

**Maiden Town Council Regular Meeting  
Tuesday, November 9, 2021, 6 P.M.  
Council Chambers, Maiden Town Hall**

**Agenda for November 9, 2021, Council Meeting**

1. Call to Order-Mayor Max Bumgarner, Jr.
2. Invocation – Mayor Max Bumgarner, Jr.
3. Pledge of Allegiance – Mayor Max Bumgarner
4. **Approval of the Agenda (Motion)**
5. [Approval of Regular Meeting Minutes 10/12/2021\(Motion\)](#)
6. **Citizens Requests & Comments**
7. **Public Hearing**
  - a. [Zoning Text Amendment – UDO Update](#)
8. **New Business**
  - a. [Council Meeting Schedule 2022 \(Motion\)](#)
  - b. [Holiday Schedule 2022 \(Motion\)](#)
9. **Ordinance/ Resolution**
  - a. [Ordinance #14-2022 An Ordinance to Amend The Maiden Code of Ordinances. \(Motion\)](#)
  - b. [Resolution 5-2022 Intent To Close And Abandon An Unused Street And Right of Way In The Town of Maiden, NC \(Motion\)](#)
10. **Adjourn (Motion)**

**October 12, 2021**  
**MINUTES OF REGULAR MEETING**  
**TOWN OF MAIDEN**

The Maiden Town Council met on Tuesday, October 12, 2021, at 6:00 p.m. for their regularly scheduled meeting, held in the Town of Maiden Council Chamber.

Present for the meeting were, Mayor Max Bumgarner Jr., Mayor Pro Tem Danny Hipps, Councilmembers Trina Michael, Beth Rudisill, Bob Sigmon, and Ronnie Williams.

Also, present were Town Manager Todd Herms, Town Attorney Scott Conrad, Town Clerk-HR Officer Wanda Barnes.

Others attending: See attached sheet.

The meeting was called to order at 6:00 p.m. by Mayor Max Bumgarner Jr.

The invocation was given by Councilmember Ronnie Williams

The Pledge of Allegiance was led by Councilmember Ronnie Williams

4. Approval of the Agenda

**MOTION WAS MADE BY COUNCILMEMBER RONNIE WILLIAMS AND SECONDED BY COUNCILMEMBER BOB SIGMON TO APPROVE THE AGENDA AS PRESENTED. MOTION CARRIED UNANIMOUSLY 5-0.**

5. Approval of Regular and Closed Session Meeting Minutes

**MOTION WAS MADE BY COUNCILMEMBER BOB SIGMON AND SECONDED BY COUNCILMEMBER BETH RUDISILL TO APPROVE THE 9/14/2021 REGULAR MINUTES AS PRESENTED. MOTION CARRIED UNANIMOUSLY 5-0.**

6. Citizens Request & Comments

Finance officer Jessica White acknowledges the Finance Department new employee Sherlyn Larios De Jesus, Customer Service and Finance Technician.

Mayor Pro Tem Danny Hipps stated, I would like to commend the Recreation Department and the Town employees for the Fall festival. It was a great turnout. Keaton I would encourage you to share the information on the Christmas parade and Merry Maiden to get the word out there.

Councilmember Beth Rudisill stated, have we heard anything else about the covid grant money? Town Manager, Todd Herms stated, we are working things out with our grant administrator. There are some logistic items they are working out, but it should be released the first quarter of 2022. Councilmember Beth Rudisill stated, are those funds to with help utilities or rent and utilities? Mr. Herms stated, I think it's

just utilities, but they are finding out it there is a need for both.

Councilmember Beth Rudisill stated, October 17th is the hunger walk for Catawba County Christian Ministries. I would like to suggest that we have a team from Maiden. I would like for us to be the leaders. If you can't walk, you can just come and hang around. Registration is at 2:00 o'clock or you can go ahead and register online now. I would love to see lots of members of our community. It is in Newton and registration is at the Amphitheatre. It is a three-mile walk. It will be a lot of communication and a good time.

Samantha Saunders stated, I would like to give an update from the Maiden business association. The month of October we were able to help two families. The first family we help with the power bill and the other family had grown by three children. We did not reach out to the family; we were contacted by Ramp. Merry Maiden downtown is December 16<sup>th</sup>, which is a Thursday. It is 5:30 or 6:00 O'clock. The rain date is the following Monday.

Mayor Max Bumgarner, Jr. stated, I would like to thank Samantha for Jive after fives She did a great job, and everyone had a great time.

#### Consent Agenda

##### A. Finance Officer's Report – As of 9/30/2021 (Motion)

**MOTION MADE BY MAYOR PRO TEM DANNY HIPPS AND SECONDED BY COUNCILMEMBER TRINA MICHAEL TO APPROVE THE FINANCE OFFICER'S REPORT AS OF 9/30/2021; MOTION CARRIED UNANIMOUSLY. 5-0.**

##### 7. Presentation

##### A. EDC-Scott Millar & Lindsey Keisler, Discussion on ENC & Workforce Outlook for Maiden.

Mr. Scott Millar from EDC stated, I'm here to congratulate you on several things. McCreary Modern announces a new facility and expansion here in Maiden. That is a phenomenal success story. The employee stock own company and the benefit package should help them stand head and shoulder with other companies in employment. I have been working with the Town for thirty years in Economic Development. I look back at your balance and success. You had trying years back in 1982. Industrial development Commission located a little German company called Utrided gears corporation. I have photographs overtime and its initial facility. It expanded several different times and of course, now it is the third largest employer in Catawba County and a substantial taxpayer . The small Germany company they now call GKN. It is interesting when you think through Apple, Valecor nonwoven and South fork Industries. Because of these industries and the good leadership, you balance out the new, old, big, and small industries. What has happened, you have the lowest tax rate in the region, stable electric rates, long term competitive utility rates. You are in a very competitive position. Not everyone has been able to accomplish that. Right now, is one of the toughest times for a family. It is the same for industries, but worse. They are dealing with sixty ships off the coast of Savannah. I know of a furniture company that have 65 million dollars in back orders that they can't fill. The population of Maiden had an increase. Other towns in our area did not have an increase in their population. Maiden's growth in the past ten years is the over sixty-five population. Those are not the people who will fill the jobs at these facilities. The

labor shortage is critical. How will this affect the town? These companies will be looking for other labor opportunities. I am aware of a furniture company looking at Virginia to fill their labor requirement. New businesses come to the existing employers and ask how is the labor situation in Maiden? If they find a facility in Maiden, will they be able to fill it with employees. If the answer is no, they will look somewhere else. The .38 cent tax rate is depending on maintaining the tax base that you have, the utility usage that is built into your budget and the electric rate that you have. A substantial hit in either one of those will require a different structure and budget. There will be winners and loser as we move forward. I encourage Maiden to do same balance the budget that you have done in the past and I look forward to working with you.

Lindsey Keisler stated, I would like to thank you for your partnership and intentional desire to understand this critical issue in this community. I would like to give kudos to Mayor Pro Tem Danny Hipps for speaking to Catawba County Leadership Class. He talked about reinventing the community. I want to double down on what Mr. Millar stated. I want to offer some data and facts to build a bigger picture. What are we looking at when it comes to labor issues? He mentions population growth. Good news is we are going in the right direction. The Town of Maiden grew by 12.9%. It is the fastest growing town in our county. Catawba County grew by 4.2%. This is opposite of what we were looking at 10 years ago. Our labor shed saw shrinkage. Alexander and Burke County did see a decrease in population. Lincoln County did see an increase. Unemployed person per job opening right now, .45. That is the lowest it has been in a long time. For every two jobs, there is only one individual out there actively seeking work. Catawba County job opening is 7260. This is the most we have seen in our county. That is as of September. Thanks to the Town staff for collecting this data. For the Town of Maiden there is 457 job openings. I want to talk about housing. Housing is directly correlated to population growth to help fill jobs. There is a critical low of housing inventory, 1.1 month of supply. I want to leave with three recommendations. First looking at population growth. We need to continue working on our working age population. Retaining that population is essential. We need to optimize the livability to make people want to move here and stay. Whether that is through infrastructure or investing in downtown development district. An example would be the splash pad. Continue to tell the great story of Maiden. That way you can sell the Town. Where hosting a Maiden industry round table on October 25. Employer can come and talk about the issues they are experiencing, so we can help you. We also need to connect with the small businesses and help them with growth. Finally, house is a tipping critical point that we need to address. I sent out a survey to the community and the top three issues is what I talked about tonight, workforce, housing, and small business support. I want to commend you on the work you are already doing and urge you to continue to doing things to help move the needle with growth. Mr. Herms stated, the reason the main reason you're here is the setup for the Maiden industrial roundtable. How many communities have you hosted the roundtable, and can you give our council just a 30 second on what that is? Mrs. Keisler stated, Maiden is our first town. We have done this individually with companies. We bring businesses and all our workforce partners to the table, that CDCC, NC Worker Career Center, and Catawba County apprenticeship. We just have a conversation on their needs and challenges and how can we connect you with the people sitting around the table with us to help you fill the position you have. Mayor Pro Tem Danny Hipps stated, where will that roundtable be held? Mrs. Keisler stated, Todd is allowing us to host it here in the chamber. Mayor Pro Tem Danny Hipps stated, with regard to both your conversations and the need for workers and the housing development that will be moving into town. I would like to see a welcome package for those folks as they move in, and I wonder if we could get our businesses to participate. It's not my desire that the citizens here our kids and our grandkids don't have to drive across county lines into to Charlotte to get a great paying job. I would like for those jobs and the money to stay here. I really would like for our own local folks to have the first shot at that meeting those folks and giving them the information. Mrs. Keisler stated, that sounds like a great partnership between Maiden business association and the chamber. Mr. Herms stated , Anna is currently working a packet when residents sign up for

utilities. They will all come together. Finance is working on getting all of our industrial account's information together for the roundtable. This is a unique way for all of us to connect and attract employees. Our industries are hurting right now. Councilmember Ronnie Williams stated, small businesses will be more than welcome also. Mr. Herms stated we have 459 jobs opening in a town of 3700, that's over 10%. Mayor Pro Tem Danny Hipps stated, what is the working age population. Mrs. Keisler stated, 18 to 64.

#### B. Corporation North Carolina Enforcement Accreditation

Police Chief stated, the police department received a letter stating that the department met all the requirements from the NC Enforcement Accreditation Corporation, and it will be yearly requirements.

#### 8. Public Hearing Start 6:36 pm Close 7:28 pm

Attorney Scott Conrad stated, First I want to talk about the hearing, and I have something to address with council. The hearings that we are getting ready to conduct or called quasi-judicial hearings. They are very different from the hearings that you're probably used to seeing council conduct. These hearings are much more similar to court hearings, are much more formal. Witnesses must be sworn and due process must be followed. The Council is tasked with determining the rights of the affected people based only on factual evidence in determining whether or not the applicants have met the standards in our unified development ordinance. Council can only consider substantial competent material factual evidence. I say that, just cause personal feelings and opinions are not allowed in these hearings and they cannot be considered under North Carolina law by council in reaching their decision. Secondly, ask the council members will also set forward that a member of council can't participate in or vote in any quasi-judicial matter in any manner that would violate an affected person's constitutional rights to an impartial decision maker as part of that I ask the members of the council, if this applies to anybody any council members that have a fixed opinion prior to the particular hearing that we're getting ready to undertake that is not susceptible to change or that hasn't undone so many closed ex parte communication with it an affected person. Any council member that has a close family business or other association, relationship with an affected person or has a financial interest in the outcome of the matter, if you will please bring that to the council's attention before this particular hearing. If that may apply to you and if so, that can be addressed by other members of council.

#### A. Hearing on Major Subdivision – Greenway Subdivision (Motion)

Attorney Conrad request that Planning and Zoning Director Blake Wright be sworn In.

Town Clerk Wanda Barnes stated, Do you swear that the evidence that you shall give to the board and this action should be the truth, the whole truth and nothing but the truth, so help you God? Mr. Wright stated, I do.

Mr. Wright stated, at this time I would like to enter the subdivision drawing as evidence. The Greenway Subdivision is an extension off of Sigmon Hollow subdivision and it is off of prison camp road. This subdivision is zone R15. This subdivision has been built from 2001 to 2007. The developer is interested in

taking over the rest of the subdivision. The developer is interested in stretching this over the 36 acres. They are submitting this under these requirements. The developer is looking to do this over three phases. The R-15 is 15,000 sq foot lots, roughly a third of an acre. The average lot size is .433 acres. It will extend around the Hass Cemetery. The frontage will be 80 foot. Mayor Pro Tem Danny Hipps stated, have you had any calls or concerns about this subdivision? Mr. Wright stated, he has had two calls. One inquiring about the expansion and the other about the Hass Cemetery being injured in this process.

Attorney Conrad stated, making reference to your report and including any maps and drawings in its entirety and asking that be incorporated into your testimony and made part of the record for as evidence for council to consider not? Mr. Wright stated, correct.

Town Clerk Wanda Barnes stated, Do you swear that the evidence that you shall give to the board and this action should be the truth, the whole truth and nothing but the truth, so help you God? Mr. Corey George state, I do.

Mr. George stated, my name is Corey George and I am the land surveyor engineer for this property and proposal subdivision. Mayor Max Bumgarner stated, Does anyone have any questions.

Attorney Conrad stated in making reference to the map and plat that you've submitted and the criteria that's included on that as part of your submission here tonight being incorporated into the record is to be considered by evidence? Mr. George stated, yes sir.

Town Clerk Wanda Barnes stated, do you swear that the evidence that you shall give to the board and this action should be the truth, the whole truth and nothing but the truth, so help you God? Mr. Jeff Saunders stated, I do.

My Name is Jeff Saunders and I'm with the Civil Company, and I am the civil designer for the subdivision. Mr. Herms stated, can you state your company name for the record. Mr. Saunders stated, the Civil Company. Mayor Max Bumgarner stated, does any Councilmember have any questions? Attorney Conrad stated, did you take part in this particular subdivision design extension and are you asking that the application along with the material that you prepared be incorporated into the record to be considered as evidenced by counsel and making a determination in this matter? Mr. Saunders stated, yes. Are those your proposed findings of fact for this particular subdivision. Are you asking that it also be incorporated into making it part of the record for council to consider as part of this decision this matter? Mr. Saunders stated, yes.

Mayor Max Bumgarner stated, Is there anyone else here with the applicant?

Town Clerk Wanda Barnes stated, Do you swear that the evidence that you shall give to the board and this action should be the truth, the whole truth and nothing but the truth, so help you God? Mr. Liviu Marhao stated, I do.

Liviu Marhao stated, my name is Liviu Marhao and I am here as the applicant. Attorney Conrad stated, are you the person who submitted the application in this matter and are you asking council to make reference to that application in its entirety and asking that council accept and consider it as incorporated into your testimony and to be considered as evidenced in reaching a decision in this matter? Mr. Marhao stated, yes and we would like to get stated as soon as possible. Public Hearing.

**MOTION MADE BY COUNCILMEMBER BETH RUDISILL AND SECONDED BY COUNCILMEMBER TRINA MICHAEL TO APPROVE THE FINDING OF FACTS FOR GREENWAY SUBDIVISION; MOTION CARRIED UNANIMOUSLY. 5-0.**

- a. Major Subdivision – Greenway Subdivision (Motion for Approval or Denial)

**MOTION MADE BY COUNCILMEMBER TRINA MICHAEL AND SECONDED BY COUNCILMEMBER BOB SIGMON TO APPROVE THE MAJOR SUBDIVISION GREENWAY SUBDIVISION; MOTION CARRIED UNANIMOUSLY. 5-0.**

Mayor Pro Tem Danny Hipps stated, Mayor I would respectfully recuse in relationship I have with my employer and this matter.

**MOTION MADE BY COUNCILMEMBER BOB SIGMON AND SECONDED BY COUNCILMEMBER RONNIE WILLIAMS TO RECUSE MAYOR PRO TEM DANNY HIPPS FROM THE 4300 BIGGERSTAFF ROAD HEARING.; MOTION CARRIED UNANIMOUSLY. 5-0.**

- B. Hearing of Development at 4300 Biggerstaff Road (Motion)

Planning and Zoning Director Blake Wright stated, this is the submission of a plan review for Duke Energy. It has roughly 181 acres off of Startown road and Biggerstaff road. They have interest in opening an office and an operations center on this site. This is in the 321 economic development industrial zoning area. The findings of fact and what should or what needs to be found during this public hearing, first whether or not the application was complete. Second, whether or not it meets the requirements in the in section 4.38 and 4.39 and any other applicable sections. of the UDO. It appears to meet these. The project will take place over roughly 39 acres with entrance on Startown Road and Biggerstaff road The town will supply water and sewer to this development. The town apartments have reviewed the development with no additional comments. I'll take any questions.

Mayor Max Bumgarner, Jr. stated, does anyone have any questions.

Blake before you leave are you asking in this matter as well that are in making reference to your portal maps and drawings that you submitted with your report and in this particular matter. Incorporating those in your testimony and submit in there into the record for the council to consider in making its decision tonight. Mr. Wright stated, I Do.

Mayor Max Bumgarner, Jr. stated, any applicant would like to speak?

Town Clerk Wanda Barnes stated, do you swear that the evidence that you shall give to the board and this action should be the truth, the whole truth and nothing but the truth, so help you God? Mr. Jamey Baysinger stated, I do.

Civil Engineer Jamey Baysinger stated, my name is Jamey Baysinger, I'm with Stewart engineering and I'm a civil engineer for this project. Town Attorney Scott Conrad stated are you asking the Council to

accept those as part of the record and consider those in reaching a decision in this matter. Mr. Baysinger stated, I am and I'm here to answer any questions for Team. Attorney Conrad stated, are you asking that are you referring to your application and it's entirely along with any maps drawings and incorporating that into your testimony here today asking the council to receive that as evidence and consider it as part of the record to make their decision here and I along with your findings of fact. Mr. Baysinger stated, I am, thank you.

Resident, Mr. Evan Rowe stated, my name is Evan Rowe our family is neighboring land owners on Biggerstaff road to this project. I'm not really pursuing opposition, but just two brief questions to the applicant and for your consideration. On the site map that was submitted, there is some berming and other landscape that it's going to be Biggerstaff road and Startown Road. Our question would be on the opposite side of the site map on the side that's most closely to I guess the residences that are in that area how come there is no berming situated on the side of the people that would be most affect about? Secondly, with the landscaping that I believe there's some holly's and an elm. My question would be, are those evergreens and if they're not why and an evergreen tree was not selected for the berms?

Mayor Max Bumgarner, Jr. stated, anyone of the opposition would like to speak?

Mr. Jamey Basinger stated My name is Jamey Basinger and I am with Stewart engineers', to answer the Evergreens question. The shrubs are holly's, these are all evergreens. They are dogwoods, Cedars ash and Elm. The trees and why they selected them. They are selected for being indigenous species and being able to the last in the environment is the reason they were selected. The plans that we do the berms are along the roads to the screen property and along the northern property line. There is a heavily vegetated low area that provides this screening there. You were asking about along the parking area. We did leave existing vegetation a the northern corner so there is no berms there. There is vegetation is being left behind. We didn't put a berms there because there is a stormwater existing drainage feature that we don't want to impact. We did not put a berm there, but there is still a buffer and it is vegetated. Mayor Max Bumgarner, Jr. stated, would Duke Energy be in favor of adding evergreens? Mr. Basinger stated, I can't answer for them, but we can ask them. Mayor Max Bumgarner, Jr. stated, how long over of footage is there? Mr. Basinger stated, There is evergreen across the northern area and there is a fence. I am not aware of any Springs. We do have about 60 feet or so from the property line. There is an evergreen shrub row along the property line. I can take my request to the owner to add some additional trees along that edge, if that is the council's pleasure. Councilmember Beth Rudisill stated, in our initial discussion about the berms they were very much in favor of doing what they needed to do for the residents to help with noise control. I can't imagine that they would not support that . They were very willing to do it before.

Town Clerk Wanda Barnes stated, do you swear that the evidence that you shall give to the board and this action should be the truth, the whole truth and nothing but the truth, so help you God? Mr. Evan Dollar stated, I do.

Mr. Evan Dollar stated, my name is Evan Dollar and I own the property on the Anaconda lane portion. I'm not in a opposition of it. I would like to see some clarification on what is going on down there. As you know, the neighbors talk and you just hear all kinds of stuff. I would like to ask what exactly is going to happen to the massive hill? When it rains just a little bit, it pours down like a waterfall. I heard that maybe a pond is being built. What is there going to be fencing what was going on there at the Anaconda lane



section? Mr. Basinger stated, we do have a series of storm and control measures that we are proposing. What you see here is a contours of elevation of the land, which is catch basins. These are meant to capture runoff from the new gravel areas in the road areas, and they're being piped to the ponds at the back of the property. These are storm or control ponds, detention ponds that are meant to decrease the discharge from the site after we built on it. Down to the rates, but before we built on it. It remains the same. A little bit along the very north edge, where it's right. It's still going to go off. We are collecting it and bringing it into the site. The lines are pipes. I am going to trace them out to a pond in the backside. That discharge stays on the property. Our project is up in the upper left hand corner. There is a lot of property to the right hand side. The east side is remaining undeveloped. This one shows the upper right hand corner, as a power line easement to help get our bearings. There is a map showing the pond and the power line easement to the upper right. Mayor Max Bumgarner stated, what is the height of the berms? Mr. Basinger stated, they range from 8 to 10 feet high. Mayor Max Bumgarner stated, does the Council have any additional questions? Councilmember Beth Rudisill stated, if he takes back the recommendations, how would we handle this? Mayor Max Bumgarner states, we can approve it with amendments. Mr. Herms stated, Jamey I think council is more concerned about the north side with the neighbors. We talked at length and the difficulty of permanent area. I think the council has in mind some evergreens for more of a buffer. I think a good medium would be to choose to plant evergreens. Mr. Basinger stated, we want to keep the overall existing drainage patterns the way they are going so that the environment functions the way it did, before we landed on it. We purposely left that upper slipper draining in the same direction. The least impactful would be to increase the plantings in that area to help our neighbors. Mr. Basinger stated, how much of an area we look to improve? Is it's 10 feet wide 20 feet wide? Councilmember Trina Michael stated, the best person to answer that question is the gentleman who has the opposition. Mr. Basinger stated, it is probably 30 feet wide between the property line fence. The fence is right on the property lines. We don't start grading until we come about 20 to 30 feet into the property. Mr. Evan Rowe stated, actually on the southern boundary we are not directly affected by this area here, but to give the council more of an idea of that fence line that he's referring to. West to east as you're going straight across that property line that's when it gets into the gully or the lower line. That serves as a natural barrier. The natural boundary between the properties that are on Anaconda lane and then Duke Energy property. I'm understanding Duke Energy is not necessarily planning on developing a lot of the area that goes down into that gully. My suggestion would be to basically about the land that this semi flatter. Where you can see the house next door turns around and see the parking lot. I would say we're probably in the neighborhood of 50 to 100 feet, but I could be wrong. Mr. Basinger stated, That is where the gullies forming. Mr. Rowe stated, that is correct. Mr. Basinger stated, to the left of that those are CRJA's. There is a row of Cedars along inside. Mr. Herms states, if we doubled it, would that be a good compromise for everyone involved? Mr. Basinger stated, those are the Cedars trees and the Japanese Cedars is 2 1/2 inch caliber 8 foot high planting. Those are real cedar trees, not shrubs. It looks like they're probably about 5 feet apart. Mr. Herms stated, just that one section. Public Hearing closed.

**MOTION MADE BY COUNCILMEMBER BETH RUDISILL AND SECONDED BY COUNCILMEMBER BOB SIGMON TO APPROVE THE FINDING OF FACTS FOR 4300 BIGGERSTAFF ROAD; MOTION CARRIED UNANIMOUSLY. 5-0.**

a. Development at 4300 Biggerstaff Road (Motion for Approval or Denial)

**MOTION MADE BY COUNCILMEMBER TRINA MICHAEL AND SECONDED BY COUNCILMEMBER BETH RUDISILL TO APPROVE DEVELOPMENT AT 4300 BIGGERSTAFF ROAD; MOTION CARRIED UNANIMOUSLY. 5-0**

**MOTION MADE BY COUNCILMEMBER BOB SIGMON AND SECONDED BY COUNCILMEMBER RONNIE WILLIAMS TO BRING MAYOR PRO TEM DANNY HIPPS BACK INTO THE MEETING; MOTION CARRIED UNANIMOUSLY. 5-0.**

9. New Business

A. Fire Department Automatic Mutual Aid Agreement and Mutual Assistance Contract (Motion)

Fire Chief Luke Shoffner stated, nothing is changing, this is just for structural response for the fire department for any fire alarms or structure fires on the Maiden side. Typically, it is just off of Hwy 10 at Blackburn elementary school and then some out of Rocky Ford Rd.

**MOTION MADE BY MAYOR PRO TEM DANNY HIPPS AND SECONDED BY COUNCILMEMBER RONNIE WILLIAMS TO APPROVE THE FIRE DEPARTMENT MUTUAL AID AGREEMENT; MOTION CARRIED UNANIMOUSLY. 5-0.**

B. Newton Water Agreement (Motion)

Mr. Herms stated, agreement between Maiden and the city Newton is to supply water to the north side of town. This will act as a backup source from GKN, our largest employer water customer and a second largest taxpayer. This will also provide water for sigmon hollow and prison camp Rd. Currently under the current agreement this new agreement will save us roughly around \$8400 on an annual basis.

**MOTION MADE BY COUNCILMEMBER RONNIE WILLIAMS AND SECONDED BY COUNCILMEMBER BOB SIGMON TO APPROVE THE NEWTON WATER AGREEMENT; MOTION CARRIED UNANIMOUSLY. 5-0.**

10. Old Business

A. Town of Maiden Christmas Parade Outline

Parks and Recreation Director stated, this year we will be our first ever night parade. A lot of our parade rules and information we got on paper. Now we are going to do all of our registration online. This was discussed this past week at the rec advisory committee. We have with the Police Department and put guidelines in place. We go live with registration tomorrow morning. The parade floats this year is \$445 base price. The basic lights adds another \$150 and full lights adds \$300. Basically, looking at \$595 for partial lit and \$745 for pulling with commercial floats. This is just for the commercial float. The parade is free, you just have to register and everybody lined up. Councilmember Trina Michael stated, are all the entries inquired to have lighting? Mr. Miller stated, we did not we did not put a requirement in place. Mr. Herms stated, our street lights will be on. Councilmember Rudisill stated, we talked about the generators. Mr. Miller stated, it is included that with the lights. Mayor Pro Tem Danny Hiips stated, Honda generators are very quiet. Mayor Max Bumgarner stated, no candy thrown will take place. They will walk along the streets and

give out candy.

Ordinance/Resolution

B. Resolution 4-2022 Tom Brown Honorary Designation on South F Ave. (Motion)

Town Manager Mr. Herms stated, this resolution is in honor of the late Tom Brown. This will be a decorative sign place at South F Ave.. The street name change will not affect anybody. IT will be named Tom Brady brown way. This request will go before the Catawba County Board of Commissioners.

**MOTION MADE BY MAYOR PRO TEM DANNY HIPPS AND SECONDED BY COUNCILMEMBER BOB SIGMON TO APPROVE THE TOM BROWN HONORARY DESIGNATION ON SOUTH F AVE; MOTION CARRIED UNANIMOUSLY. 5-0.**

11. Proclamation

A. A Proclamation Proclaiming October 12, 2021, as Maiden Breast Cancer Awareness Month

Mayor Max Bumgarner stated, proclamation claiming October 12, 2021 is made in breast cancer awareness month. Whereas, stand with the courageous women and men who have been diagnosed with breast cancer honor those who have lost their battle to this terrible disease. Whereas estimate one in eight women will develop breast cancer over the course of their lifetimes and 281,550 women will be diagnosed with breast cancer in the United States in 2021. Whereas, breast cancer is the second most common cause of cancer and the second leading cause of cancer death for women in the United States. and whereas, with routine mammogram screening and follow-up testing breast cancer can be detected early and can be more effectively treated. Whereas, being aware of the health information education treatment and support available for individuals with breast cancer can help people receive appropriate care and resources to improve their quality of life and whereas the Town of Maiden encourages people to recognize that breast cancer is treatable and that routine screening and early detection can save lives now. Therefore, I Max Bumgarner, Jr. mayor, Town of Maiden do hereby proclaim, October 2021 as breast cancer awareness month in the Town of Maiden and commend its observes to all citizens.

Town Clerk Wanda Barnes stated, tomorrow we will light up the town hall in pink for breast cancer awareness month. Councilmember Ronnie Williams stated, I would like to suggest get a mobile mammogram unit in our parking next year.

12. Adjourn (Motion)

**MOTION WAS MADE BY COUNCILMEMBER TRINA MICHAEL AND SECONDED BY COUNCILMEMBER BOB SIGMON ADJOURN AT 7:42 PM. MOTION CARRIED UNANIMOUSLY. 5-0.**

Respectfully Submitted:

Wanda Barnes, Town Clerk

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**Max Bumgarner Jr., Mayor**

**ATTEST:**

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**Wanda Barnes, Town Clerk**



# TOWN OF MAIDEN

Planning Department

19 N Main Ave • Maiden, NC 28650  
Office (828) 428-5034 • Fax (828) 428-5017

## Zoning Text Amendment Analysis and Staff Report

**Petition:** Text Amendment

**Applicant:** Town of Maiden

### Requested Action:

1. Comply with statutory changes: The General Assembly in North Carolina has changed and consolidated the statutes that govern local governments and their zoning and development powers. While we are needing to update our code to bring it into compliance many of these changes are technical and procedural, not substantive.
  - a. Changes include conditional use permits, eliminating protest petitions, updating ordinance terminology and definitions (e.g. dwelling, quasi-judicial decision, special use permit etc.), conflict of interest standards, allows FIRM maps to be updated by new adoption year, add stop-work order authority, add expedited review of minor subdivisions, bona-fide farm exemption changes, changes to the development review procedures surrounding quasi-judicial decisions and evidentiary hearings.

These are examples of interpreting the Review Criteria, but it is the Council's decision as to if the proposed rezoning meets the Review Criteria below.

**Review Criteria:** Article 2.2.6 of the Town of Maiden Unified Development Ordinance (UDO) identifies the factors that shall be considered in reviewing and making recommendations on proposed amendments:

**A. The proposed amendment is consistent with the intent and goals of the Maiden Comprehensive plan and meets the requirements and intent of the Maiden Unified Development Ordinance and the Maiden Code of Ordinances.**

The proposed amendment is consistent with the Maiden Comprehensive Plan Map. The Maiden Comprehensive Plan encourages continual updating to meet federal and state law and to serve the citizens of Maiden.

**B. The proposed amendment is consistent with applicable federal and state laws and regulations.**

To the best of the knowledge of Town staff this amendment is consistent with applicable federal and state laws and regulations.

**C. The Town and other responsible agencies will be able to supply the development resulting from the amended ordinance with adequate roads and streets for access and circulation, water supply, storm drainage, sanitary sewage disposal, emergency services, and environmental protection.**  
NA.

**D. The amendment is beneficial to the public health, safety, and welfare, and is in the public interest.**

The proposed amendment would bring existing code into compliance with law.

**Protest Petition/Citizen Input:**

Staff has received no inquiries regarding this amendment.



### **2022 Town of Maiden Council Meeting Schedule**

All meetings are to be held in the Town of Maiden Council Chambers unless otherwise noted or moved by a vote of the elected body. All meetings are to begin at 6:00 pm EST. This schedule does not include special meetings, budget meetings, emergency meetings, and/or any other form of meeting as defined in North Carolina General Statute 143-33C, 160A-71, or other general statutes approved by the North Carolina General Assembly.

January 11, 2022

February 8, 2022

March 8, 2022

April 12, 2022

May 10, 2022

June 14, 2022

July 12, 2022

\*August 16, 2022\*

September 13, 2022

October 11, 2022

November 8, 2022

December 13, 2022

**\*\*Due to a conflict, the August meeting has been moved to the 3<sup>rd</sup> Tuesday.**



## Town of Maiden 2022 Holiday Schedule

<u>Holiday</u>	<u>Days Observed</u>
New Year's Day	Monday, January 3, 2022
MLK Day	Monday, January 17, 2022
Good Friday	Friday, April 15, 2022
Memorial Day	Monday, May 30, 2022
Independence Day	Monday, July 4, 2022
Labor Day	Monday, September 5, 2022
Thanksgiving	Thursday, November 24, 2022 Friday, November 25, 2022
Christmas	Friday, December 23, 2022 Monday, December 26, 2022 Tuesday, December 27, 2022



**ORDINANCE # 14-2022**

**AN ORDINANCE TO AMEND THE MAIDEN CODE OF ORDINANCES**

**CHAPTER 17**

**WHEREAS**, the Town Council for the Town of Maiden desires to periodically update and revise the Maiden Code of Ordinances to address the needs of the citizens of the Town of Maiden; and

**WHEREAS**, in order to protect the citizens of the Town of Maiden and their properties, the Town Council for the Town of Maiden deems it necessary and proper to initiate, and has initiated, text amendments to the Maiden Code of Ordinances:

**NOW WHEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF MAIDEN, NC, THAT THE CODE OF ORDINANCES, TOWN OF MAIDEN, NC, IS HEREBY AMENDED BY MODIFYING CHAPTER 17, UNIFIED DEVELOPMENT ORDINANCE TO COMPLY WITH STATUTORY UPDATES.**

Read and Adopted this the 9th day of November 2021.

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Max Bumgarner Jr., Mayor

ATTEST:

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Wanda Barnes, Town Clerk

**RESOLUTION OF INTENT TO CLOSE AND ABANDON AN UNUSED  
STREET AND RIGHT OF WAY IN THE TOWN OF MAIDEN, NORTH CAROLINA  
RESOLUTION NUMBER: 5-2022**

**WHEREAS** The Maiden Town Council, as authorized by NCGS Section 160A-299, declares its intent to close and abandon the twenty foot (20') street right of way as shown in Plat Book 6 at page 24 of the Catawba County Registry and connects to Sherwood Dr.; said street right of way containing 0.41 acres, more or less, and further described below by metes and bounds according to a survey prepared by Honeycutt Land Surveying P.A., dated October 19, 2021, and titled Right of Way Closure For: Town of Maiden and more particularly described as follows:

BEGINNING at a 1" shaft, located N 75° 53' 48" W 262.55 feet, thence N 62° 02' 01" W 99.36 feet from NCGS "BILO" and the same being in the north east line of the Gary Metcalf property, Deed Book 2540 page 1382 of the Catawba County Registry, and the western edge of the right of way for Sherwood Drive, thence running S 27° 17' 45" W 221.23 feet to a ¾" Rod, thence S 27° 10' 44" W 139.84 feet to a 5/8" Rebar, thence S 27° 10' 44" W 279.39 feet to a 5/8" Rebar, thence S 27° 10' 44" W 104.81 feet to a 1/2 " angle iron, thence S 27° 17' 06" W 104.88 feet to a point located on the southern edge of the existing 20' right of way, Plat Book 6 Page 24 of the Catawba County Registry and on the western line of the Eric Woodring Property, Deed Book 2550 at Page 244 of the Catawba County Registry, thence S 27° 17' 06" W 104.89 feet to a axle located on the southwestern corner of the existing 20' right of way, Plat Book 6 at Page 24 of the Catawba County Registry and on the Western line of the Lisa Winslett property, Deed Book 3614 at Page 477 of the Catawba County Registry, thence N 62° 50' 19" W 10.10 feet to a point at the center of the existing 20' right of way, Plat Book 6 at Page 24 of the Catawba County Registry, thence N 62° 50' 19" W 10.10 feet to a point being the north western corner of the existing right of way in Plat Book 6 at Page 24 of the Catawba County Registry, thence N 27° 14' 42" E 103.06 feet to a 5/8" Rebar, thence N 27° 14' 42" E 341.86 feet to a 5/8" Rebar, thence N 27° 14' 42" E 209.97 feet to a 1/2 " Rebar, thence N 27° 18' 47" E 149.77 feet to a 1.5" Angle Iron, thence N 27° 15' 02" E 150.08 feet to a ½" Pipe thence S 63° 40' 57" E 9.88 feet to a ½" Rebar Set in the western edge of Sherwood Drive, thence S 63° 40' 57" E 9.88 feet to a 1" shaft, the same being the point and place of beginning, containing 0.41 acres according to a survey entitled Town of Maiden, right of way closure by Honeycutt Land Surveying P.A. dated October 19, 2021, and being the same right of way as shown on that Plat recorded in Plat Book 6 at Page 24 of the Catawba County Registry.

**NOW THEREFORE BE IT RESOLVED** that the Maiden Town Council intends to close and abandon the twenty foot (20') street right of way shown in Plat book 6 at Page 24 of the Catawba county Registry, and further described herein, pursuant to the provisions of North Carolina General Statutes 160A-299, and that a public hearing to consider the question of closing and abandoning the street right of way as described herein will be held on December 14, 2021, beginning at 6:00 p.m. in the Council Chambers at Town Hall, located at 19 North Main Ave. Maiden, NC 28650. It is directed that this Resolution of Intent to Close and Abandon be published once a week for four (4) consecutive weeks prior the hearing; that a copy of this resolution be sent by registered or certified mail to owners of the property adjacent to the street to be closed as indicated by the County Tax Records; that a notice of the closing and public hearing be prominently posted in at least two (2) places along the portion of the street to be closed.

The public is invited to attend this meeting to speak for or against this closing and abandonment.

**PERSONS WITH DISABILITIES**

Individuals needing special assistance should contact the Town Clerk at 428-5010 within a reasonable time prior to the meeting.

ATTEST:

TOWN OF MAIDEN

\_\_\_\_\_  
Wanda Barnes, Town Clerk

\_\_\_\_\_  
Max Bumgarner Jr., Mayor

APPROVED AS TO FORM: \_\_\_\_\_  
Scott D. Conrad, Town Attorney

[illegible]

## Town of Maiden Council Call Report

### Maiden Fire Department

#### Total Calls To Date - 383

<u>Fire Calls by Month.</u>	July	August	Sept.	Oct.	Nov.	Dec.
- Fire/CO Alarm	10	9	4	1		
- Powerline	3	0	0	1		
- Gas leak	1	0	1	0		
- Traffic Acc.	5	5	2	6		
- Smoke	1	1	1	1		
- Control Burn	1	0	1	0		
- Service Call	1	4	1	0		
- Structure Fire	2	2	0	1		
- Vehicle Fire	0	0	0	1		
- Fuel Spill	1	1	0	0		
- Illegal Burn	0	0	1	0		
- Grass Woods	1	0	0	1		
- Traumatic Injury	0	1	0	0		
- Tree Down	0	1	0	1		
- Rubbish Fire	0	0	0	0		
- Mutual Aid	8	14	15	9		
- Total-	34	38	26	22		

#### Medical Calls by Month

- Breathing	16	16	16	20		
- Sick Person	12	4	9	9		
- Back Pain	0	0	0	0		
- Heat/Cold	0	0	0	0		
- Chest Pain	8	11	5	9		
- Falls	1	2	0	2		
- Heart Problems	0	2	1	3		
- Assist EMS	2	6	1	5		
- Hemorrhage	1	2	0	1		
- Cardiac Arrest	6	3	2	7		
- Unknown	2	0	0	0		
- Unconscious	3	10	6	3		
- Psychiatric	0	0	0	0		
- Allergies	2	4	1	1		
- Convulsions	3	1	4	3		
- Diabetic	1	1	0	1		
- Headache	1	0	0	0		
- Stroke	3	1	3	1		
- Stab/Gunshot	0	0	0	0		
- Overdose	3	3	2	1		
- Total-	64	66	46	67		

# CODE ENFORCEMENT ACTIONS TRACKER

October 2021

CEO Matt Taylor, 828-485-3343, matt.taylor@wpcog.org

MA2109-087	Maiden	105 N 6th Ave	Nuisance	1	Resolved
MA2109-088	Maiden	415 N Main Ave	Nuisance	1	Resolved
MA2109-089	Maiden	507 South D Ave	Nuisance	1	Owner Notified-Cert
MA2109-090	Maiden	401 S Main Ave	Nuisance	1	Owner Notified-Cert
MA2109-091	Maiden	304 Springhill Ln	Nuisance	2	Resolved
MA2109-092	Maiden	605 MFG St	Nuisance	1	Owner Notified
MA2110-020	Maiden	307 South D Ave	Min Housing	1	Order Issued
MA2110-021	Maiden	711 W School St	Nuisance	1	Resolved
MA2110-022	Maiden	1073 Springdale Dr	Nuisance	1	Resolved
MA2110-044	Maiden	302 South B Ave	Nuisance	1	Resolved
MA2110-045	Maiden	320 S 1st Ave	Nuisance	1	New Violation
MA2110-046	Maiden	426 Old Park Rd	Nuisance	1	Resolved
MA2110-047	Maiden	903 Union St	Nuisance	1	Resolved
MA2110-048	Maiden	619 E Klutz St	Nuisance	1	Resolved
MA2110-087	Maiden	1165 Springdale Dr	Nuisance	1	New Violation
MA2110-088	Maiden	318 Sringhill Ln	Nuisance	1	New Violation
MA2110-118	Maiden	307 S D Ave Ext	Nuisance	1	New Violation



# CODE ENFORCEMENT ACTIONS TRACKER

## New Violations For October 2021

CEO Matt Taylor, 828-485-3343, [matt.taylor@wpcog.org](mailto:matt.taylor@wpcog.org)

507 S D Ave Ext – Nuisance Junk and Debris



3625 Brookwood Dr. Nuisance Junk and Debris





# CODE ENFORCEMENT ACTIONS TRACKER

## New Violations For October, 2021

CEO Matt Taylor, 828-485-3343, Matt Taylor@wpcog.org

307 South D Ave – Min Housing/Nuisance



1165 Springdale Dr. Nuisance Junk and Debris





# CODE ENFORCEMENT ACTIONS TRACKER

## New Violations For September, 2021

CEO Matt Taylor, 828-485-3343, Matt Taylor@wpcog.org

426 Old Park Rd- Nuisance/Junk/Debris



605 MFG St.

