

**EDEN CITY COUNCIL  
REGULAR MEETING AGENDA  
AUGUST 15, 2023 at 6 p.m.  
Council Chambers, 308 E. Stadium Drive**

1. Meeting called to order by: Neville Hall, Mayor
2. Invocation: Pastor Jerry Epps, First Church of the Living God
3. Pledge of Allegiance: Led by Avery and Grace Tucker, rising fifth graders at Central Elementary School
4. Recognitions:
  - a. Eden Drug – 2023 Health Mart Pharmacy of the Year
5. Roll Call
6. Set Meeting Agenda
7. Public Hearings
8. Requests and Petitions of Citizens
9. Unfinished Business:
  - a. Consideration to award a bid to Gallaher Management Group to restore the roof at Eden City Hall.  
**Ray Thomas, Parks & Recreation Director**
10. New Business:
  - a. Consideration to adopt an ordinance for the demolition of a residential structure at 820 Lake Drive under Article 9, Building Maintenance Standards of the City of Eden Unified Development Ordinance. **Kelly Stultz, Planning & Community Development Director**
  - b. Consideration to adopt a resolution to direct the Clerk to investigate the sufficiency of an annexation petition for 773 Summit Loop. Case A-23-04.  
**Kelly Stultz, Planning & Community Development Director**
11. Reports from Staff:
  - a. City Manager’s Report. **Jon Mendenhall, City Manager**
  - b. Eden Tree Board Sample Inventory Study. **Jeff Alderman, Planner; Chase Lemons, Grants Administrator**
12. Consent Agenda:
  - a. Approval and adoption of the July 18, 2023 Council meeting minutes. **Deanna Hunt, City Clerk**
  - b. Consideration of proposed water main extension by Dan River Water, Inc. along NC 770.  
**Bev O’Dell, Design & Construction Manager**
13. Announcements
14. Adjournment



## Parks and Recreation Department

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P. O. Box 70, 308 E Stadium Drive, Eden NC 27289-0070/Telephone 336-623-2110/Fax 336-623-4057

### MEMO

To: Honorable Mayor and City Council  
Thru: Jon Mendenhall, City Manager  
From: Ray Thomas, Parks and Recreation Assistant Director  
Re: City Hall Roof Restoration  
Date: 8/3/2023

I have recently evaluated the City Hall roof I have found that we have 2 options.

First option is total replacement of cost of \$401,615.00.

Second option is roof restoration at a cost of \$310,000

The department requesting the roof restoration which is the second option.

**Tremco CPG.**

3735 Green Road • Beachwood, Ohio 44122 • 216-292-5000



Roofing and Building Maintenance Division \* Dennis McMenamin \* [dmcmenamin@tremcoinc.com](mailto:dmcmenamin@tremcoinc.com) 828.406.9384

June 6th, 2023

City of Eden (City Hall)  
308 E Stadium Dr. Eden, NC

Addendum #1


- Safety on this project is job one.
- Bids are due Friday June 16th by end of business day.
- Email Bids to Ray Thomas - [rthomas@edennc.us](mailto:rthomas@edennc.us)
- IR scan to be included in both re-roof and restoration cost.
- Install new walkway at roof hatch, include in re-roof cost. Install new granulated surface at roof hatch, include in restoration cost.
- New sleepers required, included in both cost.
- Install tapered insulation as required to achieve 1/4" per ft between primary drains, include in re-roof cost.
- Flashing from roof to parapet to be addressed as discussed.
- Paint all drain strainers.
- 500 sq ft of wet/damaged insulation remove and replace to be included in both cost.
- Construction and takeoff is contractors responsibility.
- M-Prime to be installed anywhere fluid applied touches metal.
- Protection mats to be included under sleepers and units, include in both cost.
- Fluid applied to be installed over concrete radius walls. (C prime, base coat & fabric, top coat).
- Counter flashing or fluid applied to be installed over any exposed termination bar.
- New slip flashing to be installed where required.

SECTION 004113 - BID FORM - STIPULATED SUM (SINGLE-PRIME CONTRACT)

PART 1 - GENERAL

1.1 BID INFORMATION

- A. Bidder: Gallaher Management Group
- B. Project Name: City of Eden – City Hall Roof Project
- C. Project Location: 308 E Stadium Dr, Eden, NC
- D. Owner: City of Eden

  
Ran. High School  
Davie Co.  
Thomasville  
Lex.  
Surry  
Camp L.

1.2 CERTIFICATIONS AND BASE BID

- A. Base Bid, Single-Prime (All Trades) Contract: The undersigned Bidder, having carefully examined the Procurement and Contracting Requirements, Conditions of the Contract, Drawings, Specifications, and all subsequent Addenda, having visited the site, and being familiar with all conditions and requirements of the work, hereby agrees to furnish all material, labor, equipment and services, including all scheduled allowances, necessary to complete the construction of the above-named project, according to the requirements of the Procurement and Contracting Documents, for the stipulated sum of:

1. Three Hundred and Ten Thousand Dollars Dollars (\$ 310,000 ).  
(Roof Restoration)

2. Four Hundred and ninety-Five Thousand Dollars ( 495,000 ).  
(Roof Replacement)

1.3 TIME OF COMPLETION

- A. The undersigned Bidder proposes and agrees hereby to commence the Work of the Contract Documents on a date specified in a written Notice to Proceed and shall fully complete the Work within 30 calendar days.

1.4 ACKNOWLEDGEMENT OF ADDENDA

- A. The undersigned Bidder acknowledges receipt of and use of the following Addenda in the preparation of this Bid:

1. Addendum No. 1, dated 06-06-2023.

1.5 BID SUPPLEMENTS

- A. The following supplements are a part of this Bid Form and are attached hereto.

Bid Form Supplement - Unit Prices.

1. Insulation Replacement (ISO) 10 \$ Sq  
ft.

1.6

- A. ~~CONTRACTOR'S LICENSE~~ ~~CONTRACTOR'S LICENSE~~ that it is a duly licensed contractor, for the type of work proposed, in the Project jurisdiction, and that all fees, permits, etc., pursuant to submitting this proposal have been paid in full.

1.7 SUBMISSION OF BID

- A. Respectfully submitted on (Insert date): 06/16/2023
- B. Submitted By: (Name of Bidding Firm): Gallaher Management Group
- C. Authorized Signature: (Handwritten): \_\_\_\_\_
- D. Signed By: (Type or print name): Alex Gallaher
- E. Title: (Owner/Partner/Pres./Vice Pres.): Vice-President
- F. Street Address: 761 Gray Road
- G. City, State, Zip: Lexington, NC 27292
- H. Phone: 910-650-9483
- I. Email Address: agallaher@gmgcontracting.com
- J. License No.: 73017
- K. Federal ID No.: 27-103 17 1

END OF SECTION 004113

SECTION 004113 - BID FORM - STIPULATED SUM (SINGLE-PRIME CONTRACT)

PART 1 - GENERAL

1.1 BID INFORMATION

- A. Bidder:
- B. Project Name: City of Eden – City Hall Roof Project
- C. Project Location: 308 E Stadium Dr, Eden, NC
- D. Owner: City of Eden

1.2 CERTIFICATIONS AND BASE BID

- A. Base Bid, Single-Prime (All Trades) Contract: The undersigned Bidder, having carefully examined the Procurement and Contracting Requirements, Conditions of the Contract, Drawings, Specifications, and all subsequent Addenda, having visited the site, and being familiar with all conditions and requirements of the work, hereby agrees to furnish all material, labor, equipment and services, including all scheduled allowances, necessary to complete the construction of the above-named project, according to the requirements of the Procurement and Contracting Documents, for the stipulated sum of:

- 1. Three Hundred Ninety-Nine Thousand Dollars (\$ 399,875.00).  
(Roof Restoration) Eight Hundred Seventy-Five <sup>00</sup>/<sub>100</sub>
- 2. Four Hundred One Thousand Six Hundred Dollars (401,615.00).  
(Roof Replacement) Fifteen <sup>00</sup>/<sub>100</sub>

1.3 TIME OF COMPLETION

- A. The undersigned Bidder proposes and agrees hereby to commence the Work of the Contract Documents on a date specified in a written Notice to Proceed and shall fully complete the Work within 60 ~~90~~ / 90 calendar days.

1.4 ACKNOWLEDGEMENT OF ADDENDA

- A. The undersigned Bidder acknowledges receipt of and use of the following Addenda in the preparation of this Bid:

- 1. Addendum No. 1, dated 6/6/2023.

1.5 BID SUPPLEMENTS

- A. The following supplements are a part of this Bid Form and are attached hereto.

Bid Form Supplement - Unit Prices.

1. Insulation Replacement (ISO) 3.25 \$ Sq ft.

1.6 CONTRACTOR'S LICENSE

- A. The undersigned further states that it is a duly licensed contractor, for the type of work proposed, in the Project jurisdiction, and that all fees, permits, etc., pursuant to submitting this proposal have been paid in full.

1.7 SUBMISSION OF BID

- A. Respectfully submitted on (Insert date): June 16<sup>th</sup>, 2023.
- B. Submitted By: (Name of Bidding Firm): Applied Roofing Solutions, Inc.
- C. Authorized Signature: (Handwritten): Aaron D. McCollum
- D. Signed By: (Type or print name): Aaron D McCollum
- E. Title: (Owner/Partner/Pres./Vice Pres.): Vice President
- F. Street Address: 201 E Morehead St.
- G. City, State, Zip: Reidsville, NC 27320
- H. Phone: 336-394-4607
- I. Email Address: aaronmc@appliedroofingsolutions.com
- J. License No.: 71396
- K. Federal ID No.: 45-3595919

END OF SECTION 004113

SECTION 004113 - BID FORM - STIPULATED SUM (SINGLE-PRIME CONTRACT)

PART 1 - GENERAL

1.1 BID INFORMATION

- A. Bidder: BIRS, INC.
- B. Project Name: City of Eden – City Hall Roof Project
- C. Project Location: 308 E Stadium Dr, Eden, NC
- D. Owner: City of Eden

1.2 CERTIFICATIONS AND BASE BID

- A. Base Bid, Single-Prime (All Trades) Contract: The undersigned Bidder, having carefully examined the Procurement and Contracting Requirements, Conditions of the Contract, Drawings, Specifications, and all subsequent Addenda, having visited the site, and being familiar with all conditions and requirements of the work, hereby agrees to furnish all material, labor, equipment and services, including all scheduled allowances, necessary to complete the construction of the above-named project, according to the requirements of the Procurement and Contracting Documents, for the stipulated sum of:

- 1. Three hundred sixty seven thousand six hundred eighty six Dollars (\$367,686.00).  
(Roof Restoration)
- 2. Four hundred thirty thousand two hundred — Dollars (430,200.00).  
(Roof Replacement)

1.3 TIME OF COMPLETION

- A. The undersigned Bidder proposes and agrees hereby to commence the Work of the Contract Documents on a date specified in a written Notice to Proceed and shall fully complete the Work within 60 calendar days.

1.4 ACKNOWLEDGEMENT OF ADDENDA

- A. The undersigned Bidder acknowledges receipt of and use of the following Addenda in the preparation of this Bid:
  - 1. Addendum No. 1, dated 6-6-23.



1.5 BID SUPPLEMENTS

- A. The following supplements are a part of this Bid Form and are attached hereto.

Bid Form Supplement - Unit Prices.

1. Insulation Replacement (ISO) 6.50 \$ Sq ft.

1.6 CONTRACTOR'S LICENSE

- A. The undersigned further states that it is a duly licensed contractor, for the type of work proposed, in the Project jurisdiction, and that all fees, permits, etc., pursuant to submitting this proposal have been paid in full.

1.7 SUBMISSION OF BID

- A. Respectfully submitted on (Insert date): 6-16-23
- B. Submitted By: (Name of Bidding Firm): BIRS INC.
- C. Authorized Signature: (Handwritten): Brian Finney
- D. Signed By: (Type or print name): BRIAN FINNEY
- E. Title: (Owner/Partner/Pres./Vice Pres.): PARTNER
- F. Street Address: 207 Robbins St
- G. City, State, Zip: Greensboro, NC 27406
- H. Phone: 336-574-3060
- I. Email Address: matthew@birsroofing.com
- J. License No.: 25444
- K. Federal ID No.: 56-1621243

END OF SECTION 004113

1.5 BID SUPPLEMENTS

- A. The following supplements are a part of this Bid Form and are attached hereto.


Bid Form Supplement - Unit Prices.

1. Insulation Replacement (ISO) 7.00 \$ Sq ft.

1.6 CONTRACTOR'S LICENSE

- A. The undersigned further states that it is a duly licensed contractor, for the type of work proposed, in the Project jurisdiction, and that all fees, permits, etc., pursuant to submitting this proposal have been paid in full.

1.7 SUBMISSION OF BID

- A. Respectfully submitted on (Insert date): 6/16/2023
- B. Submitted By: (Name of Bidding Firm): McRae Roofing, Inc.
- C. Authorized Signature: (Handwritten): 
- D. Signed By: (Type or print name): Tim Allen
- E. Title: (Owner/Partner/Pres./Vice Pres.): President
- F. Street Address: 2147 N. Fayetteville St.
- G. City, State, Zip: Asheboro, N.C. 27203
- H. Phone: 336-953-2981
- I. Email Address: ron.prevatte@mcreroofing.com
- J. License No.: 11733
- K. Federal ID No.: 56-1151872

END OF SECTION 004113

SECTION 004113 - BID FORM - STIPULATED SUM (SINGLE-PRIME CONTRACT)

PART 1 - GENERAL

1.1 BID INFORMATION

- A. Bidder:
- B. Project Name: City of Eden – City Hall Roof Project
- C. Project Location: 308 E Stadium Dr, Eden, NC
- D. Owner: City of Eden

1.2 CERTIFICATIONS AND BASE BID

- A. Base Bid, Single-Prime (All Trades) Contract: The undersigned Bidder, having carefully examined the Procurement and Contracting Requirements, Conditions of the Contract, Drawings, Specifications, and all subsequent Addenda, having visited the site, and being familiar with all conditions and requirements of the work, hereby agrees to furnish all material, labor, equipment and services, including all scheduled allowances, necessary to complete the construction of the above-named project, according to the requirements of the Procurement and Contracting Documents, for the stipulated sum of:

1. \_\_\_\_\_ Dollars (\$ 358,900.00 ).  
(Roof Restoration)

2. \_\_\_\_\_ Dollars ( 441,200.00 ).  
(Roof Replacement)

1.3 TIME OF COMPLETION

- A. The undersigned Bidder proposes and agrees hereby to commence the Work of the Contract Documents on a date specified in a written Notice to Proceed and shall fully complete the Work within 60 calendar days.

1.4 ACKNOWLEDGEMENT OF ADDENDA

- A. The undersigned Bidder acknowledges receipt of and use of the following Addenda in the preparation of this Bid:
  - 1. Addendum No. 1, dated 6/6/2023.



## Planning and Community Development Department

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P. O. Box 70, 308 E Stadium Drive, Eden NC 27289-0070/Telephone 336-623-2110/Fax 336-623-4057

# MEMO

**To:** Honorable Mayor and City Council  
**Thru:** Jon Mendenhall, City Manager  
**From:** Kelly K. Stultz, AICP, Director  
**Subject:** **Affirmative Maintenance/820 Lake Drive**  
**Date:** August 2, 2023

Attached you will find a section of the Human Habitation Standards in Article 9 of the Unified Development Ordinance relating to the steps to be taken when an owner fails to comply with an order to repair or demolish. Also attached is a copy of the Complaint and Notice of Hearing which sets out the violations found at the initial inspection and a copy of the Findings of Fact and Order. The City of Eden Human Habitation Standards and the enabling legislation permit the City Council, upon adoption of an Ordinance, to order the repair or demolition of the structure. Three (3) bids were submitted to this department as follows:

The Menher Group, LLC	\$19,500.00
Sam W. Smith, Inc.	\$24,500.00
Big Dawg Construction LLC	\$30,000.00

Staff recommends that Coastal Carolina Custom Contractors be awarded the bid for the demolition of the house with the lowest bid being in the amount of \$5,800.00.

Once the demolition is done at the City's expense, actions can be taken to recoup the funds in the same manner as the collection of special assessments. Special assessments are a lien only on the property in question. That means the best remedy available to us is foreclosure. There is no guarantee that these funds can be recovered.

## **L. FAILURE TO COMPLY WITH ORDER; OWNER**

1. If the owner fails to comply with an order to repair, alter or improve the dwelling, the Administrator may:
  - a. Cause such dwelling to be repaired, altered or improved, and pending such repairs, alterations or improvements, may order such dwelling vacated and closed.
  - b. Cause to be posted on the main entrance of any dwelling so closed a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful." Occupation of a building so posted shall constitute a Class 1 misdemeanor.
2. If the owner fails to comply with an order to remove or demolish the dwelling, the Administrator may:
  - a. Cause such dwelling to be vacated and closed, removed or demolished.
  - b. Cause to be posted on the main entrance of any dwelling so closed a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful." Occupation of a building so posted shall constitute a Class 1 misdemeanor.
3. The duties of the Administrator set forth in subsections (1) and (2) shall not be exercised until the City Council, by ordinance, shall have ordered the Administrator to proceed to effectuate the purpose of this Article with respect to the particular property or properties which the Administrator shall have found to be unfit for human habitation and which property or properties shall be described in the ordinance. No such ordinance shall be adopted to require demolition of a dwelling until the owner has first been given a reasonable opportunity to bring it into conformity with this Article. Such ordinances shall be recorded in the office of the Register of Deeds of Rockingham County and shall be indexed in the name of the property owner in the grantor index.
4. If the Administrator shall have issued an order, ordering a dwelling to be repaired or vacated and closed, as provided in this section, and if the dwelling has been vacated and closed for a period of one year pursuant to the order; then if the City Council shall find that the owner has abandoned the intent and purpose to repair, alter or improve the dwelling in order to render it fit for human habitation and that the continuation of the dwelling in its vacated and closed status would be inimical to the health, safety, and welfare of the municipality in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to blight and the deterioration of property values in the area, and would render unavailable property and a dwelling which might otherwise have been made available to ease the persistent shortage of decent and affordable housing in this State, then in such circumstances, the City Council may, after the expiration of such one year period, enact an ordinance and serve such ordinance on the owner, setting for the following:
  - a. If it is determined that the repair of the dwelling to render it fit for human habitation can be made at a cost not exceeding fifty percent (50%) of the then current value of the dwelling, the ordinance shall require that the owner either repair or demolish and remove the dwelling within ninety (90) days; or
  - b. If it is determined that the repair of the dwelling to render it fit for human habitation cannot be made at a cost not exceeding fifty percent (50%) of the then current value of the dwelling, the ordinance shall require the owner to demolish and remove the dwelling within ninety (90) days.
5. This ordinance shall be recorded in the Office of the Register of Deeds of Rockingham County and shall be indexed in the name of the property owner in the grantor index. If the owner fails to comply with this ordinance, the Administrator shall effectuate the purpose of the ordinance.
6. The amount of the cost of repairs, alterations or improvements, or vacating and closing, or removal or demolition by the Administrator shall be a lien against the real property upon which the cost was incurred, which lien shall be filed, have the same priority, and be collected as the lien for special assessment

provided by G.S. Chapter 160D, Article 10. If the dwelling is removed or demolished by the Administrator, he shall sell the materials of such dwelling, and any personal property, fixtures or appurtenances found in or attached to the dwelling, and shall credit the proceeds of such sale against the cost of the removal or demolition and any balance remaining shall be deposited in the Superior Court of Rockingham County by the Administrator, shall be secured in a manner directed by the court, and shall be disbursed by the court to the persons found to be entitled thereto by final order or decree of the court.



## City of Eden

P.O. Box 70  
Eden, NC 27289-0070  
(336) 623-2110  
Fax (336) 623-4041



File No. 1001358

### COMPLAINT AND NOTICE OF HEARING BEFORE HOUSING INSPECTOR UNDER HOUSING CODE

**TO:** Owners and parties of interest in the property located at 820 Lake Dr. in the City of Eden, North Carolina.

**YOU ARE HEREBY NOTIFIED** that the dwelling unit and/or lot located at the address designated above is in a condition that appears to be unfit for human habitation and to violate the City of Eden Minimum Housing Code as set out in the **ATTACHMENT** which is incorporated herein.

**YOU ARE FURTHER NOTIFIED** that a hearing will be held before the Housing Inspector of the City of Eden at 308 East Stadium Dr. at **8:30 A.M., Tuesday, February 28<sup>th</sup> 2023** for the purpose of finding the facts as to whether the condition of such property falls within the scope of the above-mentioned sections of the Housing Code. At the hearing, you shall be entitled to offer such evidence as is relevant to material to the questions sought to be determined or the remedies to be affected.

**YOU ARE FURTHER NOTIFIED** that if, upon such hearing, the Housing Inspector shall find that the conditions of the above-described property do in fact violate the Housing Code, and do in fact render such dwelling unit unfit for human habitation, the Housing Inspector will issue an order in writing directed to the owner of such property requiring the owner to remedy these conditions. The Housing Inspector may make such other orders and take such other procedures as are authorized under the Housing Code and the General Statutes of North Carolina.

Further information as to this matter may be obtained by contacting the undersigned at (336) 623-2110.

This the 9<sup>th</sup> day of February 2023.

Robert Vincent,  
Chief Codes Inspector

LOCATION: 820 LAKE DR.

FILE NO. 21001358

EXHIBIT "A"

A dwelling is unfit for human habitation **if any one (1)** of the following conditions exists:

DWELLING UNFIT FOR HUMAN HABITATION – Article 9.02-C,1,a

1. Interior walls or vertical studs which seriously list, lean or buckle to an extent as to render the building unsafe
2. Supporting member or members which show 33% or more damage or deterioration, or nonsupporting, enclosing, or outside walls or covering which shows 50% or more damage or deterioration; provided that such deterioration affects the structural integrity of the building.
3. Floors or roofs which have improperly distributed loads, which are overloaded or which have insufficient strength to be reasonably safe for the purposes used.
4. Such damage by fire, wind, or other causes as to render the building unsafe.
5. Dilapidation, decay, unsanitary conditions or disrepair which is dangerous to the health, safety, or welfare of the occupants or other people of the jurisdiction.
6. Inadequate facilities for egress in case of fire or panic.
7. Defects significantly increasing the hazards of fire, accident or other calamities.
8. Lack of adequate ventilation, light, heating or sanitary facilities to such extent as to endanger the health, safety, or general welfare of the occupants or other residents of the jurisdiction.
9. Lack of proper electrical, heating or plumbing facilities required by this Article which constitute a health or definite safety hazard.
10. Lack of proper connection to a potable water supply and/or to the public sewer or other approved sewage disposal system, the lack of either one of which renders a dwelling unfit for human habitation.

A dwelling is unfit for human habitation if it fails to fully comply with **seven (7) or more** of the following standards:

STRUCTURAL STANDARDS – Article 9.02-D,1

- a. Walls or partitions or supporting members, sills, joists, rafters or other structural members shall not list, lean or buckle, and shall not be rotted, deteriorated, or damaged so as to be unsafe to use and incapable of supporting a load that normal use may cause to be placed thereon.
- b. Floors or roofs shall have adequate supporting members and strength to be safe to use and capable of supporting a load that normal use may cause to be placed thereon.
- c. Foundations, foundation walls, piers or other foundation supports shall be kept in sound condition and good repair so as to be capable of supporting a load that normal use may cause to be placed thereon.
- d. Steps, stairs, landings, porches, or other parts or appurtenances shall be maintained in sound condition and good repair so that they shall be safe to use and capable of supporting a load that normal use may cause to be placed thereon.
- e. Adequate facilities, as required by the North Carolina State Building Code, for egress in case of fire or panic shall be provided.
- f. Every floor, interior wall, and ceiling shall be substantially rodent proof; shall be kept in sound condition and good repair; and shall be safe to use and capable of supporting a load that normal use may cause to be placed thereon.
- g. The roof, flashings, exterior walls, basement walls, floors, and all doors and windows exposed to the weather shall be constructed and maintained so as to be weather tight and watertight.
- h. There shall be no chimneys or parts thereof which are defective and deteriorate so as to be unsafe or in danger of falling, or in such condition or location as to constitute a fire hazard.
- i. There shall be no use of the ground for floors, or wood floors on the ground.

PLUMBING STANDARDS – Article 9.02-E,1

- a. All water to each dwelling unit shall be supplied through an approved pipe distribution system connected to a potable water supply.
- b. Each dwelling unit shall be supplied with a kitchen sink, lavatory, tub or shower and a water closet, all in good working condition.
- c. Each dwelling unit shall have connected to the kitchen sink, lavatory, tub or shower an adequate supply of





## City of Eden

P.O. Box 70  
Eden, NC 27289-0070  
(336) 623-2110  
Fax (336) 623-4041



File No. 1001358

### FINDING OF FACT AND ORDER

TO: Owners and parties in interest of the property located at **820 Lake Dr.** City of Eden, North Carolina.

The undersigned Housing Inspector of the City of Eden pursuant to a law conducted hearing at the time and place stated in the Complaint and Notice heretofore issued and served, or at a time to which the hearing was continued with previous notice to the above-named owners and parties in interest or their agents or attorneys. At the hearing, the Answer, if any, filed by the owners and parties in interest were carefully analyzed and considered by the undersigned. In addition to other evidence presented, the undersigned personally inspected the property described above, and such inspection and examination has been considered along with the other evidence offered at this hearing.

Upon the record and all the evidence offered and contentions made, the undersigned Housing Inspector does hereby find the following facts:

1. The above-named owners and parties in interest with respect to the property located at the place specified above were duly served as required by law with written Complaint and Notice of Hearing which set forth the Complaint that the premises located at the above address is unfit for human habitation and violation of the City Minimum Housing Code, and the particulars thereof, and fixed a time and place for a hearing upon the Complaint as provided by law. At the hearing, the following owners, persons in interest or their agents or their agents or attorneys, were present and participated therein:

Bruce Tart - Certified & First Class Mail - # 6039 - Mailed ON 2/10/23  
Angela Tart - Certified & First Class Mail - # 2509 - Mailed ON 2/10/23

2. The premises described above violate the City Minimum Housing Code, by reason of the conditions found to be present and to exist in and about the structure. Attached is a description of the conditions:

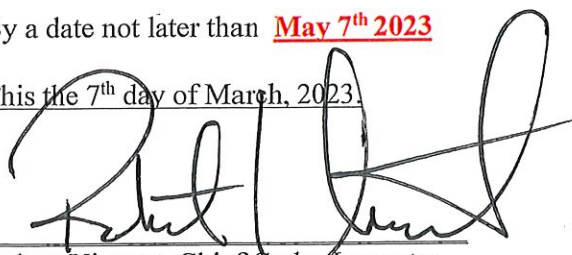
3. Due to conditions, the building and or premises described above is found to be in condition within the meaning of the City Minimum Housing Code.

**IT IS THEREFORE ORDERED** that the owners of the property above are required to bring such property into compliance with the Minimum Housing Code by:

#### **REPAIR OR DEMOLISH - 60 DAYS**

By a date not later than **May 7<sup>th</sup> 2023**

This the 7<sup>th</sup> day of March, 2023.

  
Robert Vincent, Chief Codes Inspector

Prepared by and Return to:  
Erin B. Gilley

AN ORDINANCE AND ORDER  
FOR THE DEMOLITION OF  
PROPERTY AT 820 LAKE DRIVE,  
EDEN, NORTH CAROLINA

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THIS ORDINANCE is issued pursuant to the provisions of North Carolina General Statutes §160D, Article 4 and Article 9 of the City of Eden Unified Development Ordinance.

WHEREAS, on the 9th day of February, 2023, the Director of the Planning and Community Development Department caused an examination of the dwelling owned by Bruce W. Tart and wife, Angela Tart, at 820 Lake Drive, Eden, North Carolina and found it to be unfit for human habitation, that said property is more particularly described as follows:

BEGINNING at an iron in the South edge of a County Road (now called Lake Road) being the S. W. corner of the intersection of the said County Road by Ayden St. (Aydan St. being extended to intersect with Lake Drive); thence with the West side of Lake Drive and/or Ewell Street, South 16 deg. 30 min. West crossing Tackett Branch, a total distance of 157.8 feet to an iron; thence with the West edge of a revision of Lake Drive, South 56 deg. 35 min. West 177.9 ft. to an iron and continuing S. 50 deg. 38 min. W. 100 ft. to an iron and continuing South 27 deg. 10 min. West 100 feet to an iron (said irons on the West side of Lake Drive revised, being set 20 feet West of the center line of present road grade); thence with the North edge of Lake Drive as it changes its course, North 86 deg. 30 min. West 218.7 feet to an iron in the East line of a tract conveyed to C. J. Gilley by deed dated March 21, 1935; thence with the East line of said Gilley tract, North 2 deg. 54 min. West 213.2 feet to an iron set in the South edge of a County Road (now Lake Road); thence with the South edge of this said last road, North 64 deg. 13 min. East 259.85 feet to an iron; thence North 67 deg. 55 min. East 100 feet to an iron; thence North 75 deg. 25 min. East 100 feet to an iron; thence South 89 deg. 58 min. East 100 feet to the POINT OF BEGINNING (said last irons in the South line of County Road or Lake Road are set 15 feet South of the center line of present road grade) and containing 121.968 square feet, more or less. Same being a tract of land in Primitive Heights on both sides of Tackett Branch between County Road and Lake Road and a revision of Lake Drive to the North and South and the East line of the Gilley tract and an extension from Lake Drive to County Road or Lake Road to the West and East, as per recovery survey made by W. T. Combs in October 1945, taken from the original map of Primitive Heights by W. B. Trogdon made in March 1921 and Trogdon's revision September 8, 1928. Deed Reference: Book 837, page 2019.

The above-described property being more commonly known as 820 Lake Drive and identified by the Rockingham County Tax Dept. as PIN 7070-10-36-8334 and Parcel No. 105154.

WHEREAS, on the 9th day of February, 2023, the Director caused to be issued a Complaint and Notice of Hearing for the 28th day of February, 2023, which was served on the property owners by first class mail and certified mail, return receipt requested; the certified mail was returned marked "Unclaimed" and "Unable to Forward;" the first class mail was not returned; the Complaint and Notice of Hearing was posted on the subject property on the 13th day of February, 2023; and

WHEREAS, the hearing was held on the 28th day of February, 2023, and the Director subsequently issued an Order to repair, alter, improve or vacate and demolish the dwelling located on the property; and

WHEREAS, a copy of the Order was served on the property owners by certified mail, return receipt requested, and first-class mail; the certified mail was returned by the U. S. Postal Service marked "Unclaimed;" the first-class mail was not returned; and

WHEREAS, the property owners did not appeal the Order and, pursuant to Article 9, Section 9.02(K)(2) of the City of Eden Unified Development Ordinance, a copy of the order has been mailed to any organization involved in providing or restoring dwellings for affordable housing that has filed a written request for such notice; and

WHEREAS, the Owners have had a reasonable opportunity to bring the property into conformity with Article 9, Section 9.02 of the City of Eden Unified Development Ordinance and they have failed to take any action to comply with the Director's Order.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Eden that the Director is hereby ordered to proceed to effectuate the purpose of the Human Habitation Standards set out in Article 9, Section 9.02 of the City of Eden Unified Development Ordinance with respect to the property described above by demolishing the structures located thereon.

IT IS FURTHER ORDERED that a certified copy of this Ordinance and Order shall be recorded in the Office of the Register of Deeds of Rockingham County, North Carolina, and indexed in the name of Bruce W. Tart and Angela Tart in the Grantor and Grantee index.

IT IS FURTHER ORDERED that the amount of the cost of demolishing the dwelling by the Director shall be a lien against the real property upon which the cost was incurred, said lien shall be filed, have the same priority, and be collected as the lien for special assessment provided by North Carolina General Statutes Chapter 160D, Article 10.

APPROVED, ADOPTED AND EFFECTIVE, this 15th day of August, 2023.

CITY OF EDEN

BY: \_\_\_\_\_  
Neville A. Hall, Mayor

ATTEST:

\_\_\_\_\_  
Deanna Hunt, CMC  
City Clerk



# Planning and Community Development Department

P. O. Box 70, 308 E Stadium Drive, Eden NC 27289-0070/Telephone 336-623-2110/Fax 336-623-4057

## MEMO

**TO:** Honorable Mayor and City Council  
**THRU:** Jon Mendenhall, City Manager  
**FROM:** Kelly K. Stultz, AICP, Director  
**SUBJECT:** **Annexation Request – 773 Summit Loop**  
**DATE:** **August 4, 2023**

The City has received an annexation request for property located at 773 Summit Loop. The property is owned by Jason S. Darnell of Brason Properties LLC.

A motion to adopt a "Resolution Directing the Clerk to Investigate a Petition Received under G.S. 160A-58.1" is in order.

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE**  
**A PETITION RECEIVED UNDER N.C.G.S. 160A-58.1**

WHEREAS, a Petition requesting annexation of an area described in said Petition was received on July 20, 2023, by the City Council of the City of Eden; and

WHEREAS, N.C.G.S. 160A-58.2 provides that the sufficiency of the Petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Eden deems it advisable to proceed in response to these requests for annexation:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Eden that:

The City Clerk is hereby directed to investigate the sufficiency of the above described Petition and to certify as soon as possible to the City Council the result of her investigation.

This the 15th day of August, 2023.

CITY OF EDEN

BY: \_\_\_\_\_  
Neville A. Hall, Mayor

ATTEST:

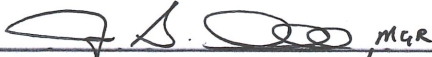
\_\_\_\_\_  
Deanna Hunt, CMC  
City Clerk

**PETITION REQUESTING A NON-CONTIGUOUS ANNEXATION**

Date: 7-20-2023

To the City Council of the City of Eden, North Carolina:

1. We the undersigned owners of real property respectfully request that the area described in Paragraph 2 below be annexed to the City of Eden.
2. The area to be annexed is non-contiguous to the City of Eden and the boundaries of such territory are as described in the attached Deed.
3. A map is attached showing the area proposed for annexation in relation to the primary corporate limits of the City of Eden.
4. We acknowledge that any zoning vested rights acquired pursuant to N.C.G.S. 160A-58-58.3 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property.

<u>Name</u>	<u>Address</u>	Do you declare Vested rights? <u>Yes or No</u>	<u>Signature</u>
Brason Properties LLC Jason S. Darnell, Manager	Property Address: 773 Summit Circle Eden, NC 27288	Yes	 MGR
	PIN... 7081 19 50 8468 00		
	Mailing Address: 5014 Casting Way, Greensboro, NC 27455		

City of Eden  
Annexation of 773 Summit Loop





**City Manager's Report  
August 2023**

City Manager Jon Mendenhall

**ADMINISTRATION DEPARTMENT**

Marketing & Communications Office

The City of Eden would like to thank the following sponsors for Shagging on Fieldcrest!!!

Nestle Purina	Barham & Associates
Eden Marketing & Special Events	Pace Stone
Draper Volunteer Fire Department	Liberty Tax
Fair Funeral Home	Karen Cochran
Mabe Trucking Co.	Ray's Hitch & Trailer Sales
Boone & Cooke Funeral Home	Draper Cycle
Eden Veterinary Hospital	Audie & Cathy Land
Kingston Heating & Air	Tim Biggs Towing
Draper Lumber Co.	Tommy & Vicki Underwood
Gold Circle Printworx	Jerry & Debbie Ellis
Preppy Pirate Outfitters	Kenny & Tina Kirkman
Eden Chamber of Commerce	Raymond Thomas
Home Lumber Co.	Hale's Body Shop
Pine State Group	Allstate Insurance – Duane Adams
Luck Stone	Wyatt Auctions
Rhonda & David Price	Pit-Stop Auto Sales
HomeTrust Bank	Purlina's Gift Baskets
Eden Chiropractic/Protherapy Concepts	Railroad Cafe
Tri-City Glass	That Little Pork Shop

For all those who came out and enjoyed super performances by Papa Thump, The Pink Slips and The Embers - THANK YOU!

Our **Summer Grown & Gathered** set for August 10 **SOLD OUT** once again. Thank you to all those who purchased tickets.

**RIVERFEST IS ALMOST HERE!** We have a fun and exciting weekend planned to celebrate 20 years! There will be live concerts, over 150 vendors, delicious food, Ninja Warrior Course, Butterfly Encounter,



Trick Roping, 360 Degrees photo booth, gem sluice, Kids Zone, and so much more. Make sure you bring your chairs for the concerts and plan to come early and stay late.

**FRIDAY – September 15 – 5 to 10**

**SATURDAY – September 16 – 10 to 10**

## **PARKS & RECREATION DEPARTMENT**

### Recreation Division

Bridge Street: Bridge Street Recreation Center stays busy with daily walkers and fitness classes. Summer camp participants enjoyed traveling to Fairystone State Park and to a Greensboro Grasshoppers game. Staff is getting ready for afterschool programs once school starts back.

Mill Avenue: Pickleball is being played Monday, Tuesday, Wednesday and Friday. Kids are still coming to play basketball daily. Prowlers will soon start a new volleyball program.

Aquatics: The Mill Avenue Pool and Freedom Park Splash Pad are busy with around 125 swimmers daily. They are still being rented out for special events as well.

Freedom Park: Weekend tournaments with either adult or girls fast pitch softball are still going strong.

Senior Citizens: Our Seniors traveled for a physical wellbeing check and played bingo. They are planning a winter trip later in the year.

## **PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT**

### Inspections & Permits July 1 July 31,2023

Total Inspections Performed 195 (Does not include fire inspections)

Total Permits Issued 123

There were 195 inspections completed in the month of July. A total of 9 building permits were issued for new single-family residences. Plan review continues for new construction documents for the Nestle Purina project as they are released. Assistance is being given on the construction project of the new fuel dispensing facility located at public works. The new utilities (electric and gas service) have been coordinated and marked for installation. A construction meeting for this project will take place on August 2.

### Boards & Commissions

The Community Appearance Commission did not meet for the month of July.

The Historic Preservation Commission did not meet for the month of July.

The Tree Board did not meet for the month of July. Staff also received an update on the Tree Inventory Study facilitated by the N.C. Department of Forestry Services, which has been completed. Our staff plans to use the data from the study to address the strengths, weaknesses, opportunities and threats (SWOT) of trees in the City of Eden. In particular, staff previously composed a draft plan for a 30 for 30 tree planting campaign to celebrate the upcoming 30 years the City of Eden will be a “Tree City USA” City and will use the data from the study as a guideline. Staff also collaborated with Steve Rippey, of Rippey Advertising, to manufacture a commemorative bronze plaque for the “In Honor of Debbie Galloway” Tree, which was planted at Grogan Park in May 2023.

The Planning Board did not meet for the month of July.

The Internal Technical Review Committee met for the month of July to review in-house cases.

### Gus Shinn Mural Project

Staff has been in contact with the artists for the Gus Shinn Mural Project about the progress, which is approaching soon. Staff also collaborated with Steve Rippey, of Rippey Advertising, to manufacture a commemorative bronze plaque for the Mural Project. Staff also has been in contact with relatives of Mr. Shinn to coordinate their visit for the celebration/ribbon cutting of the unveiling of the Mural. Staff has also been in contact with Kristi Brantley, Local Government Coordinator for the N. C. State Historic Preservation Office, about coordinating their involvement in the celebration/ribbon cutting as well.

### Ferry Road Sign Project

Staff researched sign making options for the Ferry Road Sign Project. Staff contacted the Historical Marker Department for the N. C. Department of Natural and Cultural Resources about potentially submitting an application for the manufacturing of the Ferry Road Sing Project, due to its historical significance.

## **POLICE DEPARTMENT**

The testing of GLOCK pistols has been completed. We have placed an order for 48ea GLOCK Model 45 for uniformed officers and 17ea GLOCK Model 19 for plain clothed officers. We should receive these pistols within 90 days of the order date, which would allow us to transition these firearms during our November qualification.

We have ordered and received six 2023 Dodge Durango's. These vehicles are staged at the City shop awaiting upfit.

ALPR (AXON) has been turned on and is currently in operation.

We anticipate the AXON Interview Room upgrade to be completed in November.

We are currently waiting for the Criminal Justice Standards approval for certification to proceed with one hire and have three full-time trainees in the Rockingham Community College Basic Law enforcement Training program.

## **FIRE DEPARTMENT**

Captain Kevin Dunn was appointed as the new Fire Marshal for The City of Eden. The Fire Department has hired three new full-time employees, there remain two open positions in suppression which are actively being recruited.

## **PUBLIC WORKS DEPARTMENT**

### Streets

Work is approximately 65% complete on the Monroe Street streetscape project. Work continues on roadside vegetation and street patching; both of these crews are busy and are in the prime of the season.

### Construction

Construction completed finished grading at the City's Fuel Depot and will be working on a drainage project on Maryland Avenue followed by some inflow-infiltration work in some of the sanitary sewer collector mains in Draper. The grading for the Dog Park has been looked at and a solution involving catch basins has been reached to address drainage in that area (this will be scheduled for a later date when grass can be re-established more easily post-excavation).

### Collections & Distribution

Work is progressing in this unit; routine items include repairs/replacements/clearing blockages as needed and maintaining outfalls. Inventory availability has improved, hydrants and meters are on-hand, a developer is working with the City to forecast out need in such a way so that items can be carefully pre-ordered so that they arrive in a timely manner so as not to unnecessarily pause or delay construction.

### Solid Waste

Solid Waste continues to provide reoccurring municipal solid waste collection keeping our community clean. The knuckle boom truck ordered in the last budget cycle has yet to arrive, with expected delivery pushed back to September 2023 (more lead time for orders has been discussed and we expect to bring forward a proposal to pre-order solid waste collection trucks with the time delay factored in on the next round of ordering).

### Fleet

Fleet is in the process of ordering new software and gearing up for the fleet purchases as outlined in the budget. Work is on-going on the new city fuel system and depot, the system is on order, the pad is graded and ready for construction. Fleet is also working with all units on completing the purchase order process for approved vehicles and equipment (inventories remain low and timely delivery of vehicles and equipment may be a challenge).

### Utilities

The Wastewater Treatment Plant is complete on work related to the headworks – bar screens as part of identified capital improvement to the plant. The plant is transferring flows from north basin to south basin as part of preparation for the North Basin Reconstruction project.

The Water Treatment Plant is substantially complete on building upgrades to the filter gallery hall and the laboratory. Generator switchgear work is complete. One sludge scrapper has been prepared for painting as part of on-going maintenance to this equipment.

Water Resources completed the installation of generators at pump stations that do not have generators and will be completing this project once fencing is installed on the improved layouts.

CITY OF EDEN, N.C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, July 18, 2023 at 6 p.m. in the Council Chambers, 308 E. Stadium Drive. Those present for the meeting were as follows:

- Mayor: Neville Hall
- Council Members: Gerald Ellis
- Jerry Epps
- Kenny Kirkman
- Greg Light
- Bernie Moore
- Bruce Nooe
- Tommy Underwood
- City Manager: Jon Mendenhall
- City Attorney: Erin Gilley
- City Clerk: Deanna Hunt
- Media: Roy Sawyers, Rockingham Update

MEETING CONVENED:

Mayor Hall called the regular meeting of the Eden City Council to order and welcomed those in attendance, including the media present. Pastor Corey Engebretson, Floyd Missionary Baptist Church, gave an invocation followed by the Pledge of Allegiance led by Sawyer Johnson, rising first grader at Douglass Elementary School.

RECOGNITIONS:

*There were no recognitions at this time.*

SET MEETING AGENDA:

A motion was made by Council Member Epps to set the meeting agenda. Council Member Moore seconded the motion. All members voted in favor of the motion. The motion carried 7-0.

PUBLIC HEARINGS:

Mayor Hall read the Requests and Petitions of Citizens policy for speakers.

- a. (1) Consideration of a zoning map amendment request to rezone 0.66 acres located at 212 Bryant Street, and to include the property located at 204 Bryant Street, from Residential-20 to Residential-12. Zoning Case Z-23-04.
- (2) Consideration of a resolution adopting a statement of consistency regarding the proposed map amendment.

Planning & Community Development Director Kelly Stultz wrote in a memo: The City has received a zoning map amendment request filed by James Gilley of JMG Properties of Eden LLC, Property Owner, to rezone 0.66 acres located at 212 Bryant Street. The request, as amended to include the property located at 204 Bryant Street, is to rezone the property from Residential-20 to Residential-12. The Planning and Community Development Department recommends approval of the map amendment request. At a regular meeting in June, the Planning Board voted to recommend that the City Council approve this request.



Mayor Hall declared the public hearing open and called on Ms. Stultz.

City Attorney Erin Gilley said she had sent a memo to Council and for the public’s knowledge, she had property ownership in the case before Council. She was recusing herself and moving to the back of the room so there was no appearance of impropriety.

Ms. Stultz said the property was very close to the existing city limits. The owners requested the property be rezoned from Residential-20 to Residential-12. The area was zoned R-20 but there was some property to the south zoned R-12. Rezoning would include the subject property and 204 Bryant Street. Staff looked at the property based on the comprehensive plan. The character of the area was residential. The property owner had residential plans for it. Rezoning would enable the property to be utilized in uses to benefit the City of Eden in future development and growth. It would allow it to be subdivided and another residence could be built on the part that was subdivided. Staff recommended the request be amended to include the adjacent property at 204 Bryant Street and it be zoned R-12 as well. In keeping with the residential character of the area, staff was of the option that the other types of uses allowed in R-12 would not be detrimental to the surrounding area. Staff recommended in favor of the request as amended. She had talked with several people from that area and they were all concerned about the potential for an apartment complex. The lot was too small to have a house and an apartment complex on it. Beyond that, R-12 would only allow multifamily in the case there was a very large house that could be split into three apartments. It did not allow new construction of apartment buildings. It was similar in a lot of degrees to R-20. They knew housing and the need for infill housing in the community was very important. They could look at the real estate market and see the City needed more housing than they had and more quality housing. The property owners submitted an application for it, and not the property included in the rezoning, to be annexed should Council approve the rezoning. That would allow the property to connect to sewer for the rehab of the existing house and construction of the new one.

James Gilley, 572 Glovenia Street, said he was a property owner of 212 Bryant Street. Ms. Stultz had summarized the request to rezone the property. They had owned the property for nine years and it had served as rental property. They had recently had to evict the tenant who left the house in poor condition. During the nine years of owning the property, they had received three nuisance violations from the City and always rectified the situation within the time allowed. He was now looking at options for the future. The lot was originally platted as a double lot. Their intent for the property was to split it into two lots. They would rehabilitate the existing house and sell it, and they would like to build another house – a single-family dwelling – on the other lot and sell it. They believed the City needed housing and that the neighborhood could support it. Creating a brand-new house, rehabilitating the existing one, and selling two houses to owner occupants would in his

opinion be an improvement to the neighborhood; however, if they were not successful and the property remained R-20, they would not be able to subdivide the property for two houses and their plans would probably be to clean the existing house up and continue use it as rental property. He thanked Council for the consideration of his request.

Frank Mebane, 207 Bryant Street, said he lived right across from the street from the property. He had been there for 19 years, he was there when the property was sold to Mr. Gilley. Of the nine years the property had been rented, the last two tenants were a big nuisance to the neighborhood. The property looked like it had not been maintained and as if it had been abandoned the last 10 years. He and the rest of the neighborhood understood there was room for new housing but the house had been in poor shape for the last nine years. If members of Council saw the property they would not want it next to them or across the street from them. The last tenants were into drugs. The neighbors had to listen to it all night and early in the morning. He got up at 4:30 a.m. to go to work and there would be cars facing his driveway with the headlights on. He had reached out to Mr. Gilley several times during the nine years on the two tenants but they were still there. The property was never maintained. The neighbors had to call the City to get the grass mowed as it was two feet high. There was trash over a month old still sitting in the backyard. It was unlivable. He asked how someone let it get to that point being a homeowner or property owner. He asked how they would know that was not going to come back into the neighborhood and instead of one house it would be two houses. There was a lot of concern by him and his fellow neighbors about what was coming next, about how it would be maintained and looked after and if it would drop the property values. The neighbors also questioned what they would gain from it on their end. Mr. Gilley may have a lot to gain. The City may have a lot to gain, he did not know. If they had wanted to annex it, the neighbors would have some together as a group and decided on rezoning. Everyone he had talked to, above and below him, was against it for several reasons. The main reason was their property value was down now because of the property. They had to look at it every day across the street and it was unlivable. It was not maintained. He questioned again how it got that way if the property owner maintained and looked after it. It had to be gutted and cleaned after every tenant who moved there. It was only done when someone was evicted but the neighbors had to see it every day.

Angela Johnson, 207 Bryant Street, signed up and declined to speak.

Makasla Mebane, 207 Bryant Street, signed up and declined to speak.

James Odell, 134 N. Hamilton Street, said there had been a lot of mess in the neighborhood, as Mr. Mebane had said. He was afraid there was just going to be more of it, that was what would wind up happening. He was pretty sure it would. They had looked at a mess across the road – trash, rats, name it and it had been there.

Sue Odell, owner of 204 Bryant Street, said that was her husband that had just spoken. Her property was stuck in the middle. She would prefer her property to stay the way it was. They had owned the property on Bryant Street since January 2014 and all they had seen down there were bad renters, trouble, drinking and throwing beer bottles in her yard. She and her husband rented the house out and lived across the road on North Hamilton Street. She had mowed the yard before. The tenants were always out in the yard partying and drinking and throwing beer bottles up in the yard. She had come very close to hitting one with the riding mower. She stopped just in time before it busted the bottle everywhere. They had not seen any good tenants at the house. There had been trash everywhere, grass real high, kids running up in their yard that were not supposed to be there, things like that. She was stuck in the middle of the situation since she owned 204 Bryant Street and she was against it.

Bill Sutphin, 204 Bryant Street, said he had sat on his porch many nights and watched drugs go in and out of there. On three occasions he had been to the talk to the people and it did not go any good. Beer and liquor bottles in his yard and every time he talked to them it did not do any good. He had seen pieces on the young kids and he did not go and push his luck anymore. The wellhouse full of trash, paper thrown everywhere, grass as high as his knees. He asked why the landlord had not stepped in and done something. Most people were retired in the neighborhood. It was an easy place with no trouble, but what the landlord had moved in was pure trouble. If that did not speak for itself, he did not know what would. Council had children. He had a little boy. It was dangerous for kids with the people who had been living in the house.

Jerry Flippin, 341 Longhook Road, signed up and did not come forward to speak.

Mr. Gilley said he did acknowledge that the property was currently in poor condition and he had said that before. Of the people who had spoken, the first gentleman who spoke was the only one who had ever reached out to him. He had never

been contacted by any other property owner to ask him to address any of his tenants other than the first gentleman, who had reached out to him a couple of times. He had always tried to accommodate him any time he reached out. He understood their complaints. The house was in poor condition. Strides had been made in cleaning it up. If it were rezoned, it would not be a rental house anymore. If it did not get rezoned, he would not be able to split the lots and build. If it were rezoned, it would be a complete gut job and sold individually as well as a plan to build a new construction. He understood the complaints. He apologized for the condition of the house currently, it was poor and he did not disagree with that. If he did not get it rezoned, he would not make the improvements he wanted that he thought would benefit the neighborhood long term. His only real option at that point would be to keep the property as a rental, which was not what he would like to do.

Mr. Mebane said the question remained of what the homeowners would gain of it. They knew what Mr. Gilley would gain from it and he asked what was in it for the neighbors.

Mayor Hall said hopefully a cleaned-up house.

Mr. Mebane said they were looking at past experience.

Mr. Sutphin said listening to the landlord, there had been people complaining but it did not do any good. It looked like he would clean it up instead of waiting. The City may benefit from what he was looking at, but they needed to look at the street and what he was trying to do. He did not think Mr. Gilley was much of a landlord to let that stuff go on like he did so long.

Council Member Epps asked Ms. Stultz if there had been violations staff had to work on.

Ms. Stultz said yes. Staff had notified the landlord and the violations were taken care of. That happened with owner occupied and rental properties. There were a number of businesses who rented properties across the community. A vast majority of those people straightened out issues if they knew there had been a complaint. Code enforcement was one of her big things – Council knew it was very important. In this instance what they were talking about was the potential to build a new house. They could not hold Mr. Gilley to fixing up the house and selling it, but that was what he said he was going to do. Land use issues had to be separated in some sense. People were angry, and probably deservedly so, about conditions on the property and that was important. Whether it should be R-12 or not was a slightly different issue.

Council Member Epps asked if it would be better for Mr. Gilley to get the first house remodeled and then come back and asked for the split.

Ms. Stultz said it might be but that was not something the City could require and it was not what Mr. Gilley applied to do.

Council Member Underwood asked if Ms. Stultz knew the timeframe on renovating the house that was there and the house to be built.

Ms. Stultz said no. The only time the City could have any input on those types of decisions was if a conditional use permit was issued and this lot was not a good candidate for that.

Council Member Underwood asked Mr. Gilley if he could elaborate on the timeframe.

Mr. Gilley said generally speaking, a total gut job on a house was three to six months to complete the process. He would estimate it could be done in that timeframe. It would be his first effort at new construction so he did not want to say a timeframe. He had some initial conversations with general contractors. The longest he had ever held a flip house was 12 months and that was start to finish to actually completing the project and having it sold. He would think it would be done and hopefully sold and under contract by the end of the year.

Council Member Epps asked Mr. Gilley if he would withdraw his request and remodel the house he currently had and then reapply to split the property for the new house.

Mr. Gilley advised he would not because the two going hand in hand made each property more valuable. The two together was what brought most value to what he wanted to do. That was why he would not do it that way.

Council Member Moore asked if the size or square footage of the new build would be comparable to everything else.

Mr. Gilley did not want to say for sure because there were a lot of different sizes of houses on Bryant Street. His rental house was roughly 1,500 to 1,600 square feet. The conversations he had been having were about building 1,500 to 1,700 square feet. He had seen other developers doing that recently and they seemed to go over and sell pretty well. There were houses a lot bigger on Bryant Street than his.

Council Member Moore said he meant in the general area.

Mr. Gilley said he would not want to say how big the other houses were.

Council Member Moore wanted to confirm that the new construction would fit in with the neighborhood.

Mr. Gilley said it would.

Council Member Underwood asked if it was correct that Mr. Gilley did not have a problem annexing into the City.

Mr. Gilley said he wanted to be annexed to have the water and sewer services. He currently had water but would need the sewer. It was another issue. He did not want to put the time and expense into it if it were not feasible to do it the way he wanted to. He already had water and septic on the current property so that would be something he would have to complete.

Council Member Ellis noted 204 was a rental. He asked Ms. Stultz if 203 and 207 across the street were property owners.

Ms. Stultz said that was not something she looked at when staff looked at property. The owner had said 204 was a rental. Whether it was a rental or not, the impact to the neighborhood from a land use standpoint was the same.

Council Member Moore asked if it was correct that 204 was on a septic tank as well.

An audience member answered yes.

Council Member Moore asked if they would be required to hook onto sewer.

Ms. Stultz said they would not. There was no petition to annex that property.

Council Member Kirkman asked if it was correct that 204 would be included in the rezoning and they were opposed to it.

Ms. Stultz advised it would. In order to make it make sense, staff had to add it.

Council Member Kirkman said that otherwise it would be spot zoning.

Mayor Hall asked Ms. Stultz to explain what options the City had if 204 opposed.

Ms. Stultz said if Council decided not to rezone 204, it would be hard for her to recommend that they rezone Mr. Gilley's property. Using the phrase Council Member Kirkman had used, there was legal and illegal spot zoning. It would be dicey without going back and doing a land use study of that whole area. It made logical sense to start with those two lots.

Council Member Underwood asked if 204 would be required to come into the City.

Ms. Stultz said no. It would really not change anything about their property except it would be R-12 instead of R-20. The owners would not notice anything different.

Council Member Epps asked if the owner of 204 understood that.

Ms. Stultz said she was not sure she did as she had not had a personal conversation with her.



Council Member Ellis asked Ms. Odell if she understood what Ms. Stultz was saying.

Ms. Odell said she was the owner of 204 but rented it out to Mr. Sutphin.

Council Member Ellis asked if she understood the difference between R-20 and R-12.

Ms. Odell said not that much. She asked if hers would not change any.

Ms. Stultz said it would R-12 if passed but nothing would change about the property. It would not be inside the city limits. It would be more eligible to be subdivided and sell a lot off if Ms. Odell ever wanted to but Ms. Stultz could not say without seeing a map if that would work or not. As far as the usability and livability of the property, Ms. Odell would not notice any difference.

Council Member Ellis said Mr. Gilley planned to renovate and sell the house there and put another one up. He asked what Ms. Odell thought about that.

Ms. Odell asked how he would put another house up if Mr. Gilley sold the house he had there.

Ms. Stultz advised he would have to split the lots before he sold them.

Council Member Nooe said that was what Mr. Gilley had explained to Council. If he remodeled it, he would get another house and would sell both of them. He would not be a landlord. He would sell the property.

Mr. Gilley said it was a matter of making a big financial investment to two properties or making a relatively small one and keeping it as a rental. His preference was making a large investment and having two nice houses there that would be owner occupied and not rented out, at least not by him.

Council Member Underwood asked if he would sell the new one.

Mr. Gilley said yes.

Council Member Epps asked if Mr. Gilley promised not to rent the house anymore.

Mr. Gilley yes, if it were rezoned.

Ms. Stultz said that was not something the City could take as fact. If Mr. Gilley sold them, the next owner could rent them as well.

Ms. Odell said the problem there was the tenants Mr. Gilley was putting in the house, it was not Mr. Gilley himself. They had not met him until that night. The renters who had been in the property were rough, trouble renters.

Council Member Ellis asked if it was correct the property was now vacant.

Ms. Odell said yes.

Mr. Mebane said he stayed at 207 Bryant, across from the property. He had heard them say nothing would change at 204. He asked about his property.

Ms. Stultz advised no.

Mayor Hall said it was only the subject lot and 204.

Council Member Ellis told Mr. Mebane he would still be R-20. He asked if the other speakers were the neighbors and lived in the property area.

Mr. Mebane said yes. He said the biggest concern among the neighbors was what would change on their end. He asked if their taxes would increase or if they would be required to hook up to City services.

Council Member Ellis asked if Mr. Mebane was on septic and was close to the property being rezoned.

Mr. Mebane said yes, and he lived right across the street.

Council Member Ellis asked how long he had lived there.

Mr. Mebane said 19 years.

Mayor Hall said nothing would change for his house.

Council Member Ellis said Mr. Mebane may want to come into the City. It was a plus.

Mayor Hall said that would be voluntary.

Mr. Mebane said if they noticed, when he first started speaking he asked what the neighbors would gain from the change.

Council Member Nooe said Council's hope would be a cleaned-up house and a new house and their property values would hopefully remain the same or be improved. There was no guarantee. That would be his hope if he voted for it, that Mr. Gilley would do what he said ... clean it up and fix it up and then build a nice house. Everybody would be better off. That would be Council's hope.

Mr. Mebane said their main concern and worry about it was if they would be forced to hook up to the City and pay City taxes.

Several people answered that they would not have to do so.

Council Member Underwood said they would only come into the City if they wanted to.

Council Member Nooe said if he had problems with his sewer and needed sewer service he could ask to be in the City and the City could provide that. Until then, Mr. Mebane could continue operating as he was.

Mr. Mebane said that was a misunderstanding they had. He guessed that was a reason they had such meetings where everyone would get a better understanding. That eased their minds a lot.

Council Member Ellis asked Mr. Mebane if the ones who did not speak were OK with that.

Mr. Mebane said yes.

Council Member Epps said anything was better than what they had.

Council Member Nooe said the issue was just a land use one, and they could not force the owner to too much of anything. Council's hope was that it would go as he had presented it and everyone would gain.

Mr. Mebane said he liked that.

Mr. Sutphin spoke from the audience and said he appreciated that it would benefit the neighborhood. Some things he said were because of the people who had lived there.

Mayor Hall said he understood their concerns and thought the landlord did too.

As there was no further discussion, Mayor Hall declared the public hearing closed.

A motion was made by Council Member Underwood to approve a zoning map amendment request to rezone 0.66 acres located at 212 Bryant Street, and to include the property located at 204 Bryant Street, from Residential-20 to Residential-12 and to approve a resolution adopting a statement of consistency regarding the proposed map amendment. Council Member Light seconded the motion. All members voted in favor of the motion. The motion carried 7-0.

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF EDEN

BE IT ORDAINED BY THE CITY COUNCIL of the City of Eden, North Carolina, that, after having fully complied with all legal requirements, including publication of notice of a public hearing and the holding of a public hearing relative thereto, the Unified Development Ordinance of the City of Eden is hereby amended as follows:

Section 1 - Change from Residential-20 (R20) to Residential-12 (R12) the following properties:

Tract ONE (Subject Property, 212 Bryant Street):

BEGINNING at a stake on Bryant Street, same being 80 feet from the intersection of Bryant and Fifth Streets; thence South 3 deg. 15 min. East 160 feet to a stake, corner of Lot No. 2; thence with the line of Lot No. 3 South 86 deg. 30 min. East 180 feet to a stake at corner of Lot No. 8; thence North 3 deg. 15 min. East 160 feet to a stake; thence North 86 deg. 30 min. West 180 feet to a stake on Bryant Street, the place of beginning. The same being lots Nos. 3 and 4, Section of 11 as per map of Oakland, made by Robert W. Kelley, August 1909. The above described property being more commonly known as 212 Bryant Street and identified by the Rockingham County Tax Dept. as PIN 7070-14-24-5587 and Parcel No. 106033.

Tract TWO (Additional Property, 204 Bryant Street):

BEGINNING at an existing iron stake (control corner) on the East right-of-way margin of Bryant Street said beginning point marking the Southwest corner of Barbara F. Land (Book 663, Page 70); thence from said beginning point along the South line of said land South 86 deg. 30 min. East 180 feet to an iron stake; thence South 3 deg. 15 min. West 180 feet (passing over an existing iron stake at 160 feet); thence along the North line of Kernersville. Sales (Book 767, Page 2152) North 86 deg. 30 min. West 180 feet to an existing iron stake (control corner) on the East right-of-way margin of Bryant Street said existing iron stake being North 86 deg. 13 min. 49 sec. East 20.47 feet from an iron marking the center line intersection of Fourth Street with Bryant Street; thence along the East margin of Bryant Street North 3 deg. 15 min. East 180 feet (passing over an existing iron stake at 20 min.) to an existing iron stake THE POINT OF BEGINNING and being 0.744 acres being all lots 1 and 2 Block 11, map of Oakland by W.B. Trogdon and the Northern 20 feet of Fourth Street (now closed). This description per plat of survey for Roscoe C. Hankins by C. E. Robertson and Associates R.L.S. dated March 11, 1996 to which reference is made for a more specific description. For source of title seek Book 696, Page 460 in closing of Fourth Street by City of Eden. The above described property being more commonly known as 204 Bryant Street and identified by the Rockingham County Tax Dept. as PIN 7070-14-24-5480 and Parcel No. 106032.

Section 2 - The Official Zoning Map of the City of Eden is hereby amended to conform with this Ordinance.

APPROVED, ADOPTED AND EFFECTIVE, this 18th day of July, 2023.

CITY OF EDEN

BY: Neville Hall, Mayor

ATTEST: Deanna Hunt, City Clerk

RESOLUTION ADOPTING A STATEMENT OF CONSISTENCY REGARDING  
A PROPOSED AMENDMENT TO THE CITY OF EDEN UNIFIED DEVELOPMENT ORDINANCE  
CASE NUMBER Z-23-04 MAP AMENDMENT

WHEREAS, pursuant to North Carolina General Statutes Chapter 160D-605, prior to adoption or rejection of any zoning amendment, the Eden City Council is required to adopt a statement as to whether the amendment is consistent with the Land Development Plan and why the City Council considers the action taken to be reasonable and in the public interest;

WHEREAS, on May 17, 2022, the Eden City Council adopted the Comprehensive Plan which included a Future Land Use Map. Plans such as the City of Eden Comprehensive Plan are not designed to be static but are meant to reflect the City of Eden's needs, plans for future development and to remain in compliance with North Carolina State Law and the City of Eden's ordinances;

WHEREAS, the City of Eden Planning Board received a request to rezone 0.66 acres located at 212 Bryant Street from Residential-20 (R20) to Residential-12 (R12).

WHEREAS, On June 27, 2023, the City of Eden Planning Board voted to recommend to the Eden City Council that the rezoning request, as amended to include the property located at 204 Bryant Street, be approved.

STATEMENT OF NEED:

The rezoning of subject property would enable the property to be utilized for uses that would benefit the City of Eden in future development and growth. These uses are compatible with the surrounding commercial and residential uses. In keeping with the residential character of the area, the application is amended to include one adjacent parcel.

STATEMENT OF CONSISTENCY:

The goals of the 2022 City of Eden Comprehensive Plan are to make smart growth decisions by carefully managing growth to:

- A. Strategically locate new land development in the most appropriate places.
- B. Maintain and enhance Eden's community character and heritage.
- C. Use infrastructure investments as effectively as possible.
- D. Attract new jobs and a more diverse tax base.
- E. Protect natural, cultural and historic resources and open space as we grow.

WHEREAS, The Eden City Council has considered the written recommendation of the City of Eden Planning Board and has held a public hearing on the proposed amendment, and the Council desires to adopt a statement describing why the adoption of the proposed amendment is consistent with the City of Eden Comprehensive Plan and why the City Council considers the proposed amendment to be reasonable and in the public interest;

NOW THEREFORE, BE IT RESOLVED BY THE EDEN CITY COUNCIL THAT:

- 1. The Eden City Council finds that the proposed amendment to the City of Eden Unified Development Ordinance is consistent with the goals and recommendations of the 2022 City of Eden Comprehensive Plan.
- 2. At no time are land use regulations or plans of the City of Eden or any jurisdiction in the State of North Carolina permitted to be in violation of the North Carolina General Statutes.
- 3. Therefore, based upon the foregoing information, the amendment to the Unified Development Ordinance is reasonable and in the public's best interest.

Approved and adopted and effective this 18th day of July, 2023.

CITY OF EDEN

BY: Neville Hall, Mayor

ATTEST: Deanna Hunt, City Clerk

- b. (1) Consideration of a zoning map amendment request to rezone two parcels located at and near 171 Childrens Lane, and to include an adjacent property identified as Parcel No. 7979-03-40-7297, and the adjacent properties located at 282, 298 and 308 Dan River Church Road, from Residential-20 to Residential Agriculture. Zoning Case Z-23-05.
- (2) Consideration of a resolution adopting a statement of consistency regarding the proposed map amendment.

Ms. Stultz wrote in a memo: The City has received a zoning map amendment request filed by Blake Corum, Property Owner, to rezone two parcels totaling in 8.9 acres located at and near 171 Childrens Lane. The request, as amended to include the property identified as PIN 7979-03-40-7297 and the properties located at 282, 298 and 308 Dan River Church Road, is to rezone the properties from Residential-20 to Residential Agriculture. The Planning and Community Development Department recommends approval of the map amendment request. At a regular meeting in June, the Planning Board voted to recommend that the City Council approve this request.



Mayor Hall declared the public hearing open and called on Ms. Stultz.

Ms. Stultz said the case was presented by Blake Corum who owned a considerable amount of property in the area. As they talked about 2020 and 2021 as they were doing the new land regulations and the new map, their judgement was not going to be perfect all the time. She thought with that one, it was a rural area. When the case was presented to them it only made sense to include the other lots. Both she and the Planning Board recommended it be changed to Residential Agriculture, and the properties outlined in blue on the map be included in the rezoning. Granted, 308, 298 and 282 were likely not 40,000 square feet. AT the present time, they were not seeing lots must smaller than 40,000 get approved without sewer. The residents would not be impacted. If their houses burned down they could build them back. If any of it was further subdivided, they would want to make sure the land use pattern was adequate to accommodate septic systems and those kinds of things. There was RA all around it. It was a rural area. Both she and the Planning Board recommended acceptance of the request as amended.

Mayor Hall again called on Jerry Flippen (who had signed up to speak) to come forward and he did not.

Blake Corum, 171 Childrens Lane, said he was the requestor. He wanted to have more accessory structures. He bought some land that was RA. The parcels were combined and two parcels were split zoned leaving him unable to build more accessory structures.

Mayor Hall asked Ms. Stultz if she had heard from any adjoining neighbors in opposition.

Ms. Stultz said no and their certified slips had come back.

As there was no further discussion, Mayor Hall declared the public hearing closed.

A motion was made by Council Member Ellis to approve a zoning map amendment request to rezone two parcels located at and near 171 Childrens Lane, and to include an adjacent property identified as Parcel No. 7979-03-40-7297, and the adjacent properties located at 282, 298 and 308 Dan River Church Road, from Residential-20 to Residential Agriculture

and to approve a resolution adopting a statement of consistency regarding the proposed map amendment. Council Member Underwood seconded the motion. All members voted in favor of the motion. The motion carried 7-0.

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF EDEN

BE IT ORDAINED BY THE CITY COUNCIL of the City of Eden, North Carolina, that, after having fully complied with all legal requirements, including publication of notice of a public hearing and the holding of a public hearing relative thereto, the Unified Development Ordinance of the City of Eden is hereby amended as follows:

Section 1 - Change from Residential-20 (R20) to Residential Agriculture (RA) the following properties:

Subject Property (171 Childrens Lane):

Tract 1:

BEGINNING at an iron pipe in the Eastern edge of Lake Street in the North line of the Clark property, said iron being located South 9 deg. 25 min. West 519 feet from an iron pipe located in the Southeast Corner of Lake Street and Spring Street; thence South 86 deg. 25 min. East 201 feet to an iron pipe in line of Clark property; thence North 9 deg. 25 min. East 38.7 feet to a point with Lot No. 14; thence North 80 deg. 35 min. West 200 feet with line of Lot No. 14 to a corner in the Eastern edge of Lake Street; thence South 9 deg. 25 min East 59 feet with Eastern edge of Lake Street, the point of beginning, and being Lot No. 13 of King Acres Addition No. 1, Leaksville, N.C., as per Survey of R.B. Carter as per map recorded in Map Book 9, page 85, in the office of the Register of Deeds, Rockingham County, N.C., of date May, 1954. The above described property being more commonly known as 171 Childrens Lane and identified by the Rockingham County Tax Dept. as PIN 7979-03-40-3262.

Tract 2:

BEGINNING at a stake set in the East edge of Lake Street, which beginning point is a common front corner between Lots 13 and 14; thence with East edge of Lake Street, North 9 deg. 25 min. East 50 feet to a stake, common front corner between Lots 14 and 15; thence line between Lots 14 and 1.5, South 80 deg. 35 min. East 200 feet to a stake, common rear corner between Lots 14 and 15; thence South 9 deg. 25 min. West 50 feet to a stake, common corner Lots 13 and 14; thence with the dividing line between Lots 13 and 14, North 80 deg. 35 min. West 200 feet to the point of beginning, and being Lot No. 14, Map of King Acres, Map Book 9, page 85, Register of Deeds Office, Rockingham County, N.C. For further reference see Deed Book 619, page 624; Deed Book 672, page 499; Deed Book 666, page 250. The above described property being more commonly known as 171 Childrens Lane and identified by the Rockingham County Tax Dept. as PIN 7979-03-40-3262.

Tract 3:

BEGINNING at a stake set in the West edge of Lake Street which beginning point is South 9 deg. 25 min. West 260 feet from the Southwest intersection of Lake Street with Spring Street and which beginning point is a common corner between Lots 5 and 6; thence and with the dividing line between Lots 5 and 6, North 80 deg. 35 min. West, and parallel with Spring Street 200 feet to a stake, a common rear corner between Lots 5 and 6; thence and with the line of J. Frank King, South 9 deg. 25 min. West 283.2 feet to a stake set in the Wilson line; thence and with the line of Wilson and Clark, South 86 deg. 25 min. East 201 feet to an iron pipe set in the West edge of Lake Street; thence and with the West edge of Lake Street 263 feet to a stake, the point of beginning and being Lot Nos. 1, 2, 3, 4, 5 as per map of King Acres, Addition No. 1, Leaksville, N.C., property of J. Frank King as per survey dated May, 1954, by R. B. Carter, Surveyor. For reference see Deed Book 292, page 574, and Map Book 9 page 85; Deed Book 649, page 788. "For further reference see Deed Book 669, at page 260." The above-described property is the same and identical property conveyed Robert H. Barnes and wife, Geneva C. Barnes, by James T. Patterson and wife, Sadie Hall Patterson, under deed dated July 7, 1972, as recorded in the Office of the Register of Deeds for Rockingham County, North Carolina, in Deed Book 682, page 431. The above described property being more commonly known as 171 Childrens Lane and identified by the Rockingham County Tax Dept. as PIN 7979-03-40-3262.

Parcel TWO (Additional Property: 282 Dan River Church Road): BEGINNING at an iron set in the West line of Royal Road marking the Northeast corner of Lot No. 23 of Kings Acres and the Southeast corner of Lot No. 22; thence with the West line of Royal Road and the East line of Lots Nos. 22 and 21, North 9 deg. 25 min. East 100 feet to an iron marking the Northeast corner Lot No. 21 and the Southeast corner of Lot No. 20; thence leaving Royal Road with the line between Lots Nos. 20 and 21, North 80 deg. 35 min. West 200 feet to an iron; thence with the West lines of Lots Nos. 21 and 22, South 9 deg. 25 min. West 100 feet to an iron marking the Southwest corner of Lot No. 22 and the Northwest corner of Lot No. 23; thence with the line between Lots Nos. 22 and 23, South 80 deg. 35 min. East 200 feet to the point of beginning, containing 20,000 square feet and being all of Lots Nos. 21 and 22 of King Acres, as surveyed and mapped by R.S. Carter, R.L.S., in March 1952. Being that parcel of land conveyed to James L. Kapps, Jr. and wife, Ann P. Kapps from Steven L. Kapps and his wife Glenda B. Kapps by that deed dated 01/31/1974 and recorded 01/31/1974 in Deed Book 692, at Page 237 of the Rockingham County, NC Public Registry. The above described property being more commonly known as 282 Dan River Church Road and identified by the Rockingham County Tax Dept. as PIN 7979-03-40-8192.

Parcel THREE (Additional Property: 298 Dan River Church Road): BEGINNING at an iron set in the West line of Royal Road marking the Northeast corner of Lot No. 25 of Kings Acres, and the Southeast corner of Lot No. 24; thence with the West line of Royal Road to the East line of Lots Nos. 24 and 23, North 9 deg. 25 min. East 100 feet to an iron marking the Northeast corner of Lot No. 23 and the

Southeast corner of Lot No. 22; thence leaving Royal Road with the line between Lots Nos. 22 and 23, North 80 deg. 35 min. West 200 feet to an iron; thence with the West lines of Lots Nos. 23 and 24, South 9 deg. 25 min. West 100 feet to an iron marking the Southwest corner of Lot No. 24 and the Northwest corner of Lot No. 25; thence with the line between Lots Nos. 25 and 24, South 80 deg. 35 min. East 200 feet to the POINT OF BEGINNING, containing 20,000 square feet and being all of Lots Nos. 23 and 24 of King Acres, as surveyed and mapped by R. B. Carter, R.L.S., in March, 1952. Deed Reference: Book 678, Page 317 and Book 769, Page 1649. The above described property being more commonly known as 298 Dan River Church Road and identified by the Rockingham County Tax Dept. as PIN 7978-01-49-8979.

Parcel FOUR (Additional Property: 308 Dan River Church Road): BEGINNING at an iron marking the Northeast corner of Lot No. 25 and the Southeast corner of Lot No. 24, as per map of R. B. Carter, R.L.S. in March, 1952, King Acres, said iron being in the West line of Royal Road; thence with the West edge of Royal Road South 9 deg. 25 min. West 68.3 feet to an iron marking the Southeast corner of Lot No. 25; thence with the South line of Lot No. 25, North 86 deg. 25 min West 201 feet to an iron marking the Southwest corner of Lot No. 25; thence with the West line of Lot No. 25, North 9 deg. 25 min., North 9 deg. 25 min. East 88.7 feet to an iron marking the Northwest corner of Lot No. 25, and the Southwest corner of Lot No. 24; thence with the line between Lots Nos. 25 and 24, South 80 deg. 35 min. East 200 feet to the POINT OF BEGINNING and being all of Lot No. 25, as shown on the above described deed. See Deed Book 434, Page 305. The above described property being more commonly known as 308 Dan River Church Road and identified by the Rockingham County Tax Dept. as PIN 7978-01-49-8953.

Section 2 - The Official Zoning Map of the City of Eden is hereby amended to conform with this Ordinance.

APPROVED, ADOPTED AND EFFECTIVE, this 18th day of July, 2023.

CITY OF EDEN

BY: Neville Hall, Mayor

ATTEST: Deanna Hunt, City Clerk

A RESOLUTION ADOPTING A STATEMENT OF CONSISTENCY REGARDING A PROPOSED AMENDMENT TO THE  
CITY OF EDEN UNIFIED DEVELOPMENT ORDINANCE  
CASE NUMBER Z-23-05 MAP AMENDMENT

WHEREAS, pursuant to North Carolina General Statutes Chapter 160D-605, prior to adoption or rejection of any zoning amendment, the Eden City Council is required to adopt a statement as to whether the amendment is consistent with the Land Development Plan and why the City Council considers the action taken to be reasonable and in the public interest;

WHEREAS, on May 17, 2022, the Eden City Council adopted the Comprehensive Plan which included a Future Land Use Map. Plans such as the City of Eden Comprehensive Plan are not designed to be static but are meant to reflect the City of Eden's needs, plans for future development and to remain in compliance with North Carolina State Law and the City of Eden's ordinances;

WHEREAS, the City of Eden Planning Board received a request to rezone two parcels totaling in 8.9 acres located at and near 171 Childrens Lane from Residential-20 (R20) to Residential Agriculture (RA).

WHEREAS, On June 27, 2023, the City of Eden Planning Board voted to recommend to the Eden City Council that the rezoning request, as amended to include the property identified as PIN 7979-03-40-7297 and the properties located at 282, 298 and 308 Dan River Church Road, be approved.

STATEMENT OF NEED:

The RA District is intended to accommodate lower-density residential and agricultural uses. Areas within this district may be restricted due to lack of available utilities, unsuitable soil types or steep slopes. In keeping with the rural character of the area, the application is amended to include four adjacent parcels.

STATEMENT OF CONSISTENCY:

The goals of the 2022 City of Eden Comprehensive Plan are to make smart growth decisions by carefully managing growth to:

- A. Strategically locate new land development in the most appropriate places.
- B. Maintain and enhance Eden's community character and heritage.
- C. Use infrastructure investments as effectively as possible.
- D. Attract new jobs and a more diverse tax base.
- E. Protect natural, cultural and historic resources and open space as we grow.

WHEREAS, The Eden City Council has considered the written recommendation of the City of Eden Planning Board and has held a public hearing on the proposed amendment, and the Council desires to adopt a statement describing why the adoption of the proposed amendment is consistent with the City of Eden Comprehensive Plan and why the City Council considers the proposed amendment to be reasonable and in the public interest;

NOW THEREFORE, BE IT RESOLVED BY THE EDEN CITY COUNCIL THAT:

1. The Eden City Council finds that the proposed amendment to the City of Eden Unified Development Ordinance is consistent with the goals and recommendations of the 2022 City of Eden Comprehensive Plan.
2. At no time are land use regulations or plans of the City of Eden or any jurisdiction in the State of North Carolina permitted to be in violation of the North Carolina General Statutes.
3. Therefore, based upon the foregoing information, the amendment to the Unified Development Ordinance is reasonable and in the public's best interest.

Approved and adopted and effective this 18th day of July, 2023.

CITY OF EDEN

BY: Neville Hall, Mayor

ATTEST: Deanna Hunt, City Clerk

REQUESTS AND PETITIONS OF CITIZENS:

*No one signed up to speak at this time.*

UNFINISHED BUSINESS:

*There was no unfinished business at this time.*

NEW BUSINESS:

- a. Consideration to adopt a resolution supporting the creation of the Eastern Piedmont N.C. Home Consortium.

Mayor Hall called on Ms. Stultz.

Ms. Stultz said heretofore, the home program was related to the Community Development Block Grant money. That kind of money to help with local projects and housing improvements had not been available to those who were not in entitlement cities and counties. After the application was submitted by Burlington Alamance, they were notified they could include in the consortium the cities within the counties they covered, which included Eden. If the City was not included, there would be no money available to the City. She said that in a loose sense because unless Council decided to do an affordable housing community as a City, the City would not be required to put any funding in but it would make extra funding available to developers they might attract and to projects they might need. It was an extra tool in the toolbox to improve their housing conditions without Council having to commit to anything unless they made a conscious decision at some point. She thought the City would be remiss if they did not join the consortium for the benefit of the citizens.

A motion was made by Council Member Underwood to adopt a resolution supporting the creation of the Eastern Piedmont N.C. Home Consortium. Council Member Ellis seconded the motion. All members voted in favor of the motion. The motion carried 7-0.

RESOLUTION SUPPORTING THE CREATION OF THE EASTERN PIEDMONT NC HOME CONSORTIUM

WHEREAS, if approved, this resolution would offer support for the creation of the Eastern Piedmont NC Home Consortium and further authorizes the City Manager to negotiate and enter into an agreement with other units of local government in the five (5) counties in creating the consortium, and further authorizes the City Manager to sign all contracts, grant agreements, certifications with the US Department of Housing and Urban Development, the State of North Carolina, or other agencies as may be required to carry out the activities of the consortium.

WHEREAS, the creation of the HOME Consortium provides an opportunity for federal block grant funding to be used toward the development of affordable housing opportunities within the Eastern Piedmont Consortium, which covers Alamance, Caswell, Davidson, Randolph and Rockingham Counties. This action does not commit the City to provide any funding, as the only time a funding commitment may be required is if the City were to pursue grant funding through the consortium for an affordable housing initiative.

WHEREAS, the HOME Investment Partnerships Program (HOME) provides formula grants to States and localities that communities use, often in partnership with local nonprofit groups, to fund a wide range of activities including building, buying, and/or rehabilitating affordable housing for rent or homeownership, or providing direct rental assistance to low-income households. HOME is the largest



Federal block grant to state and local governments, designed exclusively to create affordable housing for low-income households, with HOME funds awarded annually as formula grants to participating jurisdictions.

WHEREAS, generally, units of local government form consortia to access direct formula allocations of HOME funds to support housing activities and programs, for which States are automatically eligible for HOME funds and receive their formula allocation or \$3 million, whichever is greater. Local jurisdictions eligible for at least \$750,000 under the formula also can receive a direct allocation. Communities that do not qualify for an individual allocation under the formula can join with one or more neighboring localities in a legally binding consortium whose members' combined allocation would meet the threshold for direct funding. Under current funding levels, if all eligible counties, and municipalities, join this consortium, the proposed consortium would have funding of approximately \$2,172,070 annually. The net funding level after deducting administrative fees used to run the program would be approximately \$1,960,000.

WHEREAS, there is a 25% on-going match requirement on all funds drawn from the consortium's HOME Investment Trust Fund treasury account in that fiscal year. The 25% non-federal match can be in the form of cash, assets, labor or other services valuable to the HOME program. The 25% match will be the responsibility of the recipient accessing the funds on a project by project basis. In the current regional consortium, funds from private and non-profit partners have produced far more match funds than would be required and no local funds have been required for match. No money is required from local governments to join the consortium.

NOW, THEREFORE, BE IT RESOLVED BY THE EDEN CITY COUNCIL, that the Board is in support of participation in an agreement to join the Eastern Piedmont NC HOME Consortium, which will provide an opportunity for Low Income Residents of the City to receive benefit from grant funds to be used toward the development of affordable housing.

APPROVED, ADOPTED AND EFFECTIVE this 18th day of July, 2023.

BY: Neville Hall, Mayor

ATTEST: Deanna Hunt, City Clerk

REPORTS FROM STAFF:

a. City Manager's Report.

Mayor Hall called on City Manager Jon Mendenhall.

Mr. Mendenhall said he would be happy to answer any questions.

Mayor Hall thanked him for the detailed report. Copies were available at the meeting, in Eden's Own Journal, and on the City's website.

Council Member Light said he would like to see Council, if no one had an objection, to direct staff to begin the process to bring a social district concept to Council for the Uptown Leaksville area. The downtown merchants had requested it to be considered. He would like staff to present a report once the information was gathered.

Mr. Mendenhall said staff would be happy to if that was the will of the Council.

Council Member Underwood said he would also like to include a public forum or meeting to see what the public thought about it. He would definitely like to know what the citizens thought.

Mr. Mendenhall asked if Council wanted their information first and then a forum, or the forum first.

Council Member Light said he would like to have the information first to which Mayor Hall and Council Member Moore agreed.

Mr. Mendenhall said that sounded good and staff would be happy to provide it.

City Manager's Report July 2023

ADMINISTRATION DEPARTMENT

Marketing & Communications Office

Our rivers are ready for you and your adventures! We want you to have fun and stay safe. Here are some safety guidelines to remember while you are on the water:

1. Wear your life jacket! It's always possible to capsize in any water condition.
2. Make sure you know where you are going. Always tell a responsible person about your plans of where you will be and when you expect to return.
3. Check the weather forecast before you leave for your destination so that you can pack the proper equipment.
4. Know the water conditions. Sometimes the river will be high, low, or a dam may be releasing. This makes water conditions very different and it is important to know what to expect.
5. Know the rules to navigate the water. Find out what you need to know while on waterways.
6. Beware of Strainers. Strainers are fallen trees, bridge pilings, undercut rocks, or anything else that allows the current to flow through it while holding you. Strainers are deadly.
7. Never go boating or tubing while under the influence of alcohol or drugs.
8. Know your paddling abilities and plan your outings accordingly.
9. Dress appropriately for weather conditions. Carry extra clothes in a dry bag in case you flip and go for a swim.
10. Never float or paddle over low-head dams, avoid fallen trees and other in-stream obstructions.
11. Do not stand up in a canoe or kayak, and avoid weight shifts that may cause capsize.
12. If it is your first time on the water, travel with an experienced person that has navigated that part of the river before.

Come out and watch the movies under the stars at our nostalgic EDEN DRIVE IN! Gates open at 6:30 p.m. on weekends and the first movies starts at dark. The grill is open for business.

A HUGE THANK YOU to all those who sponsored and attended our Oink & Ale 2023. It was such a FUN night with a record crowd. See you next year!

Looking ahead on the calendar we have the following events coming up:

Summer Grown & Gathered – Thursday, August 10

Touch-A-Truck – Saturday, August 19

20 Annual RiverFest – Friday, September 15 & Saturday, September 16

## PARKS & RECREATION DEPARTMENT

### Recreation Division

Bridge Street: Bridge Street Recreation Center stays busy with daily walkers and fitness classes. It has been rented out for parties and other special events during the month of June. Summer Camp is in full swing with daily activities with close to 35 kids participating.

Mill Avenue: Pickleball is being played Monday, Tuesday, Wednesday and Friday. Cornhole is still a popular sport. Kids are coming down during the summer playing basketball and hanging out.

Aquatics: The Mill Avenue Pool and Freedom Park Splash Pad have an average of 125 swimmers daily and are also being rented out for special events. Mill Avenue Pool had 39,000 visits the month of June.

Freedom Park: Weekend tournaments with either adult or girls fast pitch are still continuing through the summer.

Senior Citizens: Our seniors are taking advantage of senior center programs including outdoor programs. Such activities included a trip to Alaska, physical and well-being checks, and bingo.

## PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

### Local Codes and Inspections

High grass complaints seem to be slowing down a little, as they typically do as the summer heats up and the grass is not growing as fast as in earlier months. We are still receiving nuisance complaints either by phone or through our *SeeClickFix* App available to all citizens. While we still only have one inspector, complaints continue to be addressed in a timely manner and notices sent as needed. The inspector is also checking for other code violations as he sees them out in the field and submitting them to have notices sent to the property owners. Most abatements are being handled by outside contractors as Facility Maintenance is tied up with other duties.

#### Permits

Building and trade permit applications are received in person, via e-mail and by fax then issued from the Planning Department. Hard copies of permits are mailed to contractors usually once a week on Friday. A copy of each permit is filed by property address for each trade.

There were 255 inspections conducted in the month of June.

#### Boards & Commissions

The Community Appearance Commission met for the month of June and discussed future projects.

The Historic Preservation Commission met for the month of June and discussed future projects.

The Tree Board met for the month of June and discussed future projects.

The Planning Board met twice in the month of June. The special request meeting on June 8 reviewed the Street Closing case SC-23-01, closing an unopened section of Houchins Street. The Planning Board approved the request. The regular scheduled meeting on June 27 reviewed Zoning Cases Z-23-04 and Z-23-05, both map amendments. Z-23-04, map amendment of 0.66 acres located at 212 Bryant Street Residential-20 to Residential-12. Application filed by James Gilley of JMG Properties of Eden LLC, owner of subject property. The Planning Board approved the request, as amended. Z-23-05, map amendment of two parcels totaling in 8.9 acres located at and near 171 Childrens Lane from Residential-20 to Residential Agriculture. Application filed by Blake Corum, owner of subject property. The Planning Board approved the request, as amended.

#### Gus Shinn Mural Project

Staff has been in contact with the artists for the Gus Shinn Mural Project about the progress, which is more than satisfactory. The artists plan to complete the project in the month of July.

#### Ferry Road Sign Project

Staff researched sign making options for the Ferry Road Sign Project.

#### Downtown Planters

Staff planted new flowers in the planters along South Fieldcrest in the Draper area and along the Boulevard.

#### Veterans Park Beautification Project

Staff contacted a representative of a local garden club in hopes to establish a public/private relationship to help facilitate the Veterans Park Beautification Project this fall, as well as other projects in the future.

#### POLICE DEPARTMENT

All FY2022-23 Capital Projects have been completed. As we move forward into FY2023-24 we have begun obtaining quotes on the purchases of vehicles, ammunition and uniforms.

Today we are testing GLOCK handguns at the Eden Range. We have invited the whole agency to the testing, but have selected a diverse group of officers to test the different models and provide feedback.

Trainee Philip Martin has transferred to the GTCC BLET where he was selected as the class leader. His test scores have been good since the transfer and he is on track to graduate the beginning of August.

We are currently conducting background investigations on four potential hires. If selected three would begin BLET in July/August 2023 as full-time trainees. We anticipate hiring the fourth applicant (transfer) as soon as we receive approval from North Carolina Training and Standards.

#### FIRE DEPARTMENT

The Fire Department responded to 85 calls for the month of June. On June 3, the Fire Department participated in a Smoke Alarm event. OSFM put on this program and all the smoke alarms installed are received through a grant program. During this event, the City of Eden Fire Department installed 41 smoke alarms in the Grand Oaks section of the City.

#### PUBLIC WORKS DEPARTMENT

### Streets

Work is approximately 50% complete on the Monroe Street streetscape project. As this is the busy season for vegetative maintenance on the roadside right-of-way, the right-of-way mower has been busy along with numerous employees from across the division to keep the roadsides looking professional. Roadside litter crews are also gearing up using seasonal part-time employees to redouble efforts at keeping the city looking clean.

### Construction

Construction completed a waterline upgrade serving Maple Lane and will be turning their attention next on some finished grading at the City's Fuel Depot. The grading for the Dog Park has been looked at and a solution involving catch basins has been reached to address drainage in that area (this will be scheduled for a later date when grass can be re-established more easily post-excavation).

### Collections & Distribution

Work is progressing in this unit; routine items include repairs/replacements/clearing blockages as needed and maintaining outfalls. Inventory availability has been a problem as supply chain shortages are still a problem for several types of parts used commonly for water meters and meter bases.

### Solid Waste

Solid Waste continues to provide reoccurring municipal solid waste collection keeping our community clean.

### Fleet

Fleet is in the process of ordering new software and gearing up for the fleet purchases as outlined in the budget. Work is on-going on the new city fuel system and depot, the system is on order, the pad is graded and ready for construction.

### Utilities

The Wastewater Treatment Plant is substantially complete on work related to the headworks – bar screens as part of identified capital improvement to the plant.

The Water Treatment Plant is substantially complete on building upgrades to the filter gallery hall and the laboratory. Generator switchgear work is complete. One sludge scrapper has been prepared for painting as part of on-going maintenance to this equipment.

Water Resources is continuing to work on installing generators at pump stations that do not have generators and upgrading the layout of pump stations to make emergency pump operations more efficient

### CONSENT AGENDA:

Mayor Hall noted the Consent Agenda included funding for the north basin of the wastewater treatment plant. He thanked staff for securing grants for that work. He appreciated what was done on that.

- a. Approval and adoption of the June 20, 2023 regular Council meeting minutes.
- b. Approval and adoption of a resolution approval the Local ABC Board's Travel Policy.

Gary Robinette, manager of the Eden ABC Store and representing the ABC Board, wrote in a letter: I am writing at the request of the Eden ABC Board. N.C. General Statute 18B-700(g2) requires that local ABC Boards adopt a travel policy that conforms to the travel policy of the appointing authority and such policy is to be approved by the appointing authority annually. We are seeking this approval from the City Council. If approved, as stated in the statute, the local board shall annually provide the appointing authority's written confirmation of such approval to the ABC Commission, and a copy of the travel policy authorized by the appointing authority. I am requesting that City Council consider this item on their consent agenda at the July 18, 2023 meeting.

- c. Approval and adoption of a resolution funding the north basin of the Wastewater Treatment Plant.

RESOLUTION ACCEPTING STATE GRANT FOR THE NORTH BASIN OF THE WASTEWATER TREATMENT PLANT

WHEREAS, the North Carolina Clean Water Revolving Loan and Grant Act of 1987 has authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems, water conservation projects, and

WHEREAS, the North Carolina Department of Environmental Quality has offered a State Grant in the amount of \$9,148,000 for funding an evaluation, upgrade, and renovation to the severely deteriorated north aeration basin at the Eden WWTP, and

WHEREAS, the City of Eden intends to construct said project in accordance with the approved plans and specifications,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF EDEN:

That the City does hereby accept the State Grant offer of \$ 9,148,000.

That the City of Eden does hereby give assurance to the North Carolina Department of Environmental Quality that all items specified in the grant offer, Section II - Assurances will be adhered to.

That Jon Mendenhall, City Manager, 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.

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

APPROVED, ADOPTED AND EFFECTIVE this 18th day of July, 2023.

BY: Neville Hall, Mayor

ATTEST: Deanna Hunt, City Clerk

A motion was made by Council Member Epps to approve the consent agenda. Council Member Light seconded the motion. All members voted in favor of the motion. The motion carried 7-0.

#### ANNOUNCEMENTS:

Mayor Hall noted Shaggin' on Fieldcrest was July 22 from 2-10 p.m. and it would have great music and great fun. Grown & Gathered would be August 10.

Council Member Ellis noted it was the 10th year of Shaggin' on Fieldcrest. Tony Smith from Draper would be opening it up and The Embers would be there.

Mayor Hall said it was a great event and he appreciated the collaboration between the City and volunteers to put it on.

Council Member Underwood asked Ms. Stultz for a report on Fire Station 2.

Ms. Stultz said staff had a weekly meeting with the consultants and state trying to get to a point where it could be put out for bid. They were very close. They had jumped through the last hurdle and were waiting to hear from Raleigh.

Council Member Underwood asked if she had an idea of the timeframe.

Ms. Stultz anticipated it would be bid out in the next month or so. They had to put it out for bids and wait on those to come back but she hoped they could start that process shortly.

Council Member Underwood said that was great and thanked her.

Council Member Epps wanted to thank Parks & Recreation for working out in the heat. He was at the park earlier and it was full. It was great to see that activity.

#### ADJOURNMENT:

As there was no further business to discuss, a motion was made by unanimous consent to adjourn.

Respectfully submitted,

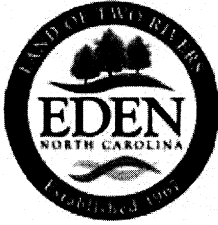
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Deanna Hunt  
City Clerk

ATTEST:

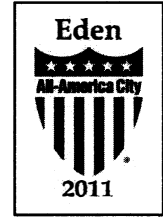
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Neville Hall  
Mayor



## Design & Construction

P.O. Box 70, Eden, NC 27289-0070  
 308 E. Stadium Drive, Eden, NC 27288  
 (336) 623-2110  
 Fax (336) 623-4041



## Memorandum

To: Honorable Mayor and City Council

Through: Jon Mendenhall, City Manager

From: Bev O'Dell, Design and Construction Manager *BOE*

Cc: Deanna Hunt, City Clerk  
 Kelly K. Stultz, AICP, Director of Planning & Inspections

Date: August 4, 2023

Re: **Consideration of Proposed Water Main Extension  
 by Dan River Water, Inc. along NC 770**

Mike Lemons, Utility Supervisor for Dan River Water, Inc., is requesting that City Council grant approval for the proposed installation of about 375 LF of 6-inch diameter PVC water main along NC 770 near the entrance to the Whispering Pines subdivision. The short extension of the existing Dan River Water, Inc. water main is located about 1.4 miles west of our city limits. Approval of the proposed improvements is being requested in accordance with the water purchase agreement between the City of Eden and Dan River Water, Inc.

Preliminary plans for the proposed water main improvements, prepared by William E. Mitchell Associates, are enclosed for your review and information. The Engineer's Report for the project is also enclosed. The proposed improvements are intended to serve three single-family residences.

It is recommended that the proposed Dan River Water, Inc. water main extension along NC 770 be allowed to proceed towards getting plan approval from Public Water Supply Section, then installed when DRW has the funding needed. If you have any questions, please do not hesitate to contact me, or Mike Lemons, prior to the August City Council meeting.

Thanks for reviewing and considering this matter.

# WILLIAM E. MITCHELL ASSOCIATES

CIVIL ENGINEERS, LAND PLANNERS & SURVEYORS

**ENGINEER'S REPORT NO. 1  
WATER MAIN EXTENSION  
N.C. HIGHWAY 770  
ROCKINGHAM COUNTY  
JULY, 2023**

- (1) Existing water system : Dan River Water Incorporated water system
- (2) Facility served : Extension of Dan River Water Incorporated water system to serve a portion of N.C. Highway 770  
375 L.F. 6" water main
- (3) Applicant : Dan River Water Incorporated  
610 Patrick Street  
Eden, N.C. 27288
  
- Owner : Dan River Water Incorporated  
610 Patrick Street  
Eden, N.C. 27288
  
- (4) Facilities served : Potential 3 single-family residences
- (5) Future service : N/A; no expansion plans
- (6) Alternate plans : None; site is within Dan River Water Incorporated service area
- (7) Financial considerations : Cost borne by Dan River Water, Incorporated from available funds
- (8) Future demand : N/A; no expansion plans
- (9) Character of source of water supply : Supplied by City of Eden; no known sources of pollution
- (10) Water treatment processes : N/A; water provided by City of Eden
- (11) Purchased water : Dan River Incorporated purchases all water from City of Eden
- (12) Description of design basis : N/A; water provided by City of Eden
- (13) Daily demand data : Water provided by City of Eden; daily demand does not exceed agreement with City of Eden for purchase of water
- (14) Infrastructure improvements : N/A; water provided through existing Dan River Water Incorporated system



7-18-22



- (15) Average Daily Demand = 881,700 gal.  
Maximum Daily Demand = 1,055,800 gal.
- (16) Maximum daily treated water that can be purchased from City of Eden = 1,666,666 gal.
- (17) Total storage capacity (elevated & ground) = 1,529,000 gal.

# N.C. HIGHWAY 770

**LEGEND**

- Pole Utility
  - ⊗ Pole Light
  - Pole
  - ▲ Sign Small
  - Catch Basin-Drop Inlet
  - ▭ Culvert Headwall
  - Proposed Fire Hydrant
  - ⊕ Proposed Water Valve
  - ⊗ Existing Water Valve
  - ⊕ Existing Water Meter
  - ⊕ Existing Telephone Pedestal
  - Mailbox
  - R/W Right-of-Way
  - ⊔ Centerline
  - E.I.S. Existing Iron Stake
  - RCP Reinforced Concrete Pipe
  - CPP Corrugated Polyethylene Pipe
  - CMP Corrugated Metal Pipe
  - EP Edge of Pavement
- x-x-x-x- Fence
  - - - - - Easement
  - - - - - Right-of-Way
  - - - - - Stream River
  - - - - - Existing Waterline
  - T - T - Existing Underground Telephone
  - TV - TV - Existing Underground Cable Television
  - GAS - GAS - Existing Underground Natural Gas
  - FO - FO - Existing Underground Fiber Optic
  - P - P - Existing Underground Power
  - OH - OH - Existing Overhead Power



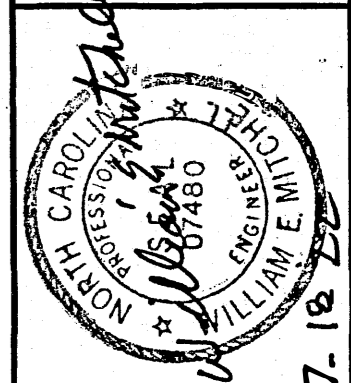
**CONSTRUCTION SEQUENCE:**

1. INSTALL SILT FENCES AND STONE DITCH CHECKS WHERE NOTED.
2. BEGIN LITILITY INSTALLATION; PROTECT STORM DRAIN INLET OPENINGS FROM SILTATION WITH STONE CHECK DAMS OR STRAW WATTLES.
3. SLOPES GREATER THAT 3:1 TO BE SEEDED WITHIN 7 CALENDAR DAYS OF COMPLETION OF CONSTRUCTION.
4. COMPLETE UTILITY INSTALLATION; INSTALL NETTING WHERE DITCH LINES HAVE BEEN DISTURBED; PERMANENTLY SEED ALL REMAINING DISTURBED AREAS WITHIN 14 CALENDAR DAYS OF COMPLETION OF CONSTRUCTION.

**NOTES**

1. ALL WORK TO BE DONE IN ACCORDANCE WITH STANDARDS & SPECIFICATIONS OF DAN RIVER WATER, INC.
2. INFORMATION CONCERNING EXISTING UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS, ULOCO MARKINGS, AND FIELD SURVEY. HOWEVER, THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION OF ALL UTILITIES BY DIGGING TEST PITS BY HAND AT ALL CROSSINGS WELL IN ADVANCE OF TRENCHING. PRIOR TO BEGINNING WORK THE CONTRACTOR MUST PROVIDE 48 HOURS NOTICE TO DAN RIVER WATER, INC., THE N.C.D.O.T., & ALL OTHER APPROPRIATE UTILITY COMPANIES. FOR FIELD LOCATION OF EXISTING UTILITIES THE CONTRATOR SHOULD CALL NC ONE CALL AT 1-800-632-4949.
3. STORM DRAIN INLETS & DRIVEWAY PIPES MUST BE PROTECTED FROM SILTATION BY USE OF STONE DITCH CHECKS OR STRAW WATTLES.
4. DRIVEWAY PIPES TO BE REMOVED & REPLACED AS REQUIRED FOR CONSTRUCTION.
5. DISTURBED AREA =15' MAX. WIDTH ALONG ROUTE OF WATER LINE

RE: J ME, 2 023  
SCALE: 1" = 80'  
R REED:



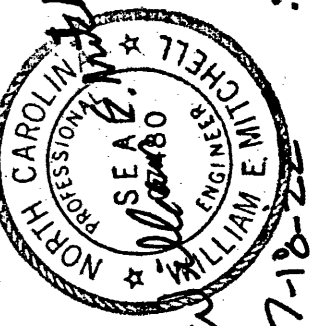
**WILLIAM E. MITCHELL ASSOC.**  
CIVIL ENGINEERING ~ SURVEYING ~ LAND PLANNING  
1903 C. ASHWOOD COURT  
GREENSBORO, N.C. 27455  
336-540-0060

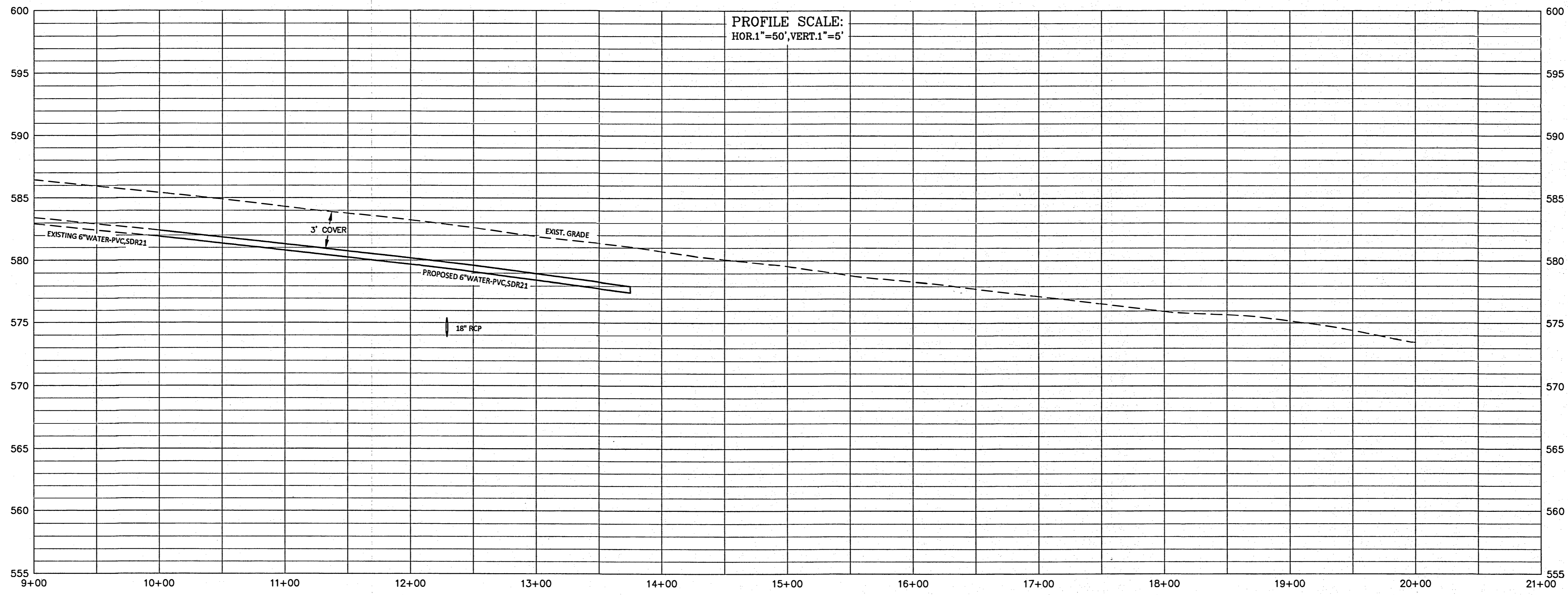
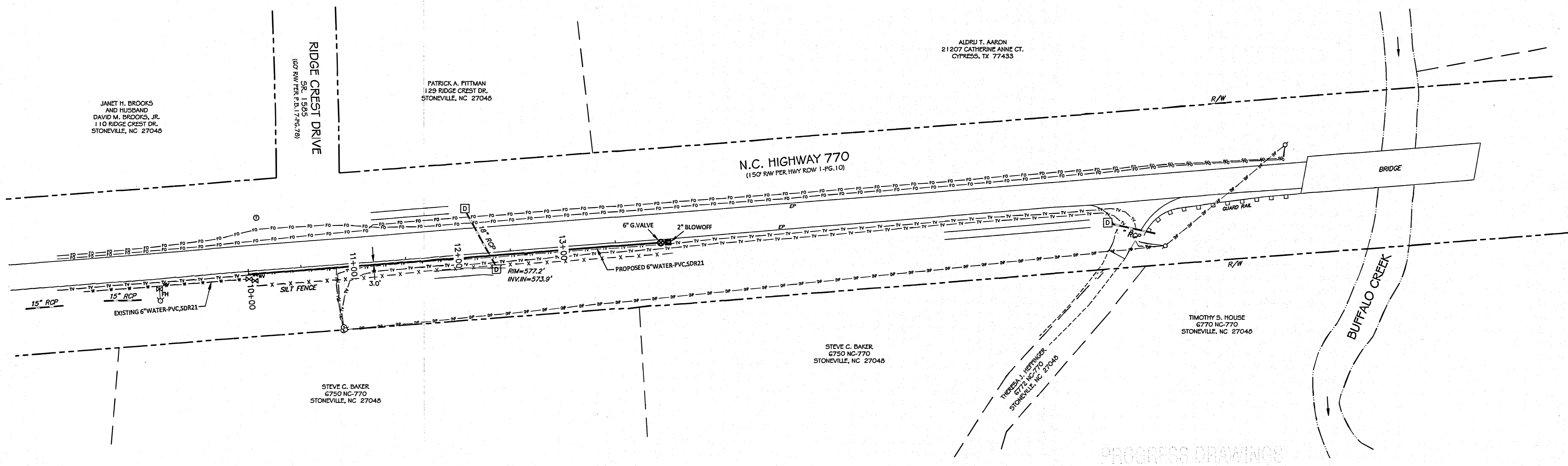
**DAN RIVER WATER, INC.**  
610 PATRICK STREET  
EDEN, N.C. 27288  
336-62-32526

OVER SHEET  
**NC. HIGHWAY 770**  
MAYO TOWNSHIP  
ROCKY CASH & CITY - NOR THCA RUINA

M.C. GRAY WADSWORTH (2011)

- GENERAL NOTES**
1. ALL WATER LINE INSTALLATION TO BE DONE IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS OF DAN RIVER WATER, INC.
  2. INFORMATION CONCERNING EXISTING UTILITIES WAS OBTAINED FROM FIELD SURVEY AND AVAILABLE RECORDS. HOWEVER, THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION OF ALL UTILITIES BY DIGGING TEST PITS BY AND AT ALL CROSSINGS WELL IN ADVANCE OF TRENCHING. FOR ASSISTANCE WITH FILED LOCATION OF EXISTING UTILITIES THE CONTRACTOR SHOULD CONTACT ALL APPROPRIATE UTILITIES AND NC CALL ONE AT 1-800-632-4549.
  3. DISTURBED DITCH LINES TO BE STABILIZED WITH NETTING (NORTH AMERICAN 575 OR EQUAL), MINIMUM WIDE=4', CENTERED OVER DITCH LINE.
  4. TRACER WIRE TO BE INSTALLED WITH PIPE. WIRE TO BE LOOPED INTO METER BOXES, CUT-OFF VALVES, & AT F.H.
  5. DISTURBED AREA=15' MAX. WIDTH ALONG ROUTE OF WATER LINE

DATE: JUNE, 2023  
 SCALE: 1"=50' (HORIZONTAL)  
 1"=5' (VERTICAL)  
 REVISED:  




**WILLIAM E. MITCHELL ASSOC.**  
 CIVIL ENGINEERING ~ SURVEYING ~ LAND PLANNING  
 1903 C ASHWOOD COURT  
 GREENSBORO, N.C. 27455  
 336-540-0060

**DAN RIVER WATER, INC.**  
 610 PATRICK STREET  
 EDEN, N.C. 27288  
 336-623-2526

PLAN/PROFILE FOR  
**N.C. HIGHWAY 770**  
 MAYO TOWNSHIP  
 ROCKINGHAM COUNTY - NORTH CAROLINA