexation Petitions

(a) Schwarz Properties, LLC has requested the satellite annexation of one parcel of land (Randolph County Parcel Identification Number 7659304064):

(i) Initial testimony on the question of the annexation petition received from Schwarz Properties, LLC

Mayor Trogon opened the public hearing on the question of the annexation petition submitted by Schwarz Properties, LLC requesting the annexation into the Asheboro primary city limits of approximately 62.09 acres of land located at 4402 US Highway 220 Business South. City Engineer Michael Leonard, PE presented the staff's analysis of the annexation petition.

(ii) Invitation for public participation in the hearing

Mayor Trogon invited comments from the public, and none were offered.

(iii) Council action on an ordinance to extend the corporate limits of the City of Asheboro

Councilmember Pugh moved, and Councilmember Cheek seconded the motion to approve/adopt the following ordinance by reference. Councilmembers Burks, Cheek, Heath, Pugh, Skeen, and Swiers voted aye. There were no dissenting votes.

ORDINANCE NO. 4 ORD 2-26

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**ORDINANCE EXTENDING THE ASHEBORO CITY LIMITS BY ANNEXING
APPROXIMATELY 62.09 ACRES OF SCHWARZ PROPERTIES, L.L.C. LAND AT
4402 UNITED STATES HIGHWAY 220 BUSINESS SOUTH**

WHEREAS, in accordance with Section 160A-58.1 of the North Carolina General Statutes, Schwarz Properties, L.L.C., a North Carolina limited liability company, submitted a petition requesting the annexation into Asheboro of approximately 62.09 acres of land owned by the petitioner at 4402 United States Highway 220 Business South; and

WHEREAS, the territory proposed for annexation has been more specifically described by metes and bounds in Section 1 of this Ordinance; and

WHEREAS, on January 8, 2026, by means of a duly adopted resolution (Resolution Number 5 RES 1-26), the Asheboro City Council directed the city clerk to investigate the sufficiency of the annexation petition submitted by Schwarz Properties, L.L.C., and the city clerk has in fact certified the sufficiency of the referenced annexation petition; and

WHEREAS, pursuant to Asheboro City Council Resolution Number 6 RES 1-26, a legal notice was published on January 22, 2026, in *The Courier-Tribune*, a newspaper with general circulation in the City of Asheboro, announcing that a public hearing to consider the adoption of an ordinance annexing the described territory into the City of Asheboro would be held during the city council's next regular meeting, which was scheduled to begin at 6:00 p.m. on February 5, 2026, in the council chamber on the second floor of Asheboro City Hall, 146 North Church Street, Asheboro, North Carolina 27203; and

WHEREAS, the public hearing was held, as advertised, on February 5, 2026; and

WHEREAS, the Asheboro City Council found that the area described within the petition met the standards prescribed by Section 160A-58.1(b) of the North Carolina General Statutes, to wit:

- (a) The nearest point on the proposed satellite corporate limits was not more than three miles from the primary corporate limits of the City of Asheboro;
- (b) No point on the proposed satellite corporate limits line was closer to the primary corporate limits of another municipality than to the primary corporate limits of the City of Asheboro;
- (c) The area for which annexation has been requested is situated so that the City of Asheboro will be able to provide the same services within the proposed satellite corporate limits that are provided within the primary corporate limits;
- (d) A subdivision has not been fragmented by the requested annexation; and

WHEREAS, the city council has concluded that all landowners required by law to sign the annexation petition have, in fact, signed the petition; and

WHEREAS, the city council further found the annexation petition to be otherwise valid and that the public health, safety, and welfare of the City of Asheboro and the area proposed for annexation will be best served by annexing the territory described in Section 1 of this Ordinance.

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

Section 1. By virtue of the authority granted in Section 160A-58.2 of the North Carolina General Statutes, the following described non-contiguous territory is annexed, attached to, and hereby becomes a part of the City of Asheboro, North Carolina:

Cedar Grove Township, Randolph County, North Carolina:

BEGINNING at a 1-inch existing iron pipe up two inches at a point located by means of the North Carolina Coordinate System at the coordinates of North 688,394.24 Ground US Survey Feet and East 1,753,043.44 Ground US Survey Feet (NAD 83 (2011)), this Beginning point is on the proposed Asheboro satellite city limits line on the southernmost boundary of the Annexation Area (the “Annexation Area” is the entirety of the territory for which annexation was requested when Schwarz Properties, L.L.C. submitted an annexation petition listing the requested annexation area as a single parcel of land identified by Randolph County Parcel Identification Number 7659304064 and described in a deed recorded in the Office of the Register of Deeds for Randolph County, North Carolina (the “Randolph County Registry”) in Deed Book 2908, Page 1172); thence, departing from the described Beginning point, following the proposed Asheboro satellite city limits line along the southern boundary of the Annexation Area by running North 87 degrees 49 minutes 50 seconds West 328.30 feet to an existing concrete right-of-way monument up twelve inches in the eastern margin of the public right-of-way for Interstate Highway 73/74; thence departing from the southern boundary of the Annexation Area and following the proposed Asheboro satellite city limits line along the western boundary of the Annexation Area by running with the eastern margin of the public right-of-way for Interstate Highway 73/74 the next three bearings and distances: North 05 degrees 23 minutes 15 seconds East 1,769.55 feet to a computed point/point not set; thence in a northeasterly direction with the arc of a curve with a radius of 5,856.00 feet and an arc length of 677.60 feet (delta angle 06 degrees 37 minutes 47 seconds) a chord bearing and distance of North 02 degrees 04 minutes 40 seconds East 677.22 feet to a computed point/point not set; thence North 18 degrees 27 minutes 57 seconds East 128.08 feet to a computed point/point not set; thence departing from the western boundary of the Annexation Area and the eastern margin of the public right-of-way for Interstate Highway 73/74 to continue following the proposed Asheboro satellite city limits line along the northern boundary of the Annexation Area by running with the southern margin of the public right-of-way for Southmont School Road (North Carolina Secondary Road 1145) the next four bearings and distances: North 66 degrees 32 minutes 30 seconds East 482.73 feet to a computed point/point not set; thence North 83 degrees 43 minutes 13 seconds East 358.89 feet to a computed point/point not set; thence North 58 degrees 08 minutes 56 seconds East 278.41 feet to a computed point/point not set; thence North 86 degrees 07 minutes 15 seconds East 186.81 feet to a computed point/point not set at the northeast corner of the Annexation Area, this point is located by means of the North Carolina Coordinate System at the coordinates of North 691,357.66 Ground US Survey Feet and East 1,754,169.09 Ground US Survey Feet (NAD 83 (2011)); thence continuing to follow the proposed Asheboro satellite city limits line by departing from the northern boundary of the Annexation Area and running with the eastern boundary of the Annexation Area South 03 degrees 27 minutes 43 seconds West 964.11 feet along the Westley Miller and Erica Miller property described in Deed Book 2699, Page 1936, Randolph County Registry as well as the Dennis A. Nance and Gary L. Nance property described in Deed Book 2545, Page 1007, Randolph County Registry (Lots 47-48 as shown on a plat recorded in Plat Book 1, Page 274, Randolph County Registry) to a computed point/point not set; thence the next two bearings and distances along the Adam McCoy and Amanda McCoy property described as Tract 1 in Deed Book 2505, Page 341, Randolph County Registry: South 03 degrees 31 minutes 49 seconds West 192.19 feet to a computed point/point not set; thence South 79 degrees 01 minute 59 seconds East 600.93 feet to 5/8-inch existing iron rod down two inches in the western margin of the 100-foot public right-of-way for United States Highway 220 Business South, this point is located by means of the North Carolina Coordinate System at the coordinates of North 690,089.16 Ground US Survey Feet and East 1,754,688.99 Ground US Survey Feet (NAD 83 (2011)); thence South 12 degrees 28 minutes 19 seconds West 60.01 feet along the western margin of the public right-of-way for United States Highway 220 Business South to an existing nail; thence continuing to follow the proposed Asheboro satellite city limits line by departing from the western margin of the public right-of-way for United States Highway 220 Business South and running the next two bearings and distances along the Roy Parks and Louise W. Parks property described in Deed Book 970, Page 14, Randolph County Registry: North 79 degrees 02 minutes 00 seconds West 591.51 feet to a computed point/point not set; thence South 03 degrees 32 minutes 23 seconds

West 152.13 feet to a 1/2-inch existing iron rod up four inches at the northern margin of the unopened 60-foot platted right-of-way for Edgewood Drive; thence South 06 degrees 35 minutes 14 seconds West 185.54 feet across the unopened platted right-of-way for Edgewood Drive as well as the Roy Lee Parks and Louise W. Parks property described in Deed Book 1851, Page 757, Randolph County Registry to a 5/8-inch existing iron rod up two inches in the northern boundary line of the Fiber Cushioning, Inc. property described in Deed Book 1586, Page 888, Randolph County Registry; thence continuing to follow the proposed Asheboro satellite city limits line by running the next three bearings and distances along the described Fiber Cushioning, Inc. property: North 79 degrees 05 minutes 31 seconds West 52.68 feet to a computed point/point not set; thence South 06 degrees 51 minutes 12 seconds West 465.11 feet to a computed point/point not set; thence South 77 degrees 18 minutes 10 seconds East 59.88 feet to a computed point/point not set in the southern boundary line of the previously described Fiber Cushioning, Inc. property; thence continuing to follow the proposed Asheboro satellite city limits line along the eastern boundary of the Annexation Area by running South 07 degrees 04 minutes 43 seconds West 85.30 feet along the Millstone Property Group, LLC property described in Deed Book 2884, Page 1890, Randolph County Registry to a computed point/point not set; thence South 01 degree 57 minutes 42 seconds West 289.27 feet along the Linda E. Hill property described in Deed Book 1849, Page 1986, Randolph County Registry to a computed point/point not set; thence departing from the eastern boundary of the Annexation Area and continuing to follow the proposed Asheboro satellite city limits line by running with the southern boundary of the Annexation Area the next two bearings and distances: North 85 degrees 55 minutes 04 seconds West 131.58 feet along the Hilda C. Spinks property described in Deed Book 2067, Page 2203, Randolph County Registry to a computed point/point not set; thence North 85 degrees 55 minutes 04 seconds West 131.59 feet along the Frankie Junior King property described in Deed Book 1305, Page 314, Randolph County Registry to a computed point/point not set; thence continuing to follow the proposed Asheboro satellite city limits line by running the next six bearings and distance along the Arthur A. Harrington property described in Deed Book 1508, Page 903, Randolph County Registry (the property is shown as Tract 2 on a plat of survey recorded in Plat Book 43, Page 28, Randolph County Registry): North 21 degrees 53 minutes 28 seconds West 333.35 feet to a computed point/point not set; thence North 09 degrees 35 minutes 42 seconds East 134.70 feet to a computed point/point not set; thence North 31 degrees 44 minutes 12 seconds West 172.90 feet to a computed point/point not set; thence South 76 degrees 09 minutes 32 seconds West 183.89 feet to a computed point/point not set; thence South 01 degree 39 minutes 49 seconds West 104.57 feet to a computed point/point not set; thence South 02 degrees 42 minutes 08 seconds West 406.53 feet to a computed point/point not set at a corner shared by the previously described Harrington property with the Lash L. Hammond and Lena M. Hammond property described in Deed Book 1149, Page 323, Randolph County Registry; thence South 11 degrees 16 minutes 45 seconds West 292.69 feet along the Hammond property to a 3/4-inch existing iron rod up eight inches in the boundary line shared by the previously described Hammond property with the Christie Danene Hammond property described in Deed Book 2579, Page 750, Randolph County Registry (this property is shown as Lot B on a plat of survey recorded in Plat Book 154, Page 53, Randolph County Registry); thence continuing to follow the proposed Asheboro satellite city limits line by running with the described Christie Danene Hammond property, the Crystal Lanene Vestal property described in Deed Book 2579, Page 752, Randolph County Registry (this property is shown as Lot A on a plat of survey recorded in Plat Book 154, Page 53, Randolph County Registry), and the Nicholas LaRue Hammond property described in Deed Book 2579, Page 593, Randolph County Registry (this property is shown as Lot C on a plat of survey recorded in Plat Book 154, Page 53, Randolph County Registry) the next three bearings and distances: North 26 degrees 44 minutes 30 seconds West 221.22 feet to a computed point/point not set; thence South 81 degrees 08 minutes 26 seconds West 201.79 feet to a computed point/point not set; thence South 06 degrees 46 minutes 42 seconds East 510.31 feet to the point and place of BEGINNING, and containing a total of 62.090 acres, more or less, to be annexed.

The above-stated legal description is in accordance with a plat of survey drawn under the supervision of Dan W. Tanner, II, Professional Land Surveyor with License Number L-4787. The plat of survey is titled "Annexation Survey For: Schwarz Properties, LLC" and is identified as Job #: 18451.

The plat of survey referenced in the immediately preceding paragraph is recorded in Plat Book 195, Page 65, Randolph County Registry.

Section 2. Upon and after February 5, 2026, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the City of Asheboro and shall be entitled to the same privileges and benefits as other parts of the City of Asheboro. The above-described territory shall be subject to municipal taxes according to Section 160A-58.10 of the North Carolina General Statutes.

Section 3. The Mayor of the City of Asheboro shall cause to be recorded in the Office of the Randolph County Register of Deeds and in the Office of the North Carolina Secretary of State an accurate map of the annexed territory that is described in Section 1 of this Ordinance together with a duly certified copy of this Ordinance. Such a map shall also be delivered to the Randolph County Board of Elections as required by Section 163-288.1 of the North Carolina General Statutes.

Section 4. All ordinances and clauses of ordinances in conflict with this Ordinance are hereby repealed.

Section 5. This Ordinance shall be in full force and effect upon and after February 5, 2026.

This Ordinance was adopted by the Asheboro City Council in open session during a regular meeting held on February 5, 2026.

/s/W. Joseph Trogdon, Jr.
W. Joseph Trogdon, Jr., Mayor

ATTEST:

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

Approved as to form:

/s/Jeffrey C. Sugg
Jeffrey C. Sugg, City Attorney

(b) Continuation of the Legislative Hearing on Case No. RZ-26-02

After the property was annexed and after deliberations about the zoning map amendment application, Councilmember Burks moved, and Councilmember Pugh seconded the motion to continue the legislative hearing on Case No. RZ-26-02. Councilmembers Burks, Cheek, Heath, Pugh, Skeen, and Swiers voted aye. There were no dissenting votes.

Councilmember Heath moved, and Councilmember Swiers seconded the motion to adopt the plan consistency/reasonableness statement below and to approve the requested zoning map amendment with the following multi-part motion.

1. While the property is just outside of the city's current jurisdiction and is not mapped by the current Land Development Plan's Proposed Land Use or Growth Strategy Maps, general goals and policies guide the assessment of the request's consistency with the Land Development Plan. The plan anticipated the US 64 Bypass to have a significant impact on future growth in this area. The property is close to that corridor, other economic development activities located within various nodes along the I-73/I-74 corridor, and considerable

existing and planned residential growth in this general area of Asheboro. Although it is ideal to have a transitional land use between industrial and residential uses, the history of the property having heavy industrial use for decades makes a general district rezoning beneficial to encouraging economic development, along with providing protections to property owners found in ordinance requirements, such as buffering and screening, and industrial district performance standards help make this request reasonable.

2. Consequently, the zoning map amendment application seeking to place the Zoning Lot into the I2 General Industrial zoning district is hereby approved.

Councilmembers Burks, Cheek, Heath, Pugh, Skeen, and Swiers voted aye. There were no dissenting votes.

- (c) **Ricky Eugene Spencer and Clarissa Spencer have requested the satellite annexation of two parcels of land (Randolph County Parcel Identification Numbers 7669462816 and 7669461971) (Formerly Agenda Item 9(b))**
- (i) **Initial testimony on the question of the annexation petition received from Ricky Eugene Spencer and Clarissa Spencer**

Mayor Trogon opened the public hearing on the question of the annexation petition submitted by Ricky Eugene Spencer and Clarissa Spencer requesting the annexation into the Asheboro primary city limits of approximately 2.083 acres of land located at located on the west side of Zoo Parkway (North Carolina Highway 159) between Old Cox Road (North Carolina Secondary Road 2834) and Parkway South Street. City Engineer Michael Leonard, PE presented the staff's analysis of the annexation petition.

- (ii) **Invitation for public participation in the hearing**

Mayor Trogon invited comments from the public, and none were offered.

- (iii) **Council action on an ordinance to extend the corporate limits of the City of Asheboro**

Councilmember Pugh moved, and Councilmember Cheek seconded the motion to approve/adopt the following ordinance by reference. Councilmembers Burks, Cheek, Heath, Pugh, Skeen, and Swiers voted aye. There were no dissenting votes.

ORDINANCE NO. 5 ORD 2-26

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

ORDINANCE EXTENDING THE ASHEBORO CITY LIMITS
BY ANNEXING ON THE WEST SIDE OF ZOO PARKWAY APPROXIMATELY 2.083
ACRES OF LAND OWNED BY
RICKY EUGENE SPENCER AND CLARISSA SPENCER

WHEREAS, in accordance with Section 160A-58.1 of the North Carolina General Statutes, Ricky Eugene Spencer and Clarissa Spencer submitted a petition requesting the annexation into Asheboro of approximately 2.083 acres of their land that is located on the west side of Zoo Parkway (North Carolina Highway 159) between Old Cox Road (North Carolina Secondary Road 2834) and Parkway South Street; and

WHEREAS, the territory proposed for annexation has been more specifically described by metes and bounds in Section 1 of this Ordinance; and

WHEREAS, on January 8, 2026, by means of a duly adopted resolution (Resolution Number 3 RES 1-26), the Asheboro City Council directed the city clerk to investigate the sufficiency of the annexation petition submitted by Ricky Eugene Spencer and Clarissa Spencer, and the city clerk has in fact certified the sufficiency of the referenced annexation petition; and

WHEREAS, pursuant to Asheboro City Council Resolution Number 4 RES 1-26, a legal notice was published on January 22, 2026, in *The Courier-Tribune*, a newspaper with general circulation in the City of Asheboro, announcing that a public hearing to consider the adoption of an ordinance annexing the described territory into the City of Asheboro would be held during the city council's next regular meeting, which was scheduled to begin at 6:00 p.m. on February 5, 2026, in the council chamber on the second floor of Asheboro City Hall, 146 North Church Street, Asheboro, North Carolina 27203; and

WHEREAS, the public hearing was held, as advertised, on February 5, 2026; and

WHEREAS, the Asheboro City Council found that the area described within the petition met the standards prescribed by Section 160A-58.1(b) of the North Carolina General Statutes, to wit:

- (a) The nearest point on the proposed satellite corporate limits was not more than three miles from the primary corporate limits of the City of Asheboro;
- (b) No point on the proposed satellite corporate limits line was closer to the primary corporate limits of another municipality than to the primary corporate limits of the City of Asheboro;
- (c) The area for which annexation has been requested is situated so that the City of Asheboro will be able to provide the same services within the proposed satellite corporate limits that are provided within the primary corporate limits;
- (d) A subdivision has not been fragmented by the requested annexation; and

WHEREAS, the city council has concluded that all landowners required by law to sign the annexation petition have, in fact, signed the petition; and

WHEREAS, the city council further found the annexation petition to be otherwise valid and that the public health, safety, and welfare of the City of Asheboro and the area proposed for annexation will be best served by annexing the territory described in Section 1 of this Ordinance.

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

Section 1. By virtue of the authority granted in Section 160A-58.2 of the North Carolina General Statutes, the following described non-contiguous territory is annexed, attached to, and hereby becomes a part of the City of Asheboro, North Carolina:

Grant Township, Randolph County, North Carolina:

BEGINNING at a 5/8-inch existing iron rod down six inches at a point located by means of the North Carolina Coordinate System at the coordinates of North 697,071.23 Ground US Survey Feet and East 1,764,501.47 Ground US Survey Feet (NAD 83 (2011)), this Beginning point is on the proposed Asheboro satellite city limits line at a shared corner for the Pine Lake Partners, L.L.C. property described in the Office of the Register of Deeds for Randolph County, North Carolina (the "Randolph County Registry") in Deed Book 1840, Page 2590 and the Bobby G. Spencer and Ola Mae Hunt Spencer property described in Deed Book 1031, Page 508, Randolph County Registry; thence, from the described Beginning point, following the proposed Asheboro satellite city limits line by running North 56 degrees 40 minutes 21 seconds

East 17.15 feet with the northern boundary of the Annexation Area (the “Annexation Area” is the entirety of the territory for which annexation was requested when Ricky Eugene Spencer and Clarissa Spencer submitted an annexation petition listing the requested annexation area as the combined area found within two parcels of land identified by Randolph County Parcel Identification Numbers 7669461971 and 7669462816, described in a deed recorded in Deed Book 2565, Page 1174, Randolph County Registry, and shown as New Tract 1 and New Tract 2 on a minor subdivision plat recorded in Plat Book 191, Page 84, Randolph County Registry) to a 5/8-inch new iron rod up four inches in the western margin of the 60-foot public right-of-way for Zoo Parkway (North Carolina Highway 159); thence departing from the northern boundary of the Annexation Area and following the proposed Asheboro satellite city limits line along the eastern boundary of the Annexation Area by following the western margin of the public right-of-way for Zoo Parkway in a southeasterly direction with the arc of a curve with a radius of 867.53 feet and an arc length of 167.26 feet (delta angle 11 degrees 02 minutes 49 seconds) a chord bearing and distance of South 01 degree 52 minutes 49 seconds East 167.01 feet to a 5/8-inch existing iron rod up four inches; thence continuing to follow the proposed Asheboro satellite city limits line by running South 04 degrees 06 minutes 37 seconds West 99.97 feet along the western margin of the public right-of-way for Zoo Parkway and the eastern boundary of the Annexation Area to a 5/8-inch new iron rod up four inches; thence departing from the western margin of the public right-of-way for Zoo Parkway and the eastern boundary of the Annexation Area by running the next two bearings and distances with the current Asheboro satellite city limits line by following the southern boundary of the Annexation Area along the Triangle Park Associates property described in Deed Book 1639, Page 175, Randolph County Registry and shown on a plat of survey recorded in Plat Book 1, Page 83, Randolph County Registry: North 87 degrees 09 minutes 22 seconds West 15.32 feet to a 5/8-inch existing iron rod down two inches; thence North 87 degrees 09 minutes 22 seconds West 677.93 feet to a 2-inch stone up two inches at the southwest corner of the Annexation Area; thence departing from the current Asheboro satellite city limits line and following the proposed Asheboro satellite city limits line along the western boundary of the Annexation Area by running the next two bearings and distances along the Mark T. Braswell property described in Deed Book 2480, Page 687, Randolph County Registry: North 02 degrees 36 minutes 19 seconds East 55.15 feet to a 5/8-inch existing iron rod up four inches; thence North 02 degrees 36 minutes 19 seconds East 45.00 feet to a 1-inch existing iron pipe up eight inches at the northwest corner of the Annexation Area; thence continuing to follow the proposed Asheboro satellite city limits line by departing from the western boundary of the Annexation Area and proceeding along the northern boundary of the Annexation Area by running the next two bearings and distances with the Bobby G. Spencer and Ola Mae Hunt Spencer property described in Deed Book 1031, Page 508, Randolph County Registry: South 87 degrees 32 minutes 02 seconds East 458.90 feet to a 1-inch existing iron pipe up eight inches and bent with witness marks; thence North 56 degrees 40 minutes 21 seconds East 259.38 feet to the point and place of BEGINNING, and containing a total of 2.083 acres, more or less, to be annexed.

The above-stated legal description is in accordance with a plat of survey drawn under the supervision of Dan W. Tanner, II, Professional Land Surveyor with License Number L-4787. The plat of survey is titled “Annexation Survey For: Ricky Eugene Spencer and Clarissa Spencer” and is identified as Job #: 14802.

The plat of survey referenced in the immediately preceding paragraph is recorded in Plat Book 195, Page 66 Randolph County Registry.

Section 2. Upon and after February 5, 2026, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the City of Asheboro and shall be entitled to the same privileges and benefits as other parts of the City of Asheboro. The above-described territory shall be subject to municipal taxes according to Section 160A-58.10 of the North Carolina General Statutes.

Section 3. The Mayor of the City of Asheboro shall cause to be recorded in the Office of the Randolph County Register of Deeds and in the Office of the North Carolina Secretary of State an accurate map of the annexed territory that is described in Section 1 of this Ordinance together with a duly certified copy of this Ordinance. Such a map shall also be delivered to the Randolph County Board of Elections as required by Section 163-288.1 of the North Carolina General Statutes.

Section 4. All ordinances and clauses of ordinances in conflict with this Ordinance are hereby repealed.

Section 5. This Ordinance shall be in full force and effect upon and after February 5, 2026.

This Ordinance was adopted by the Asheboro City Council in open session during a regular meeting held on February 5, 2026.

/s/Joseph Trogdon, Jr.
W. Joseph Trogdon, Jr., Mayor

ATTEST:

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

Approved as to form:

/s/Jeffrey C. Sugg
Jeffrey C. Sugg, City Attorney

10. Items Related to the Development of the David and Pauline Jarrell Center City Garden

(a) Award of a Contract for the Construction of the Facility

Assistant City Manager Trevor Nuttall reported that city staff is requesting the authority to execute the necessary agreements with the apparent responsive low bidder, J&K General Contractor to construct the David and Pauline Jarrell Center City Garden for a contract amount of \$955,281.37 in 240 days. The authorization is subject to verification of proposal contents. Staff expects to complete review of the proposal on Friday, February 6, 2026.

Councilmember Pugh moved, and Council Cheek seconded the motion to award the contract to J&K General Contractor contingent on the verification of proposal contents. Council Members Burks, Cheek, Heath, Pugh, Skeen, and Swiers voted aye. There were no dissenting votes.

(b) Work Authorization #3 with Insight Consulting Group for Grant Administrative Services.

Mr. Nuttall reported that Insight Planning has provided a proposal to use a portion of the CDBG funding to cover the project delivery and administering the grant. Services are not to exceed \$120,000 and are anticipated to be covered by the grant.

Councilmember Pugh moved, and Councilmember Burks seconded the motion for the city to approve work authorization #3 with Insight Consulting Group for grant administrative services not to exceed \$120,000. Councilmembers Burks, Cheek, Heath, Pugh, Skeen, and Swiers voted aye. There were no dissenting votes.

(c) Additional Services Agreement with Prospect Landscape Architecture for Consultative Services

Mr. Nuttall reported that Prospect Landscape Architecture, the facility designer, is proposing to provide landscape architecture and engineering assistance at a cost not to exceed \$25,000. Councilmember Pugh moved, and Councilmember Heath seconded the motion to enter into an agreement with Prospect Landscape Architecture at a cost

not to exceed \$25,000. Councilmembers Burks, Cheek, Heath, Pugh, Skeen, and Swiers voted aye. There were no dissenting votes.

(d) Approval of a Project Ordinance Amending the Jarrell Center City Garden Fund to Establish the Accounting Necessary to Construct the Facility

Ms. Reaves presented and recommended adoption, by reference, of an ordinance to amend an ordinance amending the Jarrell Center City Garden Project Fund FY 2025-2026. Councilmember Heath moved, and Councilmember Cheek seconded the motion to approve/adopt the following ordinance by reference. Councilmembers Burks, Cheek, Heath, Pugh, Skeen, and Swiers voted aye. There were no dissenting votes.

6 ORD 2-26

**ORDINANCE TO AMEND
THE DAVID AND PAULINE JARRELL CENTER CITY GARDEN PROJECT FUND
FY 2025-2026**

WHEREAS, in February 2021, the City Council of the City of Asheboro created the David and Pauline Jarrell Center City Garden Project Fund (The Jarrell Garden Project) with a budget of \$107,000.

WHEREAS, in April 2023, the budget was amended / increased by \$3,436 to \$110,436.

WHEREAS, in January 2024, the budget was amended / increased by \$240,000 in for phase 1 construction of the project.

WHEREAS, as of February 5, 2026, \$237,000 appropriated for construction in January 2024 remains unencumbered as the City of Asheboro has worked to secure additional funding.

WHEREAS, the City of Asheboro has been successful in reallocating \$243,203. of previously awarded but unspent North Carolina Community Development Block Grant (CDBG) Coronavirus (CDBG-CV) Program funds to the Jarrell Garden Project.

WHEREAS, In October 2024, the City of Asheboro was awarded \$298,720 in federal funds from the Land and Water Conservation Fund as a subgrantee for the Jarrell Garden Project with a local share match of \$298,720 which can come from general operating funds remaining in the project combined with CDBG-CV funds.

WHEREAS, in November 2025, the City of Asheboro was awarded an additional \$790,335 of Community Development Block Grant funds from the NC CDBG Coronavirus (CDBG-CV) program for the Jarrell Garden Project.

WHEREAS, the revised appropriated budget including the new grant funds is \$1,682,993.

WHEREAS, with additional funding sources identified and in place, the City of Asheboro received an updated proposal for services for construction administration and bidding services for the Jarrell Garden Project.

WHEREAS, the City of Asheboro is ready to proceed with construction.

WHEREAS, the City of Asheboro desires to amend the 2025-2026 project 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 follow all generally accepted accounting principles.

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

That the following revenues be established and increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
75-000-300.0000-75	CDBG Covid (CDBG-CV) Grant Proceeds	\$243,203
75-000-300.0000-75	CDBG Covid (CDBG-CV) Grant Proceeds	\$790,335
75-000-310.0000-75	Federal Land and Water Conservation Fund Grant	\$298,720
		\$1,332,557

That the following Expense line item be established and increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
75-000-400.9001-75	Construction	\$1,187,557
75-000-450.0000-75	Construction Administration	135,000
75-000-450.0001-75	Grant Administration	10,000
		\$1,332,557

Adopted on the 5th day of February 2026.

/s/W. Joseph Trogdon, Jr.
W. Joseph Trogdon Jr.

ATTEST:

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

11. Items Pertaining to the New Emergency Operations Center/Fire Station 3

(a) Resolution to Authorize use of the Construction Manager at Risk Procurement Process for Design and Construction

City Manager Donald Duncan presented and recommended adoption, by reference, of a resolution establishing criteria for a construction manager at risk delivery method for construction contracts and approval of using he construction manager at risk delivery method for the Asheboro Emergency Operations Center. Councilmember Pugh moved, and Councilmember Burks seconded the motion to approve/adopt the following resolution by reference. Councilmembers Burks, Cheek, Heath, Pugh, Skeen, and Swiers voted aye. There were no dissenting votes.

RESOLUTION NUMBER 8 RES 2-26
CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

A RESOLUTION ESTABLISHING CRITERIA FOR A CONSTRUCTION MANAGER AT RISK (CMAR) DELIVERY METHOD FOR CONSTRUCTION CONTRACTS AND APPROVAL OF USING THE CMAR DELIVERY METHOD FOR THE ASHEBORO EMERGENCY OPERATIONS CENTER

In accordance with G.S. 143-128.1, Construction Manager at Risk Contracts, regarding the CMAR delivery method for construction projects, the City of Asheboro is submitting, for approval, the criteria that must be established in order to utilize this method of delivery. Additionally, the City is requesting approval to utilize the Construction

Manager at Risk (CMAR) delivery method for the construction of a new Emergency Operations Center (EOC). Due to the complexity of the project, its role as a mission-critical public safety facility, and the need for the project to be completed on or before June 30, 2027, the CMAR delivery method will provide the flexibility, cost control, and schedule coordination necessary to complete the project successfully and within the budget established by City Council.

Explanation: Part 1: Establishment of Criteria for a Construction Manager at Risk (CMAR) Delivery Method for Construction Contracts and Approval of Using the CMAR Delivery Method for the Asheboro Emergency Operations Center G.S. 143-128.1 authorizes governmental entities to utilize the Construction Manager at Risk (CMAR) delivery method for construction contracts. The first step in utilizing the CMAR delivery method is for a governmental entity to establish, in writing, the criteria used to determine the circumstances under which CMAR is appropriate for a project. The City of Asheboro proposes the following criteria for determining whether the CMAR delivery method is appropriate:

Criteria for Determining Whether the Design-Build Delivery Method is Appropriate for a project.

(Criteria 1) Project Schedule

The CMAR delivery method may be used when the project schedule requires early coordination between design and construction activities in order to ensure timely delivery. CMAR allows for contractor involvement during the design phase to assist with construction sequencing, procurement of long-lead materials, and identification of schedule risks. This approach is particularly appropriate for projects with firm completion targets or where delays could adversely affect public safety operations.

(Criteria 2) Project Budget and Cost Certainty

The CMAR delivery method may be used when the City seeks enhanced cost control and budget certainty in an environment of volatile construction pricing. Through preconstruction services and open-book cost estimating, the CMAR delivery method allows the City to establish a Guaranteed Maximum Price (GMP) prior to construction. This approach provides protection against cost escalation associated with market fluctuations while shifting the risk of construction cost overruns beyond the GMP to the Construction Manager at Risk.

(Criteria 3) Project Complexity

The CMAR delivery method may be used when a project involves a high level of technical, operational, or systems complexity that benefits from early contractor involvement. Projects requiring coordination of specialized building systems, redundancy, resilience, and secure operations may be better served through CMAR, as constructability reviews and value analysis can occur concurrently with design development, reducing the likelihood of conflicts, redesign, or costly change orders during construction.

Part 2: Application of the Criteria to the Asheboro Emergency Operations Center

The second step in the process for utilizing the Construction Manager at Risk (CMAR) delivery method is to apply the established criteria to the proposed project. Based upon a review of the criteria outlined above, it is recommended that the CMAR delivery method be used for the construction of the Asheboro Emergency Operations Center. This determination is based upon the application of the criteria to this project as follows:

Criteria 1: The proposed Emergency Operations Center is a mission-critical public safety facility intended to support coordinated emergency response and continuity of City operations. The City has established a target completion date of on or before June 30, 2027. The CMAR delivery method provides the ability to engage the construction manager during the design phase to assist with scheduling, sequencing, and procurement

of long-lead materials, thereby improving schedule predictability and reducing the risk of delays associated with traditional delivery methods.

Criteria 2: The estimated construction cost for the Asheboro Emergency Operations Center is considerable. Current construction market conditions include fluctuating material prices, potential tariff impacts, and supply chain disruptions that introduce cost uncertainty. The CMAR delivery method allows the City to establish a Guaranteed Maximum Price (GMP) prior to construction, providing budget certainty and protecting the City from cost overruns resulting from market volatility, while shifting the risk of construction cost increases beyond the GMP to the Construction Manager at Risk.

Criteria 3: The Emergency Operations Center will require specialized design and construction coordination, including secure operations, redundant systems, and resilient infrastructure capable of supporting emergency response functions. The technical and operational complexity of the facility makes early contractor involvement beneficial in identifying constructability issues, coordinating building systems, and reducing the likelihood of design conflicts or costly change orders during construction.

Determination of CMAR

In making this determination, the City Council has compared the advantages and disadvantages of utilizing the Construction Manager at Risk (CMAR) delivery method with the traditional delivery methods authorized under G.S. 143-128(a1)(1) through G.S. 143-128(a1)(3), including the conventional design-bid-build approach. While the traditional design-bid-build method is effective for certain projects, its sequential nature limits opportunities for early contractor involvement, reduces flexibility in responding to evolving market conditions, and may expose the project to increased cost escalation and schedule risk in an environment of fluctuating material prices and supply chain constraints.

For this project, reliance on design-bid-build could delay procurement of long-lead materials, limit the City's ability to proactively manage construction costs during design, and increase the likelihood of change orders once construction begins. Based on this comparison, the City Council finds that the CMAR delivery method provides superior cost control, schedule predictability, and risk management for the Asheboro Emergency Operations Center and is therefore in the best interest of the project.

NOW, THEREFORE, BE IT RESOLVED:

1. That the City Council of the City of Asheboro hereby approves the use of the Construction Manager at Risk (CMAR) delivery method for the construction of the Asheboro Emergency Operations Center.
2. That City staff is authorized to proceed with the procurement of a Construction Manager at Risk in accordance with G.S. 143-128.1 and applicable City policies and procedures.
3. That adoption of this resolution establishes no immediate fiscal impact beyond those costs associated with the approved project.

This resolution was adopted by the Asheboro City Council in open session during a regular meeting on February 5, 2026.

/s/W. Joseph Trogdon, Jr.
W. Joseph Trogdon, Jr., Mayor

ATTEST:

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

(b) Authorization to Engage Storey Project Management to Serve as the Owners Representative

Mr. Duncan requested authorization from the councilmembers to engage Storey Project Management to serve as the owners representative. With the engagement of Storey Project Management, the company will deliver dependable structure, clear communication, and composed leadership. Through early management, disciplined planning, and consistent site presence, Storey Project Management will help the City of Asheboro make informed decisions and stay ahead of the process.

Councilmember Pugh moved, and Councilmember Cheek seconded the motion to authorize Storey Project Management to serve as the City of Asheboro's representative during this project. Councilmember Burks, Cheek, Heath, Pugh, Skeen, and Swiers voted aye. There were no dissenting votes.

(c) Ordinances to Account for Changes in Revenues and Expenditures

(i) Ordinance to Amend the Emergency Operations Center/Fire Station No. 3 Fund

Finance Director Deborah Reaves presented and recommended adoption, by reference, of an ordinance to amend the emergency operations center fire station no. 3 fund. Councilmember Heath moved, and Council Member Burks seconded the motion to approve/adopt the following ordinance by reference.

7 ORD 2-26

**ORDINANCE TO AMEND
EMERGENCY OPERATING CENTER / FIRE STATION 3 FUND
FY 2025-2026**

WHEREAS, the City of Asheboro created the Emergency Operating Center / Fire Station 3 Fund (EOC / FS3) on October 5, 2023 when the City received a \$3 million grant from the Federal Government, administered by the Federal Emergency Management Agency (FEMA).

WHEREAS, as of there have been no other changes to the budget since the project was established at \$3 million.

WHEREAS, The City has also received a \$1.9 million state grant for the EOC / FS3 accounted for in the SCIF special revenue fund #67 approved May 5, 2022.

WHEREAS, The City of Asheboro has \$2 million in a Capital Reserve Fund #60 for EOC / FS3 approved March 6, 2025.

WHEREAS the City of Asheboro is finalizing the design for the EOC / FS3 phase and is ready to proceed with next steps including seeking services of a Construction Manager at Risk.

WHEREAS, the City of Asheboro wishes to amend the current budget for the EOC/FS3 Capital Project Fund to include a transfer of SCIF grant funds, less what has been spent, and a transfer of Capital Reserve Funds and a transfer of \$700,000 from the General Fund for engineering, design Construction Manager at Risk and geotechnical services that will not be qualified grant expenditures.

WHEREAS, the amended budget for the EOC / FS3 Capital Project after the above changes will be \$7,484,456.

WHEREAS, the City of Asheboro wishes to amend the current adopted project budget to account for changes in revenues and expenses as required by law.

WHEREAS, the City Council of the City of Asheboro wants to follow all generally accepted accounting principles.

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

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

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
71-000-360.0004-71	Transfer from SCIF Grant for Fire Station	1,784,456
71-000-360.0005-71	Transfer from Reserve fund 60	2,000,000
71-000-300.0000-71	Contribution from General Fund	700,000
		<u>\$4,484,456</u>

Section 2: The following expense line budget be increased / (decreased):

<u>Line Item</u>	<u>Description</u>	<u>Increase / (decrease)</u>
71-000-400.9000-71	Construction Manager at Risk	180,000
71-000-425.0000-71	Construction- FEMA funds	1,500,000
71-000-425.0001-71	Construction- SCIF funds	1,784,456
71-000-425.0002-71	Construction- non grant	2,000,000
71-000-450-0001-71	Geotechnical	20,000
71-000-450.0000-71	Administration	(250,000)
71-000-475.0000-71	Miscellaneous	(750,000)
	Total	<u>\$4,484,456</u>

Adopted on the 5th day of February 2026.

/s/W. Joseph Trogdon, Jr.
W. Joseph Trogdon Jr., Mayor

ATTEST:

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

(ii) Ordinance to Amend the State Capital Infrastructure Grant Fund

Ms. Reaves presented and recommended adoption, by reference, of an ordinance to amend the state capital infrastructure grant fund. Councilmember Pugh moved, and Councilmember Cheek seconded the motion to approve/adopt the following ordinance by reference.

8 ORD 2-26

**ORDINANCE TO AMEND
STATE CAPITAL INFRASTRUCTURE GRANT FUND
FY 2025-2026**

WHEREAS, On January 4, 2022, the City of Asheboro was notified by the NC Office of State Budget and Management (OSBM) of a grant in the amount of \$1,900,000 for a new fire station.

WHEREAS, the City of Asheboro to set up a Special Revenue Fund to account for the receipt of these funds.

WHEREAS, The City of Asheboro has established the Capital Project Emergency Operating Center / Fire Station 3 fund to account for Federal grant funds in the amount of \$3 Million dollars.

WHEREAS, the design phase is almost complete, and the City of Asheboro is ready to move forward with the next phase of the project.

WHEREAS, the City of Asheboro wants to create one fund to account for all capital expenses for the project.

WHEREAS, the City of Asheboro wants to transfer unspent funds from the OSBM State Grant to the Capital Project Emergency Operating Center / Fire Station 2 Fund.

WHEREAS, the City of Asheboro wishes to amend the current adopted project budget to account for changes in revenues and expenses as required by law.

WHEREAS, City Council of the City of Asheboro wants to follow all generally accepted accounting principles.

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

The following expense line budgets are increased / (decreased):

<u>Line Item</u>	<u>Description</u>	<u>Amount</u>
67-500-500-0000-67	Fire Station Expense	\$(1,784,456)
67-500-500.0100-67	Transfer to EOC/FS3 Project Fund 71	1,784,456
		\$0

Adopted this on the 5th day of February, 2026.

/s/W. Joseph Trogdon, Jr.
W. Joseph Trogdon Jr., Mayor

ATTEST:

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

(iii) Ordinance to Amend the General Fund

Ms. Reaves presented and recommended adoption, by reference, of an ordinance to amend the general fund. Councilmember Cheek moved, and Councilmember Pugh seconded the motion to approve/adopt the following ordinance by reference. Councilmembers Burks, Cheek, Heath, Pugh, Skeen, and Swiers voted aye. There were no dissenting votes.

9 ORD 2-23

**ORDINANCE TO AMEND
THE GENERAL FUND
FY 2025-2026**

WHEREAS, The City of Asheboro established the Emergency Operating Center / Fire Station 3 Capital Project fund on October 5, 2023.

WHEREAS, The City of Asheboro is amending this project fund to incorporate other funding sources for the project so that all expenses relating to the project are accounted for in one place.

WHEREAS, The City of Asheboro wishes to transfer \$700,000 from the General Fund to the Emergency Operating Center / Fire Station 3 Capital Project fund to cover engineering and design, construction manager at risk and geotechnical services that will not be qualified grant expenditures.

WHEREAS, the City of Asheboro wishes to amend the current adopted budget to account for changes in revenues and expenses as required by law.

WHEREAS, the City Council of the City of Asheboro wants to follow all generally accepted accounting principles.

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

Section 1: That the following revenue line be increased:

<u>Account #</u>	<u>Expense Description</u>	<u>Increase</u>
10-000-399.0000	Fund Balance Allocation	\$700,000

Section 2: That the following expense line be increased:

<u>Account #</u>	<u>Expense Description</u>	<u>Increase</u>
10-530-574.7100	Contribution to EOC / FS3 fund	\$700,000

Adopted this on the 5th day of February 2026.

/s/W. Joseph Trogdon, Jr.
W. Joseph Trogdon Jr., Mayor

ATTEST:

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

12. Ordinances to Amend the General fund to Account for Fire and Rescue Department Equipment and Vehicle Purchases that are Described Below

(a) Specialized Equipment for Trench Rescue and Structural Collapse

Ms. Reaves presented and recommended adoption, by reference, of an to amend the general fund. Councilmember Heath moved, and Councilmember Burks seconded the motion to approve/adopt the following ordinance by reference. Councilmember Burks, Cheek, Heath, Pugh, Skeen, and Swiers voted aye. There were no dissenting votes.

10 ORD 2-26

**ORDINANCE TO AMEND
THE GENERAL FUND
FY 2025-2026**

WHEREAS, the City of Asheboro appropriated fund balance of \$200,000 for the purchase of a used fire apparatus and refurbishment costs on October 9, 2025.

WHEREAS, the City could not purchase this apparatus during the competitive bidding period on GovDeals.

WHEREAS, the Asheboro Fire and Rescue Department has identified a need for Trench rescue equipment and has requested the reallocation of \$184,529 funds from the approved vehicle purchase / refurbishment funds for the purchase of trench equipment.

WHEREAS, \$49,165 of the equipment requested will remain classified in the expense category of capital outlay, \$52,385 will be classified as small equipment for inventory purposes and \$82,979 will be classified as miscellaneous supplies and materials.

WHEREAS, since the funds were approved by City Council for a fire vehicle and are now requested to be allocated for a different purpose, the City staff is requesting council approval for the change in expense purpose.

WHEREAS, the City of Asheboro wishes to amend the current adopted budget to account for changes in revenues and expenses as required by law.

WHEREAS, the City Council of the City of Asheboro wants to follow 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 be increased / decreased:

<u>Account #</u>	<u>Expense Description</u>	<u>Increase</u>	
10-530-534.0000	other supplies and material	82,979	
10-530-560.0000	Small Equipment		52,385
10-530-574.0000	Capital Outlay	(135,364)	
			<u>\$0</u>

Adopted on this 5th day of February 2026.

/s/W. Joseph Trogdon, Jr.
W. Joseph Trogdon Jr., Mayor

ATTEST:

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

(b) A New Fire Truck with a Delivery Date in 2027

Ms. Reaves presented and recommended adoption, by reference, of an ordinance to amend the general fund. Councilmember Pugh moved, and Councilmember Skeen seconded the motion to approve/adopt the following ordinance by reference. Councilmembers Burks, Cheek, Heath, Pugh, Skeen, and Swiers voted aye. There were no dissenting votes.

11 ORD 2-26

**ORDINANCE TO AMEND
THE GENERAL FUND
FY 2025-2026**

WHEREAS, the adopted 2025-2026 budget has an appropriation of \$750,000 to be reserved toward the purchase of a new fire truck in 2026-2027 fiscal year.

WHEREAS, the price of a new truck is \$1.2 million dollars with delivery two years after order.

WHEREAS, the Asheboro Fire and Rescue Department has found a truck in production that is available for purchase for \$950,000 with delivery date March 2027.

WHEREAS, the City of Asheboro wishes to appropriate an additional \$200,000 to purchase this truck.

WHEREAS, the City of Asheboro wishes to amend the current adopted budget to account for changes in revenues and expenses as required by law.

WHEREAS, the City Council of the City of Asheboro wants to follow all generally accepted accounting principles.

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

That the following revenue expense line be increased / decreased:

<u>Account #</u>	<u>Expense Description</u>	<u>Increase</u>
10-000-399.0000	Fund Balance Allocation	200,000

That the following revenue expense line be increased / decreased:

<u>Account #</u>	<u>Expense Description</u>	<u>Increase</u>
10-530-574.0000	Capital Outlay	200,000

Adopted on this 5th day of February 2026.

/s/W. Joseph Trogdon, Jr.
W. Joseph Trogdon Jr., Mayor

ATTEST:

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

13. Water Resources Items

(a) A Resolution Accepting a State Grant for the City of Asheboro W.L. Brown WTP Emerging Contaminants Planning Study

Water Resources Director Michael Rhoney, PE presented and recommended adoption, by reference, of a resolution accepting a state grant for the City of Asheboro W.L. Brown WTP emerging contaminants planning study. Councilmember Heath moved, and Councilmember Cheek seconded the motion to approve/adopt the following resolution by reference. Councilmembers Burks, Cheek, Heath, Pugh, Skeen, and Swiers voted aye. There were no dissenting votes.

RESOLUTION NUMBER 9 RES 2-26

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**RESOLUTION ACCEPTING A STATE GRANT FOR THE CITY OF ASHEBORO W.
L. BROWN WATER TREATMENT PLANT
EMERGING CONTAMINANTS PLANNING STUDY**

WHEREAS, the Infrastructure Investment and Jobs Act (IIJA) of 2021 and Chapter 159G of the General Statutes of North Carolina have authorized the making of principal forgiveness loans to aid eligible drinking-water system owners in financing pre-construction activities and planning efforts associated with the removal of per- and polyfluoroalkyl substances (PFAS); and

WHEREAS, the North Carolina Department of Environmental Quality has offered a Drinking Water State Revolving Fund – Emerging Contaminants (DWSRF-EC) loan with principal forgiveness in the amount of \$500,000.00 to conduct the W. L. Brown Water Treatment Plant Emerging Contaminants Planning Study (hereafter referred to as the “Project”); and

WHEREAS, the City of Asheboro (hereafter referred to as the “City”) intends to conduct said Project in accordance with a scope of work that was approved by the North Carolina Division of Water Infrastructure.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the City does hereby accept the DWSRF-EC principal forgiveness loan offer in the amount of \$500,000.00; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the City does hereby give assurance to the North Carolina Department of Environmental Quality that it will adhere to all applicable items specified in the standard “Conditions” and “Assurances” of the Department’s funding offer, awarded in the form of a DWSRF-EC principal forgiveness loan; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that City Manager Donald E. Duncan, Jr., and successors so titled, is hereby authorized and directed to furnish such information, as the appropriate State agency may request, in connection with such application or the Project; to make the Assurances as contained above; and to execute such other documents as may be required in connection with the application; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the City has complied substantially or will comply substantially with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the Project, and to Federal and State grants and loans pertaining thereto.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on February 5, 2026.

/s/W. Joseph Trogdon, Jr.
W. Joseph Trogdon, Jr, Mayor

ATTEST:

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

(b) Amendment #5 for the Wolfspeed Water Main Extension

Mr. Rhoney reported that the city council approved contract agreement #4 on June 5, 2025 adding the construction of Section 2 of the water main extension project. The

current project cost under amendment #4 is \$51,746,385.99. Amendment #5 allows for material procural and construction of Section 1 of the project. The updated total contract value is \$70,491,129.20. Councilmember Heath moved, and Councilmember Pugh seconded the motion to approve the amendment #5 on the condition precedent that the interlocal agreement secured with Randolph County for funding needed for Amendment #5, and that the city manager be authorized to execute the agreement. Councilmembers Burks, Cheek, Heath, Pugh, Skeen, and Swiers voted aye. There were no dissenting votes.

(c) Findings and Corrective Actions Resulting from the Sanitary Sewer Smoke Testing that Occurred in the Eastside Community in November, 2025

Mr. Rhoney reported that on November 6, 2025, a citizen shared concerns about sewer odor in East Asheboro (Cedar Falls Road, Glovinia Street, Spring Street, Woodlawn Street, and Loach Street). City staff conducted smoke testing on November 18-19, 2025 and identified 40 sewer cleanouts/services and 4 manholes that needed repair. All repairs have been made.

No formal action was taken by the council during this portion of the meeting.

14. An Agreement with NCDOT related to Project U-5743 (N.C. 42 Proposed Improvements from East Salisbury Street to Dixie Drive)

City Engineer Michael Leonard presented an agreement with NCDOT related to Project U-5743. This project consists of adjustments and betterments to the water and sewer lines impacted by widening NC42 to three lanes from SR 2237 (East Salisbury Street) to north of US 64/NC 49 (Dixie Drive). Councilmember Heath moved, and Councilmember Burks seconded the motion to approve the agreement. Councilmembers Burks, Cheek, Heath, Pugh, Skeen, and Swiers voted aye. There were no dissenting votes. A copy of the agreement is on file in the city's Engineering Department.

Additionally, Mr. Leonard presented a second agreement with NCDOT in reference to Project U-5743. This project consists of the construction of sidewalks along both sides of NC-42 where it is being widened to three lanes from SR 2237 (East Salisbury Street) to north of US 64/NC49 (Dixie Drive). Councilmember Pugh moved, and Councilmember Burks seconded the motion to approve the agreement. Councilmembers Burks, Cheek, Heath, Pugh, Skeen, and Swiers voted aye. There were no dissenting votes. A copy of the agreement is on file in the city's Engineering Department.

15. Proposed Lease of Space for Electronic Communications Equipment on the North Carolina Highway 49 South Elevated Water Tank

(a) Proposed Lease Agreement with New Cingular Wireless PCS, LLC

City Attorney Jeff Sugg summarized the proposed lease agreement with New Cingular Wireless PCS, LLC. Mr. Sugg reported that the city owns an elevated water tank located at 903 North Carolina Highway 49 South. New Cingular Wireless PCS, LLC has expressed its desire to continue to lease a portion of the water tank premises for the purpose of maintaining and operating a wireless communications facility on the premises.

(b) Opportunity for Public Comment on the Proposed Lease

Mayor Trogon opened the floor for comments from the public. No one offered comments on the proposed lease.

(c) **Council Action on a Resolution Approving the Proposed Lease Agreement**

Councilmember Heath moved, and Council Member Pugh seconded the motion to approve/adopt a resolution approving a lease agreement between the City of Asheboro and New Cingular Wireless PCS, LLC. Councilmembers Burks, Cheek, Heath, Pugh, Skeen, and Swiers voted aye. There were no dissenting votes.

RESOLUTION NO. 10 RES 2-26

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF ASHEBORO AND NEW CINGULAR WIRELESS PCS, LLC

WHEREAS, the City of Asheboro owns a parcel of land at 903 North Carolina Highway 49 South, Asheboro, North Carolina 27205 that is identified by Randolph County Parcel Identification Number 7740732225 and is more particularly described in Deed Book 1531, Page 101 in the Office of the Randolph County, North Carolina Register of Deeds; and

WHEREAS, an elevated water tank owned and operated by the city is located on the premises described in the immediately preceding paragraph (the “Water Tank Premises”); and

WHEREAS, New Cingular Wireless PCS, LLC, a Delaware limited liability company authorized to do business in North Carolina, (the “Lessee”) has expressed its desire to continue to lease a portion of the Water Tank Premises for the purpose of maintaining and operating a wireless communications facility on the premises; and

WHEREAS, Section 160A-272 of the North Carolina General Statutes provides that city-owned property may be leased to a tenant if the desired property will not be needed by the city for the term of the lease; and

WHEREAS, on October 30, 2025, a legal notice was published in *The Courier-Tribune* stating the Asheboro City Council’s intent to consider, during its regular meeting on December 4, 2025, a resolution authorizing the lease of the requested space to the Lessee; and

WHEREAS, after two continuances that were approved in open session during regular city council meetings held in December 2025 and January 2026, the city council has concluded that the demised premises identified in the proposed lease agreement will not be needed by the city during the term(s) of the lease; and

WHEREAS, the proposed lease agreement with the Lessee is attached to this Resolution as EXHIBIT 1 and is hereby incorporated into this Resolution by reference as if copied fully herein.

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

Section 1. The proposed lease agreement attached to this Resolution as EXHIBIT 1 is hereby approved.

Section 2. The Mayor is hereby authorized to execute on behalf of the city any and all documents and instruments necessary to carry into full force and effect the lease agreement attached hereto as EXHIBIT 1.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on February 5, 2026.

/s/W. Joseph Trogon, Jr.
W. Joseph Trogon, Jr., Mayor

/s/ W. Joseph Trogon, Jr.
W. Joseph Trogon, Jr. Mayor