

City of Graham City Council Meeting Agenda June 11, 2024



6:00 p.m. | City Hall | 201 South Main Street | Graham, NC

CALL TO ORDER: Mayor Jennifer Talley

INVOCATION & PLEDGE OF ALLEGIANCE

CONSENT AGENDA:

- a. To approve the May 14, 2024, Council Meeting and sealed Closed Session minutes and the May 21, 2024, Special Meeting Budget Workshop minutes.
- b. To approve a Budget Project Ordinance in the amount of \$897,066.75 for the Banks and McBride Water and Sewer improvements.
- c. To approve a Services Agreement between the City of Graham and Ward & Coleman, Attorneys at Law, for legal services effective July 1, 2024.
- d. To approve a budget amendment increasing the Wastewater Capital Outlay by \$55,000 from \$45,000 to \$100,000 for the additional removal of solids from the plant.
- e. To approve an interlocal agreement between the City of Graham and Alamance County for occupancy tax collection.

PUBLIC HEARING:

1. ADOPTION - FY2024-2025 BUDGET

A public hearing has been scheduled to consider the adoption of the Fiscal Year 2024-2025 Budget Ordinance, the 2024-2025 Pay Plan, and the 2024-2025 Rates and Fee Schedule.

OLD BUSINESS:

2. DOWNTOWN ENHANCEMENT GRANT POTENTIAL PROJECTS

The City of Graham was recently awarded a Directed Grant through the State for \$600,000. The City Council will consider potential projects for the Downtown Enhancement Grant Scope of Work. **(Tabled from the May 14, 2024, City Council Meeting)**

3. GRAHAM-MEBANE LAKE COMPREHENSIVE MASTER PLAN

City Council will consider approving the Graham-Mebane Lake Comprehensive Master Plan to allow for various grants including state-funded Parks and Recreation Trust Fund, Land and Water Conservation Fund, and Accessible Parks grants. **(Tabled from the May 14, 2024, City Council Meeting)**

NEW BUSINESS:

4. BOARDS & COMMISSIONS - APPOINTMENTS

City Council will consider appointments to Graham’s Boards and Commissions.

Appearance Commission/Tree Board

Bernadette Konzelmann
Zipporah Clark Baldwin

Requests Reappointment
Requests Reappointment

Vacancies – 2

Applicant: Ally Villiard

Graham Historical Museum Board

John Harrington

Requests Reappointment

Vacancies – 1

No Applications

Graham Housing Authority

Robert Sykes

Requests Reappointment

Applicant: Chris Howe

Historic Resources Commission

Karen Chin

Requests Reappointment

Vacancies – 4

Applicants: Ally Villiard

Planning Board/Board of Adjustment

Vacancies - 1

Applicant: Chris Howe

Recreation Commission

Vacancies - 2

Applicant: Ally Villiard

PUBLIC COMMENT PERIOD

CITY STAFF COMMENTS

CITY COUNCIL COMMENTS

CLOSED SESSION:

City Council will consider going into closed session pursuant to N.C.G.S. 143-318.11(a)(6) to discuss personnel and pursuant to N.C.G.S. 143-318.11(a)(5) to consider the purchase of 1076, 1100, and 1134 Town Branch Road adjacent to Bill Cooke Park parcel numbers 147644 (owned by James E. Teer Heirs), 147738 (owned by Ann Euliss Teer), and 147739 (owned by Ann Euliss Teer) for the intended use of park and recreational facilities.

ADJOURN

City of Graham City Council Meeting Minutes May 14, 2024



The City Council of the City of Graham held a regularly scheduled meeting at 6:00 p.m. on May 14, 2024, in the Council Chamber, City Hall Municipal Building at 201 South Main Street, Graham, NC.

Council Members Present:

Mayor Jennifer Talley
 Mayor Pro Tem Ricky Hall
 Council Member Bobby Chin
 Council Member Joey Parsons
 Council Member Bonnie Whitaker

Staff Present:

Megan Garner, City Manager
 Aaron Holland, Assistant City Manager
 Bryan Coleman, City Attorney
 Bob Ward, City Attorney
 Renee Ward, City Clerk

CALL TO ORDER: Mayor Jennifer Talley

INVOCATION & PLEDGE OF ALLEGIANCE

Council Member Chin gave the invocation and all stood for the Pledge of Allegiance.

CONSENT AGENDA:

- a. To approve the April 9, 2024, regular meeting minutes.
- b. To approve a budget amendment to recognize \$14,265 insurance proceeds revenue and increase the Property Maintenance-Maintenance Repair Grounds budget by \$3,990 for repairs to the damaged masonry wall at Linwood Cemetery and Sanitation-Repair and Maintenance of Vehicles by \$10,275 for repairs to the street sweeper damaged in an accident.

CITY OF GRAHAM BUDGET AMENDMENT ORDINANCE 2023-2024					
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM THAT THE 2023 - 2024 BUDGET ORDINANCE SHALL BE AND IS HEREBY AMENDED AS FOLLOWS:					
Section 1.					
EXPENDITURES					
DEPARTMENT/ACCOUNT	APPROVED	AMENDED	INCREASE	(DECREASE)	INCREASE (DECREASE)
Property Maintenance - Maintenance and Repair Grounds	20,000.00	23,990.00	3,990.00		3,990.00
Sanitation - Repair and Maintenance of Vehicles	75,000.00	85,275.00	10,275.00		10,275.00
	20,000.00	23,990.00	3,990.00	-	14,265.00
Section 2.					
REVENUES					
	APPROVED	AMENDED	INCREASE	(DECREASE)	INCREASE (DECREASE)
General Fund - Insurance Proceeds	17,780.00	32,045.00	14,265.00		14,265.00
	17,780.00	32,045.00	14,265.00	-	14,265.00

Adopted this 14th day of May 2024.

- c. To approve a budget amendment to allocate \$132,333 in fund balance appropriation to the following departments: \$21,333 to the Recreation Department, \$20,000 to Street Lights, \$68,000 to the Garage, and \$23,000 to IT.

CITY OF GRAHAM					
BUDGET AMENDMENT ORDINANCE					
2023-2024					
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM THAT					
THE 2023 - 2024 BUDGET ORDINANCE SHALL BE AND IS HEREBY AMENDED AS FOLLOWS:					
Section 1.					
EXPENDITURES					
DEPARTMENT/ACCOUNT	APPROVED	AMENDED	INCREASE	(DECREASE)	INCREASE (DECREASE)
Recreation - Capital Outlay	51,000.00	72,333.00	21,333.00		21,333.00
Street Lights - Utilities	150,000.00	170,000.00	20,000.00		20,000.00
Garage - Fuel	525,000.00	593,000.00	68,000.00		68,000.00
IT - Telephones/Postage	25,000.00	48,000.00	23,000.00		23,000.00
	51,000.00	72,333.00	21,333.00	-	132,333.00
Section 2.					
REVENUES					
	APPROVED	AMENDED	INCREASE	(DECREASE)	INCREASE (DECREASE)
Fund Balance Appropriation	\$1,770,622.00	\$1,902,955.00	132,333.00		132,333.00
	1,770,622.00	1,902,955.00	132,333.00	-	132,333.00
Adopted this 14th day of May 2024.					

- d. To approve a street closure for the 100 block of W. Elm Street and the City’s parking lot beside Roasted Coffee Depot from 8:00 am to 11:00 pm for the 4th Annual Esperanza Hispanic Heritage Festival on Sunday, September 22, 2024.

- e. To approve tax releases totaling \$114.59.

CITY OF GRAHAM				
RELEASE ACCOUNTS				
MAY				
ACCT #	YEAR	NAME	REASON FOR RELEASE	AMOUNT RELEASED
635504	2023	CARTER, BRIAN	DID NOT OWN MOBILE HOME	\$24.70
635504	2022	CARTER, BRIAN	DID NOT OWN MOBILE HOME	\$44.14
635504	2021	CARTER, BRIAN	DID NOT OWN MOBILE HOME	\$45.75

Mayor Pro Tem Hall motioned to approve the Consent Agenda items, seconded by Council Member Chin. The motion passed unanimously.

PUBLIC HEARINGS:

ITEM 1: INCENTIVE AGREEMENT AND RESOLUTION – PROJECT PRISTINE

A public hearing was scheduled to consider approval of a resolution and to authorize the City Manager and City Attorney to effectuate an agreement for Project Pristine.

Assistant City Manager Holland stated Project Pristine was an expansion project for an existing industry located in Graham; looking to invest \$1,013,000 in physical and equipment upgrades to their facility. The project is seeking state-level grants for support of their capital improvements, some of which necessitate local matching dollars to support those grants. Historically, the City has offered up to 1% of total capital investment as an incentive amount. It is being recommended that the City offer 0.50% of total capital investment as an incentive amount totaling \$5,065.00 over five (5) years.

He introduced Mr. David Putnam, Alamance Area Chamber, who gave the following presentation to the Council:

Project Pristine | Cintas Corporation

- Project Activity: Industrial Launderers
- Capital Investment: \$1,013,000
 - Real Property: \$650,000
 - Personal Property: \$363,000
- Expansion of Existing Company Facility at 610 Woody Dr
- Scope of Work:
 - Upgrading the site's sprinkler system
 - Backup Generator/Transfer Switch
 - Msc Manufacturing and Equipment
- Project is ramping up from a former announcement made in October under a different scope of work.





Incentive Proposal Highlights

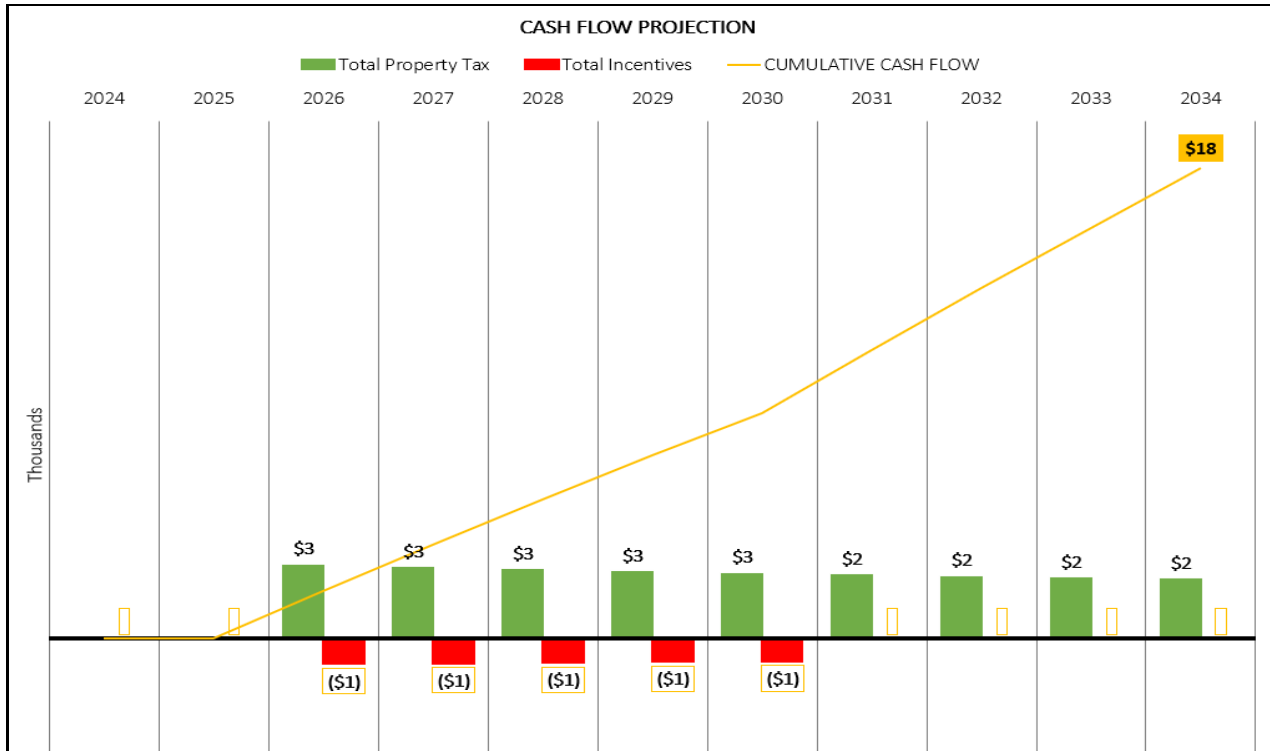
Currently in negotiation and subject to change

- **Proposed State Package:**
 - Rural Division Building Reuse Grant: Up to \$100,000
 - Additional opportunities and resources
 - **Total: Up to \$100,000**
- **Proposed Local Package:**
 - Cash Grant: \$5,065 or 0.5% of taxable value
 - Paid annually after metrics are achieved and recorded.
 - **Total: \$5,065**

Direct Fiscal Impact Analysis

Currently in negotiation and subject to change

5 Years (In Thousands)		10 Years(In Thousands)	
Property tax	\$ 10.8	Property tax	\$ 22.8
Incentives	- <u>\$3.7</u>	Incentives	- <u>\$4.6</u>
Net	+ <u>\$ 7.1</u>	Net	+ <u>\$ 18.2</u>



Project Pristine Action Requested

- Action Requested:

(1) Motion to authorize the City Manager and Attorney to effectuate an agreement for Project Pristine offering 0.50% of total capital investment as an incentive amount totaling \$5,065 over five (5) years.

(2) Motion to approve the resolution in support of Project Pristine to Expand a Manufacturing Facility in the City of Graham, Alamance County, North Carolina

Mayor Talley asked what guarantee would the City have that the capital improvements in these amounts would be made.

Mr. Putnam stated the Council’s interest was secure because the company had to make its performance metrics work to achieve the project.

Mayor Talley asked if this was a new service.

Mr. Putnam answered yes, it was a part of their cleanroom build-out service. He stated Cintas was tying this new innovative technique to the Research Triangle Park and the spillover from those demands and needs, further solidified our commitment to the biotechnology and life science industry.

The public hearing was opened and the following spoke:

Mr. Tom Boney, Alamance News, inquired about the secrecy of not disclosing the company name. He stated the City needed to work up a better procedure for incentive agreements.

Motion by Mayor Talley to close the public hearing, seconded by Council Member Chin. The motion passed unanimously.

Mayor Pro Tem Hall motioned to approve the resolution and authorize the City Manager and Attorney to effectuate the agreement for Project Pristine offering 0.5% of total capital investment as an incentive amount totaling \$5,065 over five years, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

**CITY OF GRAHAM, NORTH CAROLINA
RESOLUTION IN SUPPORT OF PROJECT PRISTINE
TO EXPAND A MANUFACTURING FACILITY
IN THE CITY OF GRAHAM, ALAMANCE COUNTY, NORTH CAROLINA**

WHEREAS, Project Pristine is considering expanding its operations in the City of Graham, North Carolina with an expansion of an existing facility; and

WHEREAS, Project Pristine proposes to invest approximately \$1,013,000 in physical and equipment upgrades to their facility; and

WHEREAS, Project Pristine proposes a renovation to an existing building, to suit the needs of the company's proposed expansion; and

WHEREAS, Project Pristine's plans conform with all applicable state and local ordinances and policies; and

WHEREAS, pursuant to N.C.G.S. §158-7.1(a) the City is authorized to make appropriations from property taxes and other unrestricted revenue sources for economic development purposes to increase the taxable property, employment, and business prospects of the City.

NOW, THEREFORE, BE IT RESOLVED by the City of Graham City Council,

Section 1: The City Council supports the expansion of Project Pristine in the City of Graham, and confirms that its plans are consistent with and conform with state and local laws, plans, and policies.

Section 2: The City Council will offer 0.50% of total capital investment as an incentive amount totaling \$5,065.00 over five (5) years.

Adopted this the 14th day of May 2024.

ITEM 2: TEXT AMENDMENT – DEVELOPMENT ORDINANCE - PLANTING DIMENSION AREAS

A public hearing had been scheduled to consider a text amendment to adjust the minimum inside dimension of planting areas from 200 square feet to 160 square feet to accurately accommodate the parking planters required for parking lot trees.

Assistant City Manager Holland stated the Planning Board had requested a text amendment to adjust the minimum inside dimension of planting areas from 200 to 160 to accurately accommodate the parking planters required for parking lot trees. Planning Board Member Chad Huffine brought this calculation up at the previous Planning Board Meeting and requested it be adjusted. The reasoning behind it is that it is impossible for a parking lot space used as a guide for tree plantings to meet the minimum requirement of 200 square feet. A typical parking lot space in Graham is 10x20. The ordinance requires an inside dimension of 7 feet which can be met, but when the curbing is incorporated around the 7-foot interior planting area, it is difficult to reach the 200 square-foot minimum when basing it off of our standard parking space area.

The public hearing was opened and no one spoke.

Motion by Mayor Pro Tem Hall to close the public hearing, seconded by Council Member Chin. The motion passed unanimously.

Mayor Pro Tem Hall asked to table this item until the development ordinance was updated.

Mr. Tom Boney, Alamance News, asked if this request had come through the Planning Board, if it was reviewed and passed, and if Mr. Huffine participated.

Assistant City Manager Holland said it was passed through the Planning Board and Mr. Huffine did not vote.

Motion by Mayor Pro Tem Hall to table this item for the next meeting. The motion failed due to the lack of a second.

Motion by Council Member Chin to approve the text ordinance to adjust the inside dimensions of planting areas from 200 square feet to 160 square feet for tree planting in parking lots, seconded by Council Member Parsons. The motion passed 4-1, and Mayor Pro Tem Hall voted no.

Section 10.275	Landscaping Design and Maintenance Standards
(a) Calculation of Street Planting Yards: Street planting yard rate and width calculations shall exclude access drives.	
(b) Plant Species: Species used in required street planting yards, parking lots and planting yards shall be of a locally adapted nature.	
(c) Dimension of Planting Areas: Each planting area containing trees, including those located in parking lots, shall have a minimum inside dimension of seven feet and be at least 200 160 square feet in area.	
(d) Grouping: For the Type B, C, and D planting yards, shrubs and trees may be grouped or clustered; however, not more than 50% of each required plant material may be grouped or clustered. The	

NEW BUSINESS:

ITEM 3: DOWNTOWN ENHANCEMENT GRANT POTENTIAL PROJECTS

The City of Graham was recently awarded a Directed Grant through the State for \$600,000. The City Council will consider potential projects for the Downtown Enhancement Grant Scope of Work.

City Manager Garner stated the City of Graham was recently awarded a Directed Grant through the State for \$600,000. These funds have been identified to be used within the downtown (B-1) area for enhancement-related projects. As indicated by the Office of State Budget and Management, the City of Graham must provide required documents to have these funds released including a Scope of Work outlining what will be accomplished with the grant funds.

City Manager Garner stated staff had provided a project list of potential projects that would qualify for funding. Although the total of all projects exceeds the allocated amount, there is the potential for a combination of projects.

Mayor Talley thanked Senator Amy Galley for getting this grant for the City to enhance its downtown. She asked when the grant needed to be implemented.

City Manager Garner stated the City needed to relay its scope of work as soon as possible.

Mayor Talley asked about the painting of the Duke energy poles.

City Manager Garner stated an update was received today from Duke Energy that Public Works Director Burke Robertson could share that information.

Mr. Burke Robertson stated Duke Energy had no plans to paint the poles downtown. He stated if Council desired another quote to update the current one, the City would have to pay engineering fees for a second quote.

Mayor Talley discussed lighting downtown and if we upgraded, we needed to be able to tell a difference in the brightness. She said when she goes to Burlington, the downtown is dark. She stated she liked the option of hanging baskets and hoped it could be implemented.

Council discussed options for sidewalk improvements such as staining or taking sections at a time each year and replacing sidewalks with brick pavers.

Council consensus was to have Public Works Director Robertson conduct a light pole test using 220-lumen light and for Council to review the list of proposals and table until the June 11, 2024, meeting.

Mr. Robertson asked what area the Council wanted to test. Mayor Pro Tem Hall asked to test the dark area of North Main Street.

Mr. Tom Boney, Alamance News. asked why this grant money could not be used for the Sesquicentennial Park.

Mayor Talley stated no because that was not how the grant was presented. She stated the City of Graham did not build the park and she was not in favor of spending \$600,000 on a Sesquicentennial celebration park.

ITEM 4: GRAHAM-MEBANE LAKE COMPREHENSIVE MASTER PLAN

City Council considered approving the Graham-Mebane Lake Comprehensive Master Plan to allow for various grants including state-funded Parks and Recreation Trust Fund, Land and Water Conservation Fund, and Accessible Parks grants.

Mayor Talley stated she has had several projects this week and did not receive the Master Plan until Monday. She asked if Council would postpone approval of the plan until the next Council meeting to give her time to finish reviewing the plan.

City Manager Garner stated she and Recreation Director Brian Faucette had discussed it and he has no problem tabling this item to the June 11, 2024, meeting.

Council discussed options for more recreation at the lake.

Council Member Chin cautioned the Council this was our water source and should another reservoir be built, it would open up the possibility of more recreation at the Graham-Mebane Lake.

Mr. Faucette stated staff was looking to expand use on land instead of putting more boats on the water because of the size of the lake. He said the Master Plan would serve as a guide for the City of Graham staff, administration, and elected officials to continue the development of the Graham-Mebane Lake over the next 5-10 years.

Motion by Mayor Talley to table this item to the June 11, 2024, meeting, seconded by Council Member Whitaker. The motion passed unanimously.

ITEM 5: STREET CLOSURE REQUEST – GRAHAM BBQ BASH/CAR SHOW

City Council will consider closing the 100 block of E. Elm Street from 5:00 pm on Friday, June 14, 2024, to 8:00 pm on Saturday, June 15, 2024, for the Graham BBQ Bash/Car Show.

Assistant City Manager Holland stated Mike McPherson and Anthony Pierce had submitted an application requesting closure of the 100 block of E. Elm Street for the Graham BBQ Bash/Car Show to fundraise for Emergency Services Workers and Veterans. He stated the event would occur June 14th and 15th, 2024, starting at 5:30 pm on the 14th to 8 pm on the 15th (includes setup and cleanup). The road closure of the 100 block of E. Elm is being requested for 8 am -5 pm on June 15, 2024, with cooking and musical entertainment taking place on private property. He stated staff recommended approval.

Mayor Talley asked to be recused due to the event being held on her property.

Motion by Council Member Chin to allow Mayor Talley to be recused, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

Motion by Council Member Chin to approve the closing of 100 Block of E. Elm Street for the Graham BBQ Bash/Car Show on Saturday, June 15, 2024, from 10:00 am to 6:00 pm, seconded by Mayor Pro Tem Hall. The motion passed 4-0, Mayor Talley did not vote.

ITEM 6: STREET CLOSURE REQUEST – ALAMANCE COUNTY MEMORIAL DAY SERVICE

City Council considered closing W. Elm Street from the intersection of W. Elm Street and Maple Street to the intersection of W. Elm Street and Oneida Street on Monday, May 27, 2024, from 8:00 am to 12:00 pm for the Alamance County Memorial Day Service.

Assistant City Manager Holland stated the applicant had requested to close the street for the Memorial service on May 27, 2024, from 8 am to 12 pm.

Motion by Council Member Whitaker to approve the closing of W. Elm Street from the intersection of W. Elm Street and Maple Street to the intersection of W. Elm Street and Oneida Street for the Alamance Memorial Day Service on Monday, May 27, 2024, from 8:00 am to 12:00 pm, seconded by Mayor Pro Tem Hall. The motion passed unanimously.

ITEM 7: FY2024-25 BUDGET PRESENTATION:

City Manager Garner presented the Fiscal Year 2024-2025 Budget Proposal as follows:

<h1>Budget</h1> <hr/> <ul style="list-style-type: none"><input type="checkbox"/> December - Council planning session<input type="checkbox"/> January - Budget kickoff<input type="checkbox"/> Multiple individual departmental reviews<input type="checkbox"/> Cost of goods and materials have increased resulting in higher cost of service delivery<input type="checkbox"/> Maintain current tax rate of \$0.2899<input type="checkbox"/> No reduction to services
--

General Fund (10)

- One penny on the tax rate is estimated to generate \$233,512 based on a 97% collection rate
- Balanced at \$20,648,350
- Expenditures for public safety (\$8,670,807) are expected to exceed all of the ad valorem tax levy (\$7,030,000) by over \$1,640,807
- The Warehouse Department has been absorbed into the Garage Department

General Fund (10)

- New tourism department created as a result of the 3% occupancy tax
- Exploratory arts around the square event (\$50,000)
- Deferred maintenance/capital items equate to over \$1,500,000
- Mandatory employer retirement contribution increase
- Health insurance increase of 3.75%

General Fund Revenues

Summary of General Fund Revenues			
	FY 2023-2024 (Adopted)	FY 2024-2025 (Recommended)	Difference
Ad Valorem Taxes	\$ 6,387,660	\$ 7,030,000	\$ 642,340
Investment Earnings	\$ 105,000	\$ 215,000	\$ 110,000
Miscellaneous	\$ 674,800	\$ 727,900	\$ 53,100
Other Taxes/License	\$ 500	\$ 500	\$ -
Occupancy Tax	\$ -	\$ 79,000	\$ 79,000
Permits/Fees	\$ 710,000	\$ 590,000	\$ (120,000)
Restricted Governmental	\$ 892,000	\$ 1,026,000	\$ 134,000
Sales/Services	\$ 2,002,000	\$ 2,078,668	\$ 76,668
Unrestricted Governmental	\$ 7,563,000	\$ 7,745,000	\$ 182,000
Fund Balance	\$ 1,246,245	\$ 1,156,282	\$ (89,963)
	\$ 19,581,205	\$ 20,648,350	\$ 1,067,145

Proposed Fees (General Fund)

Site development/re-inspection fee

Current: 1st \$250, 2nd \$500, 3rd \$750

Proposed: 1st \$350, 2nd \$700, 3rd \$1,050

Electronic payment fee:

Current: A processing fee will be added for all credit/debit payments

Proposed: A processing fee will be added for all electronic payments

Proposed Fees (General Fund)

Garbage and recycling – Increase by \$2.00 from \$11.50 to \$13.50

Republic 3% CPI increase

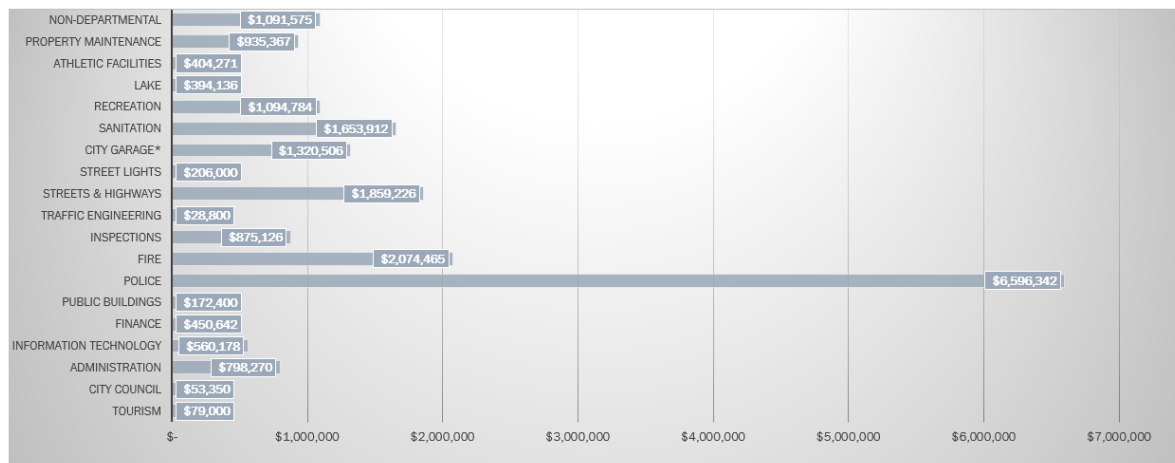
Stormwater fee – Increase from \$2.00 to \$3.50

General Fund (10)

General Fund			
Department	FY 2023-2024 (Adopted)	Manager's Recommendation	Difference
Tourism	\$ -	\$ 79,000	\$ -
City Council	\$ 65,000	\$ 53,350	\$ (11,650)
Administration	\$ 713,870	\$ 798,270	\$ 84,400
Information Technology	\$ 442,150	\$ 560,178	\$ 118,028
Finance	\$ 417,800	\$ 450,642	\$ 32,842
Public Buildings	\$ 200,700	\$ 172,400	\$ (28,300)
Police	\$ 6,607,215	\$ 6,596,342	\$ (10,873)
Fire	\$ 1,793,375	\$ 2,074,465	\$ 281,090
Inspections	\$ 773,200	\$ 875,126	\$ 101,926
Traffic Engineering	\$ 28,800	\$ 28,800	\$ -
Streets & Highways	\$ 1,910,045	\$ 1,859,226	\$ (50,819)
Street Lights	\$ 150,000	\$ 206,000	\$ 56,000
City Garage*	\$ 1,069,600	\$ 1,320,506	\$ 250,906
Sanitation	\$ 1,476,400	\$ 1,653,912	\$ 177,512
Recreation	\$ 1,043,350	\$ 1,094,784	\$ 51,434
Lake	\$ 255,700	\$ 394,136	\$ 138,436
Athletic Facilities	\$ 404,250	\$ 404,271	\$ 21
Property Maintenance	\$ 934,400	\$ 935,367	\$ 967
Non-Departmental	\$ 1,175,500	\$ 1,091,575	\$ (83,925)
	\$ 19,581,205	\$ 20,648,350	\$ 1,107,995

*City Garage includes the Warehouse Department from the current fiscal year.

General Fund Departments

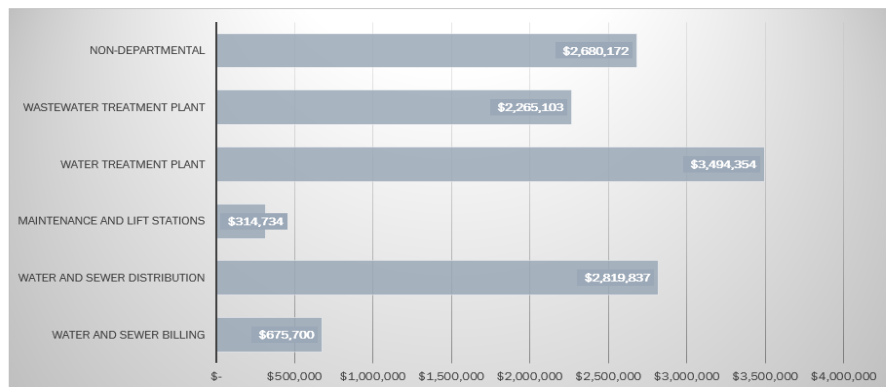


Water and Sewer (Fund 31)

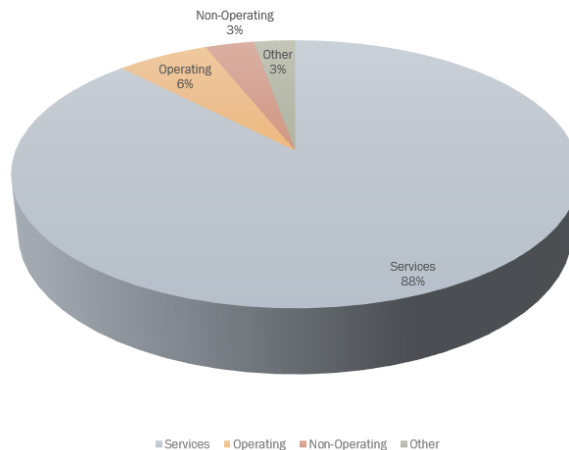
- Balanced at \$12,249,900
- Proposed rate increase of 9.5%
 - Increase for 1,000 gallons ~\$1.98/month
 - Increase for 5,000 gallons ~ \$7.35/month
- One position reclassification funded: Field Operations Technician reclassified to a Utilities Administrative Coordinator

1,000 gallons		5,000 gallons	
Current water	\$9.09	Current water	\$24.96
Proposed water	\$9.95	Proposed water	\$27.33
Current sewer	\$11.79	Current sewer	\$52.44
Proposed sewer	\$12.91	Proposed sewer	\$57.42

Water and Sewer (Fund 31)



Water and Sewer (Fund 31)



Upcoming Dates

- May 21, 2024 – Council work session
- June 11, 2024 – Public Hearing

Budget Availability

- Available in the office of the City Clerk
- Will be available on our website (www.cityofgraham.com) Wednesday, May 15th

Mayor Talley stated the Council would discuss the budget further at its Budget Workshop scheduled for May 21, 2024, at 10:00 am.

PUBLIC COMMENT PERIOD

Mr. Randy Phillips, 130 Barton Street, Graham, Manager at Sutton’s at the Wrike, discussed parking issues at the alleyway between Sutton’s and Green & McClure and in loading zones. He asked if police officers could better manage trucks unloading in the street and in designated handicapped parking spaces.

CITY STAFF COMMENTS

There were no comments.

CITY COUNCIL COMMENTS

Council Member Whitaker asked staff to check out the excessive debris and rocks on Hanford Road and with the planned blasting.

Mayor Talley inquired about citizens getting an old link when attempting to pay their water bill. It appeared the link the individual was attempting to use was from an old software system.

Council Member Parsons inquired about the pond on Rogers Road and if there were fines that staff could enforce clean up at the pond. Staff will continue to monitor.

Council Member Parsons said he attended the Fallen Heros event and would like to thank all first responders. Council Members individually relayed the same.

Mayor Talley asked what was an alternative to retention ponds. The Assistant City Manager Holland stated it depended on the type of development and volume.

Mayor Talley asked to consider an amendment to the open space ordinance at the June 11, 2024, meeting.

CLOSED SESSION: (8:12 pm)

City Council will go into closed session pursuant to G.S. 143-318.11(a)(6) to discuss personnel.

Motion by Mayor Pro Tem Hall to go into closed session, seconded by Council Member Whitaker. The motion passed unanimously.

Motion by Mayor Talley to return to open session, seconded by Council Member Chin. The motion passed unanimously. (9:35 pm)

Mayor Talley announced that the Council reviewed the annual performance of City Manager Megan Garner and would like to make a motion to increase her salary to \$170,100, seconded by Council Member Chin. The motion passed unanimously.

Mayor Talley also stated the Council met to discuss whether to make the City Attorney's staff part-time employees rather than contractual. She stated the previous attorney was also deemed a part-time employee and Mebane's attorney was an employee.

The consensus of the City Council was to consider revisions to the Legal Counsel's contract and bring it back to Council for approval at the June 11, 2024, meeting.

Mayor Talley announced the BBQ Bash/Car Show, on June 15, 2024, from 10 am to 6 pm and a concert at the Graham Amphitheater at 7:00 pm this Saturday, May 18, 2024.

ADJOURN

Mayor Pro Tem Hall motioned to adjourn, seconded by Council Member Whitaker. The motion passed unanimously. The meeting adjourned at 9:40 p.m.

Renee M. Ward, CMC
City Clerk



City of Graham City Council Special Meeting Minutes (Budget Workshop) May 21, 2024

The City Council of the City of Graham held a Special Meeting on May 21, 2024, at 10:00 am in the Council Chamber, City Hall Municipal Building, 201 South Main Street, Graham, NC.

Councilmembers Present:

Mayor Jennifer Talley
Mayor Pro Tem Ricky Hall
Council Member Bobby Chin
Council Member Joey Parsons
Council Member Bonnie Whitaker

Staff Present:

Megan Garner, City Manager
Aaron Holland, Assistant City Manager
Renee M. Ward, City Clerk

CALL TO ORDER:

Mayor Jennifer Talley called the meeting to order at 10:07 am and presided.

Mayor Talley shared the Council had received the City Manager's recommended budget at the May 14, 2024, Council meeting. Since that time, the Council has had an opportunity to review the proposed budget and each would have a chance to discuss and/or ask questions.

REVIEW – FY 2024-2025 Proposed Budget

City Manager Garner highlighted the following items from the Fiscal Year 2024-25 proposed budget:

Mayor Talley asked what the total increase was for the 2024/25 budget.

City Manager Garner stated the current year 2023/24 as originally adopted was \$19,581,205 and the proposed budget for next year 24/25 was \$20,648,350, for an increase of \$1,670,145.

Mayor Talley asked what items were being proposed for the increase.

City Manager Garner directed the Council to the expenditures tab in their budget books and reviewed proposed items that made up the increase.

- **Tourism** – estimated revenue at \$79,000 based on the last completed fiscal year 22/23. There would be an administrative cost such as an audit for the TDA fund and a collection fee charged by the County for collecting the 3% tax. She shared that at least two-thirds of this money must be used to promote travel and tourism and the remainder could be used on tourism-related expenditures in the City.

Mayor Talley inquired about the possibility of billboards directing people to visit downtown Graham similar to what Mebane has.

City Manager Garner shared that someone had inquired about a digital message board sign at City Hall and if there was a consensus, Staff could begin working on getting quotes.

Mayor Pro Tem Hall stated he would like to see a sign located out front. Council Member Whitaker agreed. Council Member Chin suggested placing an electronic billboard sign at the Hwy 87 exit advertising events happening downtown. The consensus of the Council was to have staff check into the cost of a billboard and/or digital sign at City Hall. Council Member Parsons asked if the TDA money could be used for the much-needed branding. City Manager Garner said it could and staff was in the process of rebranding.

City Manager Garner relayed that the majority of the increase was due to personnel-related expenses. She said the budget number for FY23/24 did not include the mid-year pay plan implementation that occurred in January. That cost along with a proposed COLA, Duke Energy rate increases, chemical rate increases, and others made up the overall increase for the FY24/25 budget.

- **City Council** – a slight decrease due to no election in 2025.
- **Administration** – no capital items.
- **IT** – increase was due to capital items; cyber security software, security cameras (Phase 2), Water Treatment Plant security upgrade, and yearly network refresh

Mayor Talley asked if we were prepared for potential cyber-attacks on our water/sewer facilities. City Manager Garner said there was a water treatment plant security upgrade in the budget.

- **Finance** – had a slight increase, but overall finance has not changed; a new payroll software has been budgeted that would occur this upcoming fiscal year.
- **Public Buildings**: replacing AC unit up front at City Hall and the fourth unit would be replaced the following year at the Fire Department.
- **Police** – had a \$10,000 decrease, with an increase in personnel-related expenses with three vehicle replacements.
- **Fire** – increase due to debt service payments for the ladder truck and the annual hose replacement.

Council discussed the number of calls the fire trucks are responding to and if that could be reviewed. They also asked for the number of calls for the different levels of calls and the number they have responded to.

- **Inspections** – busy year, no capital requested.
- **Transportation** – consists of the Street Department and two smaller departments; (Traffic Engineering and Street Lighting.) A new asphalt roller, stormwater enhancements, and Public Works parking lot repairs have been budgeted. The **Warehouse Division** within Public Works has been absorbed within the Garage Division.

- **Garage** – no capital items requested. During FY 23/24, the Council approved an allocation through ARPA-enabled dollars for the Garage addition that is complete except for placing extra lighting on the exterior. This division has one new position proposed in the Garage Department; a Heavy Fleet Technician.
- **Sanitation** – increase is due to debt service payment for a sanitation truck, which is expected to be delivered mid-year next year.

Mayor Talley said she was still getting complaints about Republic not picking up on the same day as trash pick-up. Council Member Whitaker stated they were very erratic in her neighborhood and sometimes skipped entire streets. It was determined that Republic had improved since the beginning.

City Manager Garner shared the next fiscal year would be the third year of a three-year contract with Republic. She said the staff would begin looking into options.

Mayor Talley asked if Burlington or any other would be sending out bids and if Graham could piggyback off them or others. City Manager Garner said it was sent out for bid two years ago in advance and part of the problem was we only had one submission because the other company did not have the capability, at the time, to take on another large client.

- **Recreation** – capital requests; Recreation Center – Maple Street Center floors, Alamance Arts exterior painting, Marina – Boat lift and boat slip dock for Jon boats, Athletic Facilities – Interior signage at Bill Cooke Park and South Graham.

Mayor Talley said relayed in the survey there was not enough room to wait until the lake opened causing vehicles/boats to park on a busy road. She asked if there was anything that could be done to provide a place, off the street, for vehicles/boats to park until the lake opened.

City Manager Garner said she would have staff review it.

Council Member Whitaker asked if Mebane was helping with the cost of the dock and other repairs.

City Manager Garner said it was a 50/50 split for operations and capital.

Mayor Talley said she would like to see more recreational things such as paddle boards, kayaks, canoes, etc., for additional recreational fun.

City Manager Garner said there were some there, but would find out how many of each was currently on hand.

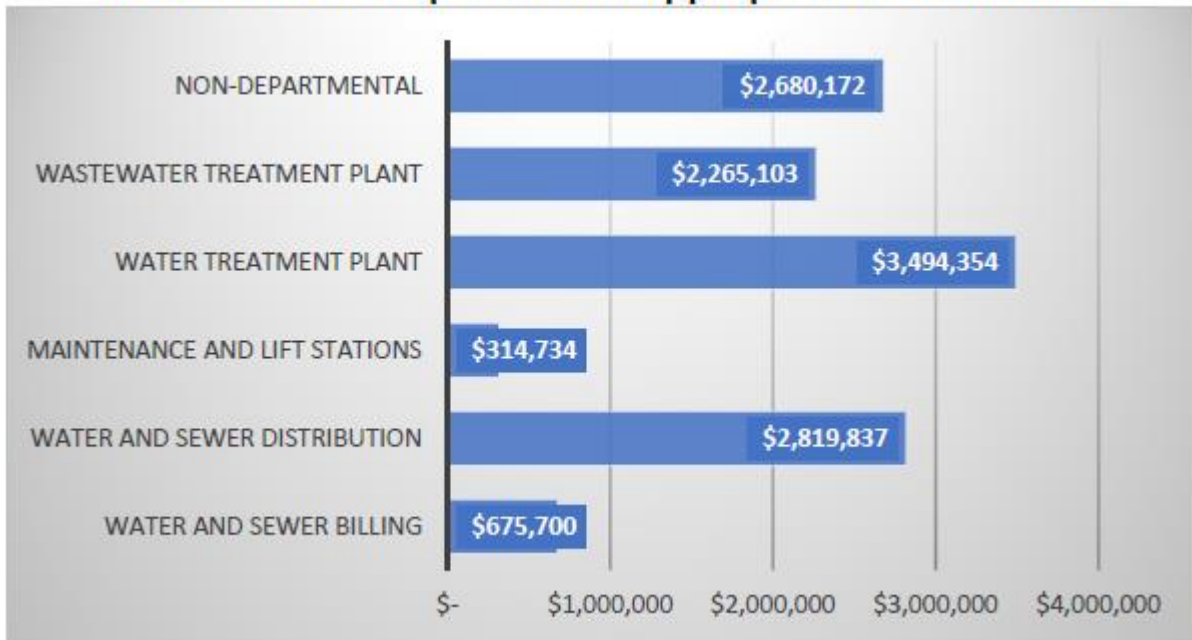
- **Property Maintenance** – has one capital item, a diesel mower.
- **Non-Departmental Appropriations** – expenses common throughout all departments and there was no request for capital.

Pay Plan:

City Manager Garner relayed two new positions added to the pay plan; Utility Administrative Coordinator at a Pay Grade of 17 and a Heavy Fleet Technician at a Pay Grade of 19. She said the Council would receive notification in the coming days for an addition to the Pay Plan that would not increase FTEs but would be a part of an internal restructuring within the Finance Department.

Expenditures (Fund 31)

Water & Sewer Departmental Appropriations Illustration



Mayor Talley asked about the program that takes sections each year and replaces water lines.

City Manager Garner said that would be the Neighborhood Waterline Enhancement Program (NWEP).

Mayor Talley asked for a copy of the NWEP multi-year plan. She also inquired about the grant position and if that person would be looking for available grants.

City Manager Garner said a kick-off meeting was scheduled with Whitt O’Brian’s who would work on behalf of the City for potential grants.

Rates and Fee Schedule:

Mayor Talley asked if the re-inspection rate had helped with repeatedly going out multiple times at the same site for inspections.

City Manager Garner said it had helped but was not sure it had helped enough.

Mayor Talley expressed the proposed increase for re-inspections was too high and strongly urged those fees be decreased.

Recess:

Council took a recess for lunch. (12:20 pm)

Council reconvened at 1:00 pm.

City Manager Garner shared with Council that the processing fee stated in red throughout the Rates and Fees Schedule now states a processing fee is added for all electronic payments, including electronic checks but no fee for check drafts. When paying taxes and utilities through the online payment portal, whether it is a debit card, credit card, or check, that fee will be processed and passed to the customer. The Council suggested making it clearer to citizens about the fees versus no fee for bank drafts. City Manager Garner said quarterly or bi-annual notifications could be placed in the water bills advertising paying by bank draft.

Mayor Talley inquired about the increase in water and sewer tap fees.

Council Member Whitaker said this was the fee we were playing catch-up with because we were way behind everyone else's fees.

Capital Improvement Plan:

City Manager Garner said most of the CIP items were detailed as she reviewed the individual department budget and unfunded requests.

Discussions:

Mayor Pro Tem Hall asked if there was a way to improve the front façade of City Hall where the top across the front of the building has turned black.

The Council stepped outside to view the front of the building where the top is black. Mayor Talley suggested having a contractor suggest options. City Manager Garner said if it was the consensus of the Council, she would bring this back after the start of the new fiscal year and if the Council wanted to fund some type of renovation, a budget amendment could be prepared. Council agreed.

Mayor Talley inquired about Jon boats and asked for a count of Jon boats, paddle boats, kayaks, etc. She shared that one of the biggest concerns she has heard from citizens was wanting more boating options.

Council discussed the sale of the Bank of America building and expressed interest in preserving it in its historic state. City Manager Garner will contact the corporate office and inquire about the purchase price.

Mayor Talley inquired about bollards purchased by Recreation but were never installed. City Manager Garner said that someone purchased bollards in 2021 or 2020 and would find out where they are and what the purpose was.

Mayor Talley asked about the sidewalk budget.

City Manager Garner said that was close to the same number budgeted each year to increase sidewalks in the City.

Mayor Pro Tem Hall asked if federal funding could be used for additional sidewalks on Main Street from one end to the other for safety.

Assistant City Manager Holland said the City had attempted to acquire funding through the Burlington-Graham MPO and NCDOT, but have met challenges with project costs.

Mayor Talley asked about pickleball courts.

City Manager Garner said there were courts at Bill Cooke Park.

Mayor Talley asked staff to see about adding pickleball courts at South Graham Park since it seemed to be more popular than tennis.

Council Member Parsons said it could be a potential noise issue with neighbors near the park because of the noise the paddles make when contacting the ball.

Mayor Talley asked if there was anything, budget-wise, to encourage the hiring of Fire Department volunteers.

City Manager Garner said the VSP (Volunteer Shift Program) had already been implemented where volunteers are now eligible to get a stipend which we have volunteers getting. She added we onboarded five or six new volunteers in the past week or two.

Council Member Chin asked that the Museum Board and Historic Resources Commission be allocated \$1,500 each for plaques and small purchases. Mayor Talley asked that the committees present to the Council how they plan to use the money, which would need to be approved by Council. Council Member Parsons, board liaison for both the Museum Board and HRC, stated he would relay to the Museum Board and HRC that they would each be allocated \$1,500 and would have to present their intent before Council during a public meeting for authorization to use the money.

Mayor Talley asked for a list of all leases and square footage.

City Manager Garner asked if she was inquiring about City-owned properties leased to others.

Mayor Talley said that was correct. She suggested staff look into renegotiating those leases.

Mayor Talley asked if the Arts Council had proposed any money for renovations to the house.

City Manager Garner said yes, they would be painting the exterior, which would cost \$25,500.

Mayor Talley asked if the City was making sure the building was being maintained.

City Manager Garner said yes, that the City had made recent repairs such as replacing the tile flooring in an upstairs bathroom, and the dishwasher drain had to be repaired.

Mayor Talley shared that she was disappointed that the Council unanimously approved \$10,000 last year for an Arts Around the Square one-day event. She said this had not come to fruition and asked what the proposal was for the upcoming year.

City Manager Garner said the proposed budget had \$50,000 allocated for an exploratory Arts Around the Square event.

Mayor Talley said that she did not think it would cost \$50,000 and she did not believe other events cost that much and would be in favor of putting out whatever number the first year to see how much it cost but wanted it earmarked that it could not be used for anything else.

City Manager Garner said that was how the \$10,000 for this current fiscal year.

Mayor Talley said that it was suggested to be used by another department head for a different event.

Assistant City Manager Holland said staff was trying to marry it with the September 11th 5K event so it could be effective.

Mayor Talley said there were concerns about artisans not coming and that the City could pay artisans for whatever they wanted to demonstrate such as pottery, glassblowing, etc. She said she wanted to make sure when the budget was passed, the City would reapply for the \$10,000 grant from the Tourism Board for this upcoming year.

City Manager Garner said if the budget passes with the allocation of \$50,000, Recreation staff could plan a July or August presentation to the full Council on the proposed plan. That way, everyone stays in the loop.

Mayor Talley said she would like to see more renting of the Jon boats, kayaks, paddle boards, and anything that would enhance the recreation part of the lake.

Mayor Talley asked that we begin working on the Downtown Master Plan beginning in July.

Mayor Talley said the downtown banners needed replacing.

City Manager Gartner said getting new banners would be a good use of occupancy tax dollars. She said we would work on the different sign options and the banners.

Mayor Pro Tem Hall asked that money be budgeted for a rewrite of the Unified Development Ordinance (UDO) or to explore the cost.

Mayor Talley suggested getting an approximate cost of a UDO rewrite. Council Member Whitaker said we could come back for a budget amendment if the Council decided to move forward with the rewrite.

City Manager Garner said the estimated overall cost would need to go through the bid process for formal quotes. She said if it was the consensus of the Council, staff could move in that direction with the understanding that before a contract could be awarded it would need to come to City Council for a budget amendment approval.

Council consensus was to move forward with formal bids.

Council Member Parsons inquired about potential land for purchase to be used for an additional fire station in the future.

City Manager Garner said property acquisitions were acceptable closed-session items. She said the Council could go into closed session to discuss it, direct staff to do whatever the Council decides, and if there was an agreement, it would have to be a budget amendment from the City Council to approve any purchase.

Council thanked the City Manager for a great budget and the hard work put into it.

Mayor Talley said she would like to hear from staff how happy they are with the new health insurance. She said the retirees were much happier than what they had before.

City Manager Garner said next fiscal year deductibles would decrease by \$1,000 on the base and buy-up plans. She said this was a tremendous benefit to employees and the City Council approved the employer-paid dental plan for full-time employees. She said employees are very appreciative.

Motion by Council Member Chin to adjourn, seconded by Council Member Whitaker. The motion passed unanimously.

The meeting was adjourned at 2:40 pm.

Renee M. Ward, CMC
City Clerk

STAFF REPORT

SUBJECT:	APPROVE PROJECT BUDGET FOR BANKS & MCBRIDE IMPROVEMENTS PROJECT
PREPARED BY:	AARON HOLLAND, ASSISTANT CITY MANAGER

REQUESTED ACTION:

Approve project budget for Banks & McBride Improvements Project.

BACKGROUND/SUMMARY:

This project was originally funded in the Water & Sewer Distribution Department as Capital Outlay Other Improvements. The project has been started, but will not be completed in the current fiscal year. Remaining project funds need to be converted to a capital project to preserve the funding necessary for completion.

FISCAL IMPACT:

The original water/sewer project was budgeted at \$925,000 and \$27,933.25 has already been used for this project. The total funding to complete the project is estimated at \$897,066.75.

STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S):

I move we approve the project budget for Banks & McBride Improvements Project.

**CAPITAL PROJECT ORDINANCE
BANKS & MCBRIDE IMPROVEMENTS PROJECT**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM, NORTH CAROLINA, that pursuant to Section 13.2, Chapter 159 of the General Statutes of North Carolina, the following Capital Project Ordinance is hereby adopted:

Section 1. The Project authorized is Banks & McBride Improvements Project.

Section 2. The officials of the City of Graham are hereby directed to proceed with this project within the terms of the project. Staff is authorized to execute change orders within the budget ordinance.

Section 3. The following revenues are anticipated to be available to the City to complete the project:

Proceeds from Retained Earnings – Water/Sewer	\$ 897,066.75
(Expended)	\$ 27,933.25
TOTAL	\$ 925,000

Section 4. The following amounts are appropriated for this project:

Professional Services	\$ 925,000
TOTAL	\$ 925,000

Section 5. The Finance Director shall report on the financial status of this project as directed by the City Council and will inform the Council of any unusual occurrences.

Section 6. Copies of this project ordinance shall be made available to the City Manager and the Finance Director for direction in carrying out this project.

Section 7. This ordinance shall take effect upon passage.

This the 11th day of June 2024.

Jennifer Talley - Mayor

ATTEST:

Renee M. Ward – City Clerk

**NORTH CAROLINA
ALAMANCE COUNTY**

**CITY ATTORNEY
SERVICES AGREEMENT**

Introduction

This Agreement, made and entered into as of the **11th day of June 2024**, by and between the City of Graham of North Carolina, a North Carolina City (hereinafter called, "City,") and **Robert M. Ward and J. Bryan Coleman**, doing business as **Ward & Coleman, Attorneys at Law**, (hereinafter called "City Attorney,") both individuals who have the education, training and experience in the practice of local government law and who are subject to the North Carolina Code of Professional Conduct for practicing attorneys in the State of North Carolina, both of whom agree as follows:

Section 1: Term

This agreement shall remain in full force and effect from **July 1, 2024**, until terminated by the City or City Attorney as provided in Sections 7, 8, or 9 of this Agreement.

Section 2: Duties and Authority

City acknowledges that City Attorney individuals have been licensed and in good standing with the North Carolina State Bar since 1970, and have in excess of 60 years of combined experience in the practice of law in Alamance County, North Carolina. City agrees to employ City Attorney on an annual compensation basis as City Attorney, as that office is defined in North Carolina law, to perform the functions and duties specified in the North Carolina General Statutes, the City of Graham Charter, and the Code of Ordinances and to perform other legally permissible and proper duties and functions.

Section 3: Compensation

- A. Base Fee: City agrees to pay City Attorneys an annual compensation of \$87,360 (current) payable in twenty-six (26) bi-weekly installments beginning on **July 1, 2024**.
- B. This agreement shall be automatically amended to reflect any across-the-board cost of living adjustments granted to other employees of the employer.
- C. This agreement shall be reviewed annually by the City Council to review the performance and compensation of the City Attorney.
- D. Consideration shall be given on an annual basis to increase compensation.
- E. The City Attorneys will each provide their social security number and will receive annually a W-2, as part-time employees of the City.

Section 4: Fringe Benefits: Including but not limited to Health, Disability, and Life Insurance Benefits, Vacation, Sick, Medical Doctor, and Military Leave, Retirement, and Longevity Pay

A. City and the City Attorneys agree that this agreement is for services as a part-time employee and as such is not subject to any of the fringe benefits that are made available to employees under the State Public Personnel Act or the City of Graham Personnel Policy, including Insurance Benefits, Vacation Pay, Sick Leave, or Longevity Pay.

B. Upon commencing services hereunder, the City acknowledges that City Attorney services are subject to reasonable personal time off (PTO) to address illness, vacation, holiday, and other personal matters outside the offices of City Hall, without affecting the installment payments hereunder.

C. The City and City Attorney agree that the City Attorney will not be enrolled in the applicable state or local retirement and 401k system and no contributions on the City's behalf.

Section 5: Automobile

The City Attorney's duties require exclusive and unrestricted use of an automobile. It shall be mutually agreed upon that the City Attorney shall provide his own automobile provided through his compensation. The City Attorney shall be responsible for paying for liability, property damage, and comprehensive insurance coverage upon such vehicle and shall further be responsible for all expenses attendant to the purchase, operation, maintenance, repair, and regular replacement of said vehicle. The City shall reimburse the City Attorney at the City of Graham standard mileage rate for any business use of the vehicle when his duties require him to travel beyond the borders of Alamance County.

Section 6: General Business Expenses

A. City agrees to budget for and to pay for professional dues and subscriptions of the City attorney necessary for continuation and full participation in national, regional, state, and local associations, and organizations necessary and desirable for the City Attorney's continued professional participation, growth, and advancement, and for the benefit of the City, including the necessary continuing education required to maintain the appropriate licensure for this work by the North Carolina State Bar.

B. City agrees to pay for travel and subsistence expenses of City Attorney for professional and official travel, meetings, and occasions to adequately continue the professional development of City Attorney and to pursue necessary official functions for City, including but not limited to the North Carolina Bar Association Annual Conference, the North Carolina Municipal Attorneys' Association Conference, the North Carolina League of Municipalities, and such other national regional, state, and local governmental groups and committees in which City Attorney serves as a member, subject to the availability of funds. Only one such registration or official travel shall be provided annually for each membership organization.

C. City also agrees to budget for and to pay for travel and subsistence expenses of City Attorney for short courses, institutes, and seminars that are necessary for the City Attorney's professional development and the benefit of the City.

D. City recognizes that certain expenses of a non-personal but job-related nature are incurred by City Attorney, and agrees to reimburse or to pay said general expenses. The finance director is authorized to disburse such moneys upon receipt of duly executed expense or petty cash vouchers, receipts, statements, or personal affidavits.

E. **Technology:** The City shall provide City Attorney with an appropriate office, computer, software, and other technology required for the City Attorney to perform the job and to maintain communication with the Council and City Staff.

Section 7: Termination

For the purpose of this agreement, termination shall occur when:

1. The majority of the Graham City Council votes to terminate the City Attorney at a duly authorized public meeting.
2. If the City, citizens, or legislature acts to amend any provisions of the City of Graham Charter, Code of Ordinance, or enabling legislation pertaining to the role, powers, duties, authority, and responsibilities of the City Attorney's position that substantially changes the form of government, the City Attorney shall have the right to declare that such amendments constitute termination.

Section 8: Severance

No Severance shall be paid to the City Attorney when services are terminated under any circumstance.

Section 9: Resignation

In the event that the City Attorney voluntarily resigns from his position with the City, the City Attorney shall provide a minimum of 30 days' notice unless the parties agree otherwise.

Section 10: Performance Evaluations

City shall annually review the performance of the City Attorney subject to a process, form, criteria, and format for the evaluation which shall be mutually agreed upon by the City and City Attorney. The process at a minimum shall include the opportunity for both parties:

- (1) prepare a written evaluation,
- (2) meet and discuss the evaluation, and
- (3) present a written summary of the evaluation results. The final written evaluation should be completed and delivered to the City Attorney within 30 days of the evaluation meeting.

Section 11: Hours of Work

It is recognized that the City Attorney must devote time outside of the normal office hours on business for the City and for his other duties in the practice of law. For that purpose, City Attorney shall be allowed to establish an appropriate work schedule. The City Attorney will be available to conduct office hours the full day on Mondays and as needed on an on-call basis the rest of the work week up to twenty hours per week, for the purpose of providing access to City Management and Staff to address ongoing legal issues.

Section 12: Outside Activities

The services provided for by this Agreement are not the City Attorney's primary employment, and is arranged for the purpose of providing regular access to City's Management Team.

Section 13: Other Terms and Conditions

The City Council, only upon agreement with City Attorney, shall fix any such other terms and conditions, as it may determine from time to time, relating to the performance of the City Attorney, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the City of Graham Charter or any other law.

Section 14: Notices

Notice pursuant to this Agreement shall be given by depositing in the custody of the United States Postal Service, postage prepaid, addressed as follows:

- (1) CITY: Mayor, City of Graham, PO Drawer 357, Graham, NC 27253
- (2) City Attorney: Ward & Coleman, Attorneys, PO Box 1683, Burlington, NC 27216

Alternatively, the notice required pursuant to this Agreement may be personally served in the same manner as is applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service or as the date of deposit of such written notice in the course of transmission in the United States Postal Service.

Section 15: General Provisions

A. Integration. This Agreement sets forth and establishes the entire understanding between the City and the City Attorney relating to the in-house legal services for the City of Graham. Any prior discussions or representations by or between the parties are merged into and rendered null and void by this Agreement. The parties by mutual written agreement may amend any provision of this agreement during the life of said agreement. Such amendments shall be incorporated and made a part of this agreement.

B. Binding Effect. This Agreement shall be binding on the City and the City Attorney as well as their heirs, assigns, executors, personal representatives, and successors in interest.

C. Effective Date: **This Agreement shall become effective on July 1, 2024.**

D. Severability. The invalidity or partial invalidity of any portion of this Agreement will not affect the validity of any other provision. In the event that any provision of this Agreement is held to be invalid, the remaining provisions shall be deemed to be in full force and effect as if they have been executed by both parties subsequent to the removal or judicial modification of the invalid provisions.

Robert M. Ward

Jennifer Talley, Mayor

J. Bryan Coleman

Renee Ward, City Clerk

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

Finance Officer



STAFF REPORT

SUBJECT:	BUDGET AMENDMENT – WWTP
PREPARED BY:	MEGAN GARNER

REQUESTED ACTION:

Approve the budget amendment to increase the Wastewater Capital Outlay by \$55,000 from \$45,000 to \$100,000.

BACKGROUND/SUMMARY:

The wastewater treatment plant has begun the new treatment process, and in order to have the best ratio of food to the micro-organisms additional solids removal is needed. The removal of the solids from our plant will help optimize the startup of the new BNR process.

FISCAL IMPACT:

The additional \$55,000 will increase expenditures (31-5900-7300/capital outlay) as well as revenues as this amount is coming from available fund balance.

STAFF RECOMMENDATION:

Approval

SUGGESTED MOTION(S)

I move we approve the budget amendment to increase the Wastewater Capital Outlay by \$55,000 from \$45,000 to \$100,000.

CITY OF GRAHAM

**BUDGET AMENDMENT ORDINANCE
2023-2024**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAHAM THAT
THE 2023 - 2024 BUDGET ORDINANCE SHALL BE AND IS HEREBY AMENDED AS FOLLOWS:**

Section 1.

EXPENDITURES

DEPARTMENT/ACCOUNT	APPROVED	AMENDED	INCREASE	(DECREASE)	INCREASE (DECREASE)
Wastewater - Capital Outlay	45,000.00	100,000.00	55,000.00		55,000.00
	45,000.00	100,000.00	55,000.00	-	55,000.00

Section 2.

REVENUES

	APPROVED	AMENDED	INCREASE	(DECREASE)	INCREASE (DECREASE)
Fund Balance Appropriation	\$794,625.00	\$849,625.00	55,000.00		55,000.00
	794,625.00	849,625.00	55,000.00	-	55,000.00

Adopted this 11th day of May 2024.

Attest:

Mayor Jennifer Talley

Renee M. Ward, City Clerk



STAFF REPORT

SUBJECT:	OCCUPANCY TAX COLLECTION
PREPARED BY:	MEGAN GARNER, CITY MANAGER

REQUESTED ACTION:

Approve an interlocal agreement with Alamance County for collection of occupancy tax.

BACKGROUND/SUMMARY:

The City of Graham, along with Burlington, Elon and Mebane, were authorized by legislation to enact a 3% occupancy tax and establish a municipal Tourism Development Authority (TDA). In order to begin collection for July 1, 2024, the effective date of the tax, the TDA is proposing to allow Alamance County to collect the municipal occupancy tax given they already have a mechanism in place to collect the County occupancy tax. The County shall withhold 3% of the first \$500,000 gross occupancy tax receipts collected each year and one percent (1%) of the remaining gross occupancy tax receipts collected each year.

FISCAL IMPACT:

The City is estimated to receive approximately \$79,000 in occupancy tax for the upcoming fiscal year.

STAFF RECOMMENDATION:

Approval

SUGGESTED MOTION(S):

Make a motion to approve an interlocal agreement with Alamance County for collection of occupancy tax.

**ALAMANCE COUNTY
CITY OF GRAHAM
ALAMANCE COUNTY MUNICIPAL TOURISM DEVELOPMENT AUTHORITY**

**INTERLOCAL AGREEMENT
FOR COLLECTION OF OCCUPANCY TAX**

THIS INTERLOCAL AGREEMENT, (“Agreement”) made and entered into pursuant to North Carolina General Statutes § 160A-461 and § 160A-215 this 11th day of June 2024, by and between Alamance County, (hereinafter referred to as “County”) a body politic and corporate organized and existing under the laws of the State of North Carolina, the City of Graham (hereinafter referred to as “City”), a North Carolina Municipal Corporation organized and existing under the laws of the state of North Carolina, and Alamance County Municipal Tourism Development Authority (hereinafter, “Authority”).

WHEREAS, on October 25, 2023, the North Carolina General Assembly ratified Senate Bill 154, An Act to Make Various Occupancy Tax Changes, designated as Session Law 2023-144, herein known as “the Act;” and,

WHEREAS, the City of Burlington, (hereinafter, “Burlington”), adopted a Resolution Creating and Levying a Municipal Room Occupancy Tax on January 2, 2024; and,

WHEREAS, the Burlington Resolution Creating and Levying a Municipal Room Occupancy Tax created and levied a room occupancy tax of three percent (3%) of the gross receipts derived from the rental of accommodations within Burlington’s corporate limits, which are subject to sales tax imposed by the State under G.S. § 105-164.4(a)(3); and,

WHEREAS, the Town of Elon, (hereinafter, “Elon”), adopted a Resolution Creating and Levying a Municipal Room Occupancy Tax on February 13, 2024; and,

WHEREAS, the Elon Resolution Creating and Levying a Municipal Room Occupancy Tax created and levied a room occupancy tax of three percent (3%) of the gross receipts derived from the rental of accommodations within Elon’s corporate limits which are subject to sales tax imposed by the State under G.S. § 105-164.4(a)(3); and,

WHEREAS, the City of Graham, (hereinafter, “Graham”), adopted a Resolution Creating and Levying a Municipal Room Occupancy Tax on March 12, 2024; and,

WHEREAS, the Graham Resolution Creating and Levying a Municipal Room Occupancy Tax created and levied a room occupancy tax of three percent (3%) of the gross receipts derived from the rental of accommodations within Graham’s corporate limits which are subject to sales tax imposed by the State under G.S. § 105-164.4(a)(3); and,

WHEREAS, the City of Mebane, (hereinafter, “Mebane”), adopted a Resolution Creating and Levying a Municipal Room Occupancy Tax on April 8, 2024; and,

WHEREAS, the Resolution Creating and Levying a Municipal Room Occupancy Tax created and levied a room occupancy tax of three percent (3%) of the gross receipts derived from

the rental of accommodations within Mebane’s corporate limits which are subject to sales tax imposed by the State under G.S. § 105-164.4(a)(3); and,

WHEREAS, the Burlington City Council adopted a Resolution Establishing Alamance County Municipal Tourism Development Authority, (hereinafter, “Authority”), on January 2, 2024; and,

WHEREAS, pursuant to Session Law 2023-144, said Resolution Establishing Alamance County Municipal Tourism Development Authority established a duty of the Authority to collect the proceeds of the tax levies from the room occupancy tax and segregate the net proceeds into separate accounts based on the municipality from which the proceeds are collected; and,

WHEREAS, Elon adopted a Resolution joining said Authority on February 13, 2024;

WHEREAS, Graham adopted a Resolution joining said Authority on March 12, 2024;

WHEREAS, Mebane adopted a Resolution joining said Authority on April 8, 2024;

WHEREAS, pursuant to N.C.G.S. § 160A-215(d), the taxing municipality shall administer and collect a room occupancy tax it levies; and,

WHEREAS, pursuant to Session Law 2023-144, the taxing municipality may withhold a portion of the gross occupancy tax receipts for administering and collecting the occupancy tax, not to exceed three (3%) of the first five hundred thousand dollars (\$500,000.00) collected each year and one percent (1%) of the remaining gross occupancy tax receipts collected each year; and,

WHEREAS, pursuant to N.C.G.S. § 160A-461, units of local government may enter into contracts or agreements with each other in order to execute any undertaking; and,

WHEREAS, Alamance County and the City of Graham desire Alamance County Tax Department to collect the occupancy tax from the accommodation retailers located within the corporate limits of Graham to be paid to Authority.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSIONERS OF ALAMANCE COUNTY, THE CITY OF GRAHAM CITY COUNCIL, AND THE ALAMANCE COUNTY MUNICIPAL TOURISM DEVELOPMENT AUTHORITY that:

Section 1. Collection of Tax.

Alamance County shall be responsible for collecting the occupancy tax. The Alamance County Tax Collector shall design and furnish to all appropriate businesses and persons within the corporate limits of Graham the necessary forms for filing returns and instructions to ensure the full collection of the tax.

Section 2. Administration and Penalties.

A room occupancy tax is due and payable to the Alamance County Tax Collector in monthly installments on or before the 20th day of the month following the month in which the tax accrues. Every person, firm, corporation, or association liable for the tax shall, on or before the 20th day of each month, prepare and render a return on the form prescribed by the Alamance County Tax

Collector as set out in Section 1 above. The occupancy tax return shall state the total gross receipts derived in the preceding month from rentals upon which the tax is levied. A room occupancy tax return filed with the Alamance County Tax Collector is not a public record and may not be disclosed except in accordance with N.C.G.S. § 160A-208.1. A person, firm, corporation, or association who fails or refuses to file a room occupancy tax return or pay a room occupancy tax as required by law is subject to the civil and criminal penalties set by N.C.G.S. 105-236 for failure to pay or file a return for State sales and use taxes. The governing board of the taxing municipality has the same authority to waive the penalties for a room occupancy tax that the Secretary of Revenue has to waive the penalties for State sales and use taxes.

Section 3. Collection Expenses.

As administration and collection expenses, County shall withhold three percent (3%) of the first five hundred thousand dollars (\$500,000.00) gross occupancy tax receipts collected each year and one percent (1%) of the remaining gross occupancy tax receipts collected each year.

Section 4. Remittance of Tax.

On a quarterly basis, Alamance County will remit the gross proceeds of the occupancy tax, less the administration and collection expenses as set out in Section 3 above, to the Alamance Municipal Tourism Development Authority which shall, in turn, pursuant to Session Law 2023-144, collect the gross occupancy tax proceeds of the participating municipalities and then segregate the net occupancy tax proceeds into separate accounts based upon the municipality from which the proceeds were collected.

Section 5. Effective Date.

This Resolution shall become effective upon the adoption of the Alamance County Commissioners, City of Graham City Council and Alamance County Municipal Tourism Development Authority, whichever signatory is last.

Adopted by the City of Graham this 11th day of June 2024.

ATTEST:

John P. Paisley, Jr., Chair
Alamance County Commissioners

Tory Frink, County Clerk to the Board

Jennifer Talley, Mayor
City of Graham

Renee Ward, City Clerk

Chair
Alamance County Municipal Tourism
Development Authority

Secretary to the Board



STAFF REPORT

SUBJECT:	BUDGET PUBLIC HEARING AND POSSIBLE ADOPTION
PREPARED BY:	MEGAN GARNER, CITY MANAGER

REQUESTED ACTION:

Hold a public hearing to receive public input on the proposed 2024-2025 budget.

Approve the budget ordinance, pay plan, and fee schedule for fiscal year 2024-2025.

BACKGROUND/SUMMARY:

The annual budget ordinance is the official document adopted by City Council to levy taxes and appropriate revenues for the 2024-2025 fiscal year. The attached budget ordinance is balanced and meets all the applicable requirements of the North Carolina Local Government Budget and Fiscal Control Act. The budget ordinance accounts for all anticipated revenues and expenditures for all operating funds for the upcoming fiscal year, including capital expenditures and other special funds.

FISCAL IMPACT:

The general fund is balanced at \$20,651,350; water/sewer at \$12,249,99; and special project funds at \$121,641,311.

STAFF RECOMMENDATION:

Approval.

SUGGESTED MOTION(S):

Make a motion to approve the budget ordinance, pay plan, and fee schedule for fiscal year 2024-2025.



Budget Ordinance FY 2024-2025

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

Section 1. The following amounts are hereby appropriated in the General Fund for the operation of City Government; its activities and capital improvements for the Fiscal Year beginning July 1, 2024, and ending June 30, 2025, in accordance with the Chart of Accounts heretofore established for the City:

Department	Recommend
Tourism	\$ 79,000
City Council	\$ 56,350
Administration	\$ 798,270
Information Technology	\$ 560,178
Finance	\$ 450,642
Public Buildings	\$ 172,400
Police	\$ 6,596,342
Fire	\$ 2,074,465
Inspections	\$ 875,126
Traffic Engineering	\$ 28,800
Streets & Highways	\$ 1,859,226
Street Lights	\$ 206,000
City Garage	\$ 1,320,506
Sanitation	\$ 1,653,912
Recreation	\$ 1,094,784
Lake	\$ 394,136
Athletic Facilities	\$ 404,271
Property Maintenance	\$ 935,367
Non-Departmental	\$ 1,091,575
	\$ 20,651,350

Section 2. It is estimated that the following revenues will be available in the General Fund for the Fiscal Year beginning July 1, 2024, and ending June 30, 2025.

Ad Valorem Taxes	\$ 7,030,000
Investment Earnings	\$ 215,000
Miscellaneous	\$ 727,900
Other Taxes/License	\$ 500
Occupancy Tax	\$ 79,000
Permits/Fees	\$ 590,000
Restricted Governmental	\$ 1,026,000
Sales/Services	\$ 2,078,668
Unrestricted Governmental	\$ 7,745,000
Fund Balance	\$ 1,159,282
Grand Total	\$ 20,651,350

Section 3. The following amounts are hereby appropriated in the Water and Sewer Fund for its operations, activities, and capital improvements for the Fiscal Year beginning July 1, 2024, and ending June 30, 2025, in accordance with the Chart of Accounts heretofore established for the City:

Water and Sewer Billing	\$ 675,700
Water and Sewer Distribution	\$ 2,819,837
Maintenance and Lift Stations	\$ 314,734
Water Treatment Plant	\$ 3,494,354
Wastewater Treatment Plant	\$ 2,265,103
Non-Departmental	\$ 2,680,172
Fund Total	\$12,249,900

Section 4. It is estimated that the following revenues will be available in the Water and Sewer Fund for the Fiscal Year beginning July 1, 2024 and ending June 30, 2025.

Services	\$ 10,739,000
Operating	\$ 765,100
Non-Operating	\$ 403,500
Other	\$ 342,300
Fund Total	\$ 12,249,900

Section 5. The following amounts are hereby anticipated and appropriated for the City’s Special Funds:

	Revenues	Expenditures
Federal Drug Monies	100	100
State Drug Monies	100	100
ARPA Local Fiscal Recovery Fund (Revenue Replacement)	4,986,340	4,986,340
ARPA Enabled Projects	4,908,621	4,908,621
Truby Drive Repair Project	200,000	200,000
10” Water Main Replacement	17,250,000	17,250,000
Boyd Creek Pump Station	3,962,000	3,962,000
Old Field Outfall	2,955,000	2,955,000
WWTP Upgrade	84,649,290	84,649,290
Water Line Inventory & Assessment	400,000	400,000
Boyd Creek Watershed Point Repair	500,000	500,000
Long and Albright Improvements Project	904,860	904,860
Banks and McBride Improvements	925,000	925,000
TOTALS:	121,641,311	121,641,311

Section 6. There is hereby levied a tax at the rate of \$.2899 per one hundred dollars (\$100.00) of valuation of property as listed for taxes as of January 1, 2024, for the purpose of raising the Revenue listed as “Ad Valorem Taxes” in Section 2. Such rates are based on an estimated total valuation of property for the purposes of taxation of \$2,255,702,271 (100% valuation) with an anticipated collection rate of 95%.

Section 7. The City of Graham Capital Improvement Plan 2025-2034 for Water and Sewer Fund and 2025-2029 for all other funds is hereby approved and amended per the appropriations for improvements contained herein. For the purpose of tracking capital items, there shall be a threshold of \$5,000.

Section 8. Copies of this Ordinance shall be furnished to the City Manager and the Finance Officer to be kept on file by them for their direction in the disbursement of City Funds.

Adopted this 11th day of June 2024.

Mayor Jennifer Talley

Attest:

Renee M. Ward, City Clerk

2024 - 2025 Pay Plan					
Job Title	Pay Grade	Minimum	Midpoint	Maximum	
Sanitation Collector	11	\$ 36,923.22	\$ 46,154.03	\$ 55,384.83	
General Maintenance Worker I Property Maintenance	12	\$ 38,769.38	\$ 48,461.73	\$ 58,154.07	
General Maintenance Worker I Streets	12				
Police Traffic Enforcement Officer	12				
Field Operations Worker (entry level)	13	\$ 40,707.85	\$ 50,884.80	\$ 61,061.77	
Athletics Facilities Technician	14	\$ 42,743.24	\$ 53,429.05	\$ 64,114.86	
Field Operations Equipment Technician	14				
Field Operations Tech I (Utility Maintenance Worker I)	14				
General Maintenance Worker II Property Maintenance	14				
General Maintenance Worker II Streets	14				
Parks Maintenance Technician	14				
Property Evidence Technician	14				
Athletics Facilities Technician II	15	\$ 44,880.40	\$ 56,100.51	\$ 67,320.60	
Customer Service Representative	15				
Equipment Operator I Property Maintenance	15				
Equipment Operator I Streets	15				
Field Operations Equipment Operator I (Utility Equip Oper)	15				
Field Operations Tech II (Utility Maintenance Worker II)	15				
Fleet Service Technician	15				
Office Assistant	15				
Parks Maintenance Technician II	15				
Plant Maintenance Mechanic I	15				
Police Cadet	15				
Police Records Clerk	15				
Treatment Plant Technician	15				
Utility Billing Technician	15				
Athletics Facilities Technician III	16	\$ 47,124.42	\$ 58,905.52	\$ 70,686.63	
Equipment Operator II Property Maintenance	16				
Equipment Operator II Streets	16				
General Maintenance Worker III Property Maintenance	16				
General Maintenance Worker III Streets	16				
Maintenance and Relief Treatment Plant Operator I	16				
Parks Maintenance Technician III	16				
Sanitation Collector/Equipment Operator	16				
Water Quality Technician I	16				
Equipment Operator III Property Maintenance	17	\$ 49,480.64	\$ 61,850.81	\$ 74,220.97	
Equipment Operator III Street	17				
Field Operations Equipment Operator II (Utility Equip Oper)	17				
Field Operations Tech III (Utility Maintenance Worker III)	17				
Human Resource Assistant	17				
Laboratory Technician I	17				
Landscape Specialist	17				
Maintenance and Relief Operator II	17				
Plant Maintenance Mechanic II	17				
Police Administrative Assistant	17				
Public Works Assistant	17				
Senior Customer Service Representative	17				
Treatment Plant Operator I	17				
Utility Administrative Coordinator	17				
Water Quality Technician II	17				

Job Title	Pay Grade	Minimum	Midpoint	Maximum
Accounting Technician I (with payroll)	18	\$ 51,954.68	\$ 64,943.34	\$ 77,932.01
Crew Leader	18			
Fleet Technician	18			
Lake Warden	18			
Treatment Plant Operator II	18			
Water Quality Technician III	18			
Zoning & Inspection Technician	18			
Field Operations Equipment Operator III (Utility Equip Oper)	19	\$ 54,552.41	\$ 68,190.51	\$ 81,828.61
Fire Engineer (Fire Equipment Operator)	19			
Heavy Fleet Technician	19			
Laboratory Technician II	19			
Maintenance Relief Operator III	19			
Parks & Athletic Facilities Maintenance Supervisor	19			
Plant Maintenance Mechanic III	19			
Police Officer I	19			
Public Works Assistant II	19			
Senior Accounting Technician	19			
Street Maintenance Supervisor	19			
Tax Collector	19			
Water Billing Supervisor	19			
Zoning & Inspection Technician II	19			
Zoning Enforcement Officer	19			
Recreation Center Supervisor	20	\$ 57,280.03	\$ 71,600.04	\$ 85,920.04
Recreation Marketing Supervisor	20			
Treatment Plant Operator III	20			
Athletic Supervisor	21	\$ 60,144.03	\$ 75,180.04	\$ 90,216.05
Code Enforcement Officer I	21			
Fire Master Engineer	21			
Laboratory Technician III	21			
Planner I	21			
Police Officer II	21			
Property Maintenance Supervisor	21			
Recreation Program Manager	21			
Fire Inspector	22	\$ 63,151.23	\$ 78,939.04	\$ 94,726.85
Fire Lieutenant	22			
Network/PC Technician	22			
Pretreatment Coordinator	22			
Sanitation Supervisor	22			
City Clerk	23	\$ 66,308.79	\$ 82,885.99	\$ 99,463.19
Code Enforcement Officer II	23			
Fleet Superintendent	23			
Planner II	23			
Police Sergeant	23			
Field Operations Supervisor (Distribution & Collections Supervisor)	24	\$ 69,624.23	\$ 87,030.29	\$ 104,436.35
Laboratory Supervisor	24			
Plant Maintenance Supervisor	24			
Plant Operations Supervisor	24			
Property Maintenance Superintendent	24			
Street Superintendent	24			
Code Enforcement Officer III	25	\$ 73,105.45	\$ 91,381.80	\$ 109,658.17
Environmental & Lab Services Superintendent	25			
Fire Captain	25			
Police Lieutenant	25			

Job Title	Pay Grade	Minimum	Midpoint	Maximum
	26	\$ 76,760.72	\$ 95,950.89	\$ 115,141.08
Field Operations Superintendent	27	\$ 80,598.75	\$ 100,748.45	\$ 120,898.13
Police Captain	27			
Wastewater Plant Superintendent	27			
Water Plant Superintendent	27			
Field Operations Manager/Assistant Utilities Director	28	\$ 84,628.69	\$ 105,785.86	\$ 126,943.04
Finance Manager				
Assistant Police Chief	29	\$ 88,860.13	\$ 111,075.16	\$ 133,290.19
Utilities Compliance Manager/Deputy Utilities Director	29			
Director of Human Resources/Risk Management	30	\$ 93,303.13	\$ 116,628.91	\$ 139,954.70
Recreation & Parks Director	30			
IT Director	31	\$ 97,968.29	\$ 122,460.36	\$ 146,952.43
Inspections Director	32	\$ 102,866.70	\$ 128,583.38	\$ 154,300.06
Fire Chief	33	\$ 108,010.04	\$ 135,012.55	\$ 162,015.06
Public Works Director	33			
Finance Director	34	\$ 113,410.54	\$ 141,763.18	\$ 170,115.81
Police Chief	34			
Utilities Director	34			
Assistant City Manager	39	\$ 144,743.78	\$ 180,929.73	\$ 217,115.67
Mayor (monthly stipend)		\$801.19		
City Council (monthly stipend)		\$491.85		

CITY OF GRAHAM



2024-2025

PROPOSED

RATES AND FEES

SCHEDULE

EFFECTIVE:

JULY 1, 2024

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Assessments

Curb and Gutter	Set by City Council based on individual project cost
Paving	Set by City Council based on individual project cost
Water and Sewer	Set by City Council based on individual project cost
	City will assume 50% of total construction and engineering expense

Cemetery Fees

Grave Prices	Resident	Non-resident
Conventional Grave – 4'x8'	\$800/grave	\$2,500/grave
Cremation Grave – 4'x4'	\$400/grave	\$1,250/grave
Infant Grave – 4'x4'	\$400/grave	\$1,000/grave
Cremation Grave – 4'x8' (When Available)	\$600/grave	\$2,000/grave
2 nd Right to Interment (When Available)	\$200/grave	\$500/grave
Cremation-Subdividing of Graves	\$200	\$400
Deed Transfers		
Transfer from Resident to Resident	\$5 administrative fee	
Transfer from Resident to Non-resident	\$1,700 per grave + administration fee	
Interment Costs		
Monday – Friday (prior to 2:00pm) ^{2**}	\$500	
Monday – Friday (2:00 pm and after) ^{2**}	\$650	
Saturdays ^{1,2}	\$1,000	
Sundays ² and Holidays ^{2,3}	\$1,250	
Cremation, Infant and 2nd Right Interment Costs		
Monday – Friday (prior to 2:00pm) ^{2**}	\$250	
Monday – Friday (2:00 pm and after) ^{2**}	\$400	
Saturdays ^{1,2}	\$750	
Sundays ² and Holidays ^{2,3}	\$1,000	
Markers		
Permit Fee – Single or Double*	\$100	
Installation – Single Memorial	\$150	
Installation – Double Memorial	\$175	
<p>Installation Fee is \$50 for reputable companies approved by the City of Graham *Installation Fee is waived for Veterans with an approved government-supplied marker. ** Based upon arrival time at the cemetery ¹Saturday rate begins at 4:00pm on Friday and ends at 7:00am on Sunday. ²\$50.00 per half-hour surcharge after one hour of arrival time or any time after 3:30pm. ³The holiday rate applies to any holiday observed by the City.</p> <p>Please Note: Processing fee will be added for all electronic payments.</p>		

Laboratory Testing Fees

BOD	\$25
Suspended Solids	\$18
Phosphate (total)	\$20
Ammonia	\$20
Turbidity	\$10
Temperature and pH	\$10
Coliform Total / Fecal / E. coli Coliform Bacteria	\$30
Coliform Bacteria	\$30
Heterotrophic Plate Count	\$40
TSS Surcharge Fees	\$0.32/lb > 250 mg/l
BOD Surcharge Fees	\$0.32/lb > 250 to 300 mg/l
Application for New Significant Industrial User (SIU) Permit	\$200
Application for New Non-SIU (Local) Sewer Use Permit	\$100
Renewal of any existing permit	\$150
Composite Sampling Fee (Setup/Use/Pickup of Sampler)	\$190 to \$200
Grab Sampling fee	\$65
Annual Administrative Fee	\$150
Fats, Oils, and Grease Annual Inspection	\$30

Analysis performed by outside commercial laboratory will be the cost of analysis plus 20%.

Please Note: A processing fee will be added for all electronic payments.

Development Fees

Development Ordinance Book (printed or flash drive)	\$20 flat fee
Major Subdivision Preliminary Plat Review Fee (5 or more lots)	\$10 per lot (\$200 min).
Planned Unit Development Rezoning Request	\$5 per acre (\$200 min, \$500 max)
General Rezoning Request	\$200 flat fee
Conditional Rezoning Request	\$300 flat fee
Special Use Permit	\$300 flat fee
Final Plat Major Subdivision (more than 5 lots)	\$50 flat fee
Final Plat Minor or Exempt Subdivision (up to 5 lots)	\$25 flat fee
Variance Request	\$300 flat fee
Non-Residential Site Plan TRC Review Fee (excluding subdivision)	\$250 (1 st and 2 nd included), \$100 per review after 2 nd review.
Annexations	\$250 per request
Administrative Amendment to Council-Approved Plans	\$100 flat fee
Wireless Telecommunications Facility	\$500 legal review fee in addition to other applicable fees
Fire Flow Test Fee	\$1,200 for all requested fire flow tests and re-test
Site Development/Right of Way Improvement Re-Inspection	\$250 \$500-2 nd \$750-3 rd etc. To \$350 \$700-2nd \$1,050-3rd etc.

Please Note: A processing fee will be added for all electronic payments.

Engineering, Construction Plan Review, and Inspection Fees

Street Plan Review and Inspection Fee	For all streets, the fee includes construction plan review and permitting, and record drawings and mapping review. In addition, the plan includes limited inspection of subgrade, base courses, asphalt, and curb and gutter: \$2.00 per linear foot of public street and \$1.00 per linear foot of private streets.
Waterline Plan Review and Inspection Fee	For all water lines, the fee includes construction plan review, permitting, and record drawings review and mapping. In addition, the fee includes limited inspection of backfill and trench compaction and coordinating pressure testing and line disinfection: \$1.50 per linear foot of the water line.
Sanitary Sewer Line Plan Review and Inspection Fee	The fee for all sanitary sewer lines includes construction plan review and permitting and record drawings review and mapping. In addition, the fee includes limited inspection of backfill and trench compaction, coordinating sewer line and manhole testing, and line video review inspections: \$1.50 per linear foot of sanitary sewer line.
Storm Sewer Line Plan Review and Inspection Fee	The fee for all storm sewer lines includes construction plan review and permitting and record drawings review and mapping. In addition, the fee includes limited inspection of backfill and trench compaction and line video review inspection: \$1.00 per linear foot of storm sewer line.
Water and Sewer Services	For all water and sewer services, from the mainline tap to the property line, including limited inspection of backfill and trench compaction: \$100.00 per lot or \$50.00 for each service residential service or \$200 for each water service larger than 1 inch or sewer service larger than 4 inches.
Backflow Prevention Device Plan Review and Inspection Fee	For all water services other than a standard water tap a \$200 plan review and inspection fee will be charged for services requiring a backflow prevention device (domestic, fire, and lawn irrigation).
High-Density Stormwater Management Review and Inspection Fee	For all High-Density Stormwater Management plans and devices, including construction plan review and permitting. In addition, the fee includes limited inspection of constructed stormwater devices: \$1,000 per device with one-half payable at the time of plan submittal.

Low-Density Stormwater Management Review and Inspection Fee	For all Low-Density Stormwater Management plans and devices, including construction plan review and permitting. \$150 flat fee.
Sewer Pump Stations Requiring Permit Fee	For all sewer pump stations requiring a permit. The fee includes plan review, permitting, record drawings review, and limited construction inspection: \$5,000.
Buffer Authorization Permit Fee	Exempt Buffer Disturbance - \$25. Non-Exempt Buffer Disturbance - \$250.
Floodplain Development Permit Fee	\$50 permit flat fee. Impacts to floodway required FEMA permitting – an additional \$250.
Water System Hydraulic Modeling	Water modeling for extensive offsite waterlines (over 1,000 linear feet of offsite extension) is to be completed by the City's chosen outside contractor. The cost of modeling is to be the City's cost.

Non-routine or excessive inspections will include holidays, weekend inspections, and after-hours work. Non-routine or excessive inspection may include repeat inspections due to contractor failure or lack of coordination by the contractor. Non-routine or excessive inspections will be charged a rate of \$100/hour per person after the second inspection, re-inspections, holidays, and weekends with inspections that require multiple people present to be charged at multiples of this rate.

Construction Plan Review and Inspection Fees are to be fully paid before the approval of construction drawings.

Please Note: A processing fee will be added for all electronic payments.

Inspection Fees

Building Permit

Minimum Permit Fee	\$60
Residential (total structural square feet)	\$0.25 per sf
Commercial	\$5 per \$1,000 of value
Re-inspection Fee ¹	\$60
Building Plan Review, Commercial	\$200 buildings up to 10,000 sf \$200 + \$0.01 per sf for buildings >10,000 sf
Building Plan Review, Commercial Upfit	\$100
Building Plan Review, Residential	\$60
Sprinkler System (review and permit)	\$100
Swimming Pool	\$100
Sign	\$60
Building Fee Misc.	\$60
Home Recovery	\$10

Electrical Permit

Minimum Permit Fee	\$60
Extra Trip	\$30 per trip
Re-Inspection Fee ¹	\$60
Mobile Home Park Spaces (1-5)	\$60
Mobile Home Park Spaces (above 5)	\$6 per space
Billboards	based on service size
Saw Service	\$60
Temporary Service for Construction Site	\$60
Temporary Power for Sec. 10.8 N.C.E.C	\$60
Residential and Commercial Service	\$0.10 per sf
Low Voltage Wiring	\$0.05 per sf
Security System	\$60
Wiring Swimming Pool	\$110

Heating and Air Conditioning Permit

Minimum Permit Fee	\$60 plus \$5 per additional thousand
Re-Inspection Fee ¹	\$60
Ansul Test on Hoods	\$100
Duct Test (smoke)	\$60
New Gas Line	\$60
Temporary Gas	\$60
Fireplace	\$60

Insulation Permit

Single Family Dwellings	\$60
Multi-Family Dwellings	\$30 per unit
Re-Inspection Fee ¹	\$60

Plumbing Permit

First Fixture ³	\$60
Each Additional Fixture ³	\$10
Water Tap Non-Sewer Use	\$60
Re-Inspection Fee ¹	\$60

Mobile Homes

On-Site Inspection for HUD-Labeled	\$200 all-inclusive
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Miscellaneous Building

ABC Inspection	\$100
Demolition of Building	\$60 plus \$1,000 cash bond
Driveway Permit ²	\$60
Moving of Building	\$60 plus \$1,000 cash bond
New Business Building & Fire Inspection	\$60
Fire Re-Inspection Fee ¹ (routine inspections)	\$60-3 rd , \$120-4 th , \$180-5 th , etc.
On-Site Consultations (all trades)	\$60
Tanks (50-10,000 gallons)	\$60
Tanks (over 10,000 gallons)	\$2 per additional thousand gallon
Change of Contractor	\$60
Daycare Inspections	\$100

Inspection Fee Notes

1. A re-inspection fee may be assessed when the permitted work is not ready at the time of the requested inspection or when recurring deficiencies exist.
2. Before any person shall cut or construct a driveway, such person shall apply to and secure from the City Building Inspector a permit to do so, and pay the applicable fee.
3. For multi-family developments, each unit shall be calculated individually for plumbing permits.
4. Any change of contractor will incur a \$60 fee.

Please Note: Processing fee will be added for all electronic payments.

Labor and Equipment Fees

Superintendent	\$ actual
Equipment Operator or Labor Supervisor	\$ actual
All Other Labor	\$ actual
Motor Grader	\$45
Track Loader	\$125
Rubber Tired Loader	\$40
Tandem Dump Truck	\$67
Dump Truck	\$53
Dumpster	\$400
Roller	\$30
Tractor	\$22
Tack Distributor	\$18
Backhoe	\$44
Air Compressor	\$12
Snowplow	\$23
Pickup Truck	\$12
Sweeper	\$100
Flusher	\$33
Low Boy Trailer	\$20
Chipper	\$32
Chainsaw, Concrete Saw, and Tamp	\$5
Grinder and Line Remover	\$15
Paint Gun	\$10
Bush Hog	\$10
Sewer Roder	\$15
CL12 Taping Machine	\$12
Pumps, Other Taping and Other Small Equipment	\$5
Bucket Truck	\$45
Paver	\$67
Cement Mixer	\$8

Straw Blower	\$8
Utility Trailer	\$10
Sewer Jet Machine	\$15
Welding/Generator Trailer	\$15
TV Inspection Camera	\$15
Skid Steer Loader	\$25
Hydraulic Breaker	\$15
Message Board	\$5
Dozer	\$55
UTV	\$14
Excavator	\$82
Mini Excavator	\$21
Leaf Picker	\$75
Tracked Skid Steer	\$36
Boom Mower	\$30
Crew Cab Service Truck	\$20

Labor and Equipment Notes

- ❖ All rates are per hour.
- ❖ Any Labor performed after hours, on weekends, or holidays will be billed at time plus ½ hour.
- ❖ Any other equipment is based on current contractual rental rates.
- ❖ **Minimum rate of two hours.**

Please Note: Processing fee will be added for all electronic payments.

Miscellaneous Fees

Auto Mileage Reimbursement	Current USGA rate for POV mileage reimbursement (www.gsa.gov)
Bad Check Penalty	\$25
Print Copy (11x17)	\$1.50 per page
Print Copy (18x24)	\$5.00 per page
Print Copy (34x44)	\$10.00 per page
Copy Fee	\$0.25 per page
Faulty Burglar Alarm (Sec. 2-222(c))	\$50 after 2 faulty alarms during 2 calendar months

Faulty Fire Alarms (Sec. 2-246(d))	\$50 after 2 faulty alarms during 2 consecutive months
Fingerprinting for Public	\$3 for identification only; no charge for children 12 years old and younger
Lot Mowing Administrative Fee	\$50 per mowing
Notice of Attachment and Garnishment	\$5 per GS-105-368
Sign Damage Fees	
City Limit Sign	\$75 plus pole, plus labor
Stop Sign, 30x30	\$40 plus pole, plus labor
Stop Sign, 36x36	\$60 plus pole, plus labor
Stop Sign, 48x48	\$120 plus two poles, plus labor
City-Wide Speed Limit Sign, 42x30	\$85 plus two poles, plus labor
City-Wide Speed Limit Sign, 60x36	\$150 plus two poles, plus labor
Warning Signs (e.g. curve, dead-end)	\$55 plus pole, plus labor
Regulatory Signs (e.g. speed limit, weight limit, do not enter, yield)	\$45 plus pole, plus labor
One-Way Arrows	\$30 plus pole, plus labor
Street Name Sign	\$150 plus labor
All Parking Regulation Signs	\$20 plus pole, plus labor
School/Pedestrian Crossing Sign	\$110 plus pole, plus labor
Downtown Residential Parking Permit	\$20 per year
Pole	\$35
Labor	(Actual Rate)
Solicitors/Canvassers Permit	\$25 per Sec. 6-70
Solicitation Fee	\$50
Street Signs (City Style for Private Streets)	\$150 complete set with 2 blades, poles, bracket, cap, and installation
Street Signs (City Style for Private Streets)	\$85 sign set only, no pole or installation
Street Cuts (up to 4'x5' or 20 sf)	\$40 minimum
Street Cuts (over 4'x5' or 20 sf)	\$40 minimum plus \$2 per additional sf
Taxi Driver Permit	\$1 per Sec. 6-162
Temporary Encroachment Permit	\$40 plus labor

Temporary Parking Permit	\$5 per day \$25 per month \$150/year Sec. 20-161
Topographic Diskette with One Sheet	\$25 per map
Topographic Map Blueprint	\$10 per map
Topographic Maps Disk (of Graham & Burlington)	\$150 plus labor
Trimming City-Owned Trees Bond	\$50,000 Property Damage
Trimming City-Owned Trees Bond	\$50 Personal Injury
Trimming City-Owned Trees	\$15 per Sec. 10-63
Cement Catch Basin Cover	\$475

A processing fee will be added for all electronic payments.

Miscellaneous Compensation

Mayor	\$771.86 per month
City Council Member	\$473.84 per month
Cell Phone Allowance	\$35 per month
Firemen's Compensation	\$10 per call/meeting/training Plus \$1 to Graham FD Supplemental Retirement

Recreation and Parks Department Fees

Athletics/Camps

	Resident	General Public	Commercial
Athletics ¹	\$25	\$40	N/A
¹ A multiple-child discount will be available to Graham residents for children in the same household; the first child will be charged the full fee, the second child will be charged 75% of the full fee, and three or more children will each be charged 50% of the full fee			
Athletic Camps Including Soccer, Basketball, Baseball, Softball, Flag Football, Lacrosse	Fees for each camp will be set by the GRPD Director and the Athletic Supervisor, based on facility, staffing, and equipment needs		N/A
Summer Day Camp			
10 Weeks	\$575/1 st child	\$745/1 st child	
6 weeks	\$350/1 st child	\$450/1 st child	
Weekly ²	\$70/child	\$86/child	
Daily ²	\$21/child	\$26/child	
Multiple Child Discount ³	\$30/child	\$30/child	
² Limited based on availability			
³ Discounts will not be given on weekly or daily rates			

Please Note: A processing fee will be added for all electronic payments.

Special Events and Programs

The GRPD Director may set fees for special events and programs based on facility, staffing, and equipment needs

Graham Recreation Center

	Resident	General Public	Commercial
Open Gym Basketball			N/A
Ages 16-54	\$1/visit	\$1/visit	
Ages 15 & U; 55+	FREE	FREE	
Weight Room			
Ages 16-54	\$1/visit	\$1/visit	

Ages 16-54	\$40/six-month pass	\$55/six-month pass	
Ages 16-54	\$25/three-month pass	\$40/three-month pass	
Ages 55+	Free	Free	

Please Note: Processing fee will be added for all electronic payments.

Graham-Mebane Lake

	Fees for All Customers	Commercial
Boat Launching ²	\$9/vessel	N/A
Boat Launching-Seniors ^{2,4}	\$4/vessel	
Non-motorized Vessel Launching ³	\$6/vessel or \$45/year	
Non-motorized Vessel Launching-Seniors ^{3,4}	\$3/vessel or \$30/year	
Bank Fishing	\$3/person or \$35/year	
Bank Fishing-Seniors ⁴ & Persons w/100% Disability	\$1/person or \$15/year	
Annual User Fee Permit ⁵	\$70/year	
Annual User Fee Permit-Seniors ^{4,5}	\$50/year	
Annual User Fee Permit-Group	\$125/year	
Boat Launching-Maintenance & Demonstrations ⁶	\$4/vessel	
	Fees for All Customers	Commercial
Jon Boats	\$10/4 hrs. \$16/8hrs	N/A
Canoe Rental	\$15/4hrs \$20/8hrs	
Solo Kayak Rental	\$12/4 hrs. \$18/8 hrs.	
Tandem Kayak Rental	\$18/4 hrs. \$24/8 hrs.	
Event Rental	\$175/5 hrs.	

² All motorized boats including jet skis
³ All non-motorized vessels including kayaks, canoes & paddleboards
⁴ Senior fee begins at age 65
⁵ Includes boat launching and daily fees for a single individual and covers a maximum of two boats
⁶ No Recreational activities (fishing, skiing, etc.) allowed; for boat and/or trailer maintenance/repair checks, swapping of boats and trailers, and all demonstrations for potential sales; fee is for a one-hour limit, activity over one hour will be charged the full boat launch fee; no charge for the general public if the boat remains on trailer
Please Note: A processing fee will be added for all electronic payments.

Facility Rental Fees

Bill Cooke Park

Field/Room/Equipment	Resident/Non-Profit ^{1*}	General Public	Commercial*
Passive Areas Open Space, Perimeter Trail, Etc.	\$150 (5 hrs. max)	\$200 (5 hrs. max)	\$275 (5 hrs. max)
Single Field Field #1, Field #2 or Field #3	\$150/day (10 hrs.) \$20/hr.	\$200/day (10 hrs.) \$25/hr.	\$275/day (10 hrs.) \$35/hr.
	Resident/Non-Profit ^{1*}	General Public	Commercial*
Field Prep	\$20 ea.	\$20 ea.	\$20/ea.
Field Lining	\$10 ea.	\$10 ea.	\$10 ea.
Lights (single field)	\$25/hr.	\$25/hr.	\$25/hr.
Scoreboard (single field)	\$20/hr.	\$20/hr.	\$20/hr.
Staff Supervision ²	\$20/hr.	\$20/hr.	\$20/hr.

¹Must be a 501(c)(3), tax-exempt or charitable organization in good standing and must be approved by the City of Graham

²Supervision Fee may be waived for City of Graham employees upon approval of the GRPD Director or Athletic Supervisor

*All rentals to Non-Profit and Commercial entities must be approved by the GRPD Director

Please Note: A processing fee will be added for all electronic payments.

Graham Recreation Center

	Resident/Non-Profit ^{1*}	General Public	Commercial*
Full Center Gym #1, Gym #2, Room #1 & Kitchen	\$60/hr. + staff fee	\$120/hr. + staff fee	\$240/hr. + staff fee
Room #1 Multi-purpose Room, Includes Kitchen	\$20/hr. + staff fee	\$40/hr. + staff fee	\$80/hr. + staff fee
Gym #1-Full Gym, Includes Kitchen	\$30/hr. + staff fee	\$60/hr. + staff fee	\$120/hr. + staff fee
Gym #2-Half Gym, Includes Kitchen	\$25/hr. + staff fee	\$50/hr. + staff fee	\$100/hr. + staff fee
Tables ³ (For Use Outside Center)	\$3/table per day	\$3/table per day	\$3/table per day
Chairs (For Use Outside Center)	\$0.25/chair per day	\$0.25/chair per day	\$0.25/chair per day
Staff Supervision ²	\$20/hr.	\$20/hr.	\$20/hr.
Cleaning Deposit ⁵	\$50	\$50	\$50

¹Must be a 501(c)(3), tax-exempt or charitable organization in good standing and must be approved by the City of Graham

²Supervision Fee may be waived for City of Graham employees upon approval of the GRPD Director or Athletic Supervisor

³Each rental will be charged a \$50 refundable security deposit

⁵Refundable and included in all rentals

*All rentals to Non-Profit and Commercial entities must be approved by the GRPD Director

Please Note: A processing fee will be added for all electronic payments.

Graham Civic Center

	Resident/Non-Profit ^{1*}	General Public	Commercial*
Full Center, Includes Kitchen	\$20/hr. + staff fee	\$40/hr. + staff fee	\$80/hr. + staff fee
	\$75/5 hrs. + staff fee	\$150/5 hrs. + staff fee	\$300/5 hrs. + staff fee

	\$132/10 hrs. + staff fee	\$265/10 hrs. + staff fee	\$530/10 hrs. + staff fee
Sand Volleyball Court	\$15/hr.	\$20/hr.	\$30/hr.
Staff Supervision ²	\$20/hr.	\$20/hr.	\$20/hr.
Cleaning Deposit ⁵	\$50	\$50	\$50

¹Must be a 501(c)(3), tax-exempt or charitable organization in good standing and must be approved by the City of Graham
²Supervision Fee may be waived for City of Graham employees upon approval of the GRPD Director or Athletic Supervisor
⁵Refundable and included in all rentals
*All rentals to Non-Profit and Commercial entities must be approved by the GRPD Director
Please Note: A processing fee will be added to all electronic payments.

South Graham Park

	Resident/Non-Profit ^{1*}	General Public	Commercial*
Sand Volleyball Court	\$15/hr.	\$20/hr.	\$30/hr.

¹Must be a 501(c)(3), tax-exempt or charitable organization in good standing and must be approved by the City of Graham
*All rentals to Non-Profit and Commercial entities must be approved by the GRPD Director
Please Note: A processing fee will be added for all electronic payments.

Maple St. Center

	Resident/Non-Profit ^{1*}	General Public	Commercial*
Full Center, Does Not Include Kitchen	\$15/hr. + staff fee	\$30/hr. + staff fee	\$60/hr. + staff fee
Supervisory Staff Fee ⁴	\$20/hr.	\$20/hr.	\$20/hr.
Cleaning Deposit ⁵	\$50	\$50	\$50

¹Must be a 501(c)(3), tax-exempt or charitable organization in good standing and must be approved by the City of Graham
⁴Supervisory fees must be paid for all centers. An additional hour will be added to all rentals for facility preparations. Supervisory fees may be waived for the Graham Recreation Center during regular business hours and for all centers for City of Graham employees upon approval of the GRPD Director or Center Supervisor
⁵Refundable and included in all rentals
*All rentals to Non-Profit and Commercial entities must be approved by the GRPD Director
Please Note: A processing fee will be added for all electronic payments.

Shelters

	Resident	General Public	School Systems	
Bill Cooke Park, Shelter #1 & Shelter #2	\$25/reservation period	\$50/reservation period	Alamance Co. Schools	Non-Alamance Co. Schools
S. Graham Park, Shelter A & Shelter B			FREE	\$20
Graham Regional Park				
Graham-Mebane Lake				

Please Note: A processing fee will be added for all electronic payments.

User Fees

Refuse Fees

*Recycling	\$6 to \$7 per unit, per month
*Garbage Land Fill Tipping Fee	\$5.50 to \$6.50 per unit, per month
Compost Bin	\$50 per bin
New Home Garbage & Recycling Container	\$70 per container
***Bulk Waste (in excess of 2 clamshell bites)	\$22 per cubic yard in excess of 2
***Tree Trimmings (in excess of 2 clamshell bites)	\$16 per cubic yard in excess of 2
*All water customers inside the City Limits without containerized disposal systems (dumpsters) per customer or dwelling unit	

Please Note: A processing fee will be added for all electronic payments.

Stormwater Fee

Stormwater Charge	\$2 to \$3.50 per month per utility account
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Water Rates

Water Base Rate (per month)	\$5.38 to \$5.89
Water Rates per 1,000 gallons (Inside City Limits)	
0-2,500	\$3.71 to \$4.06
2,500-10,000	\$4.12 to \$4.57
10,001-100,000	\$4.18 to \$4.58
100,001-1,000,000	\$4.24 to \$4.64
1,000,001-2,000,000	\$4.30 to \$4.71
2,000,000+	\$4.35 to \$4.76
Water Rate (Outside City Limits)	Double inside rates
Water Base Rate (Outside City Limits)	\$10.76 to \$11.78
Municipal Customers (per 1,000 gallons)	Inside rates
Delinquent Fee	2% (Minimum of \$5) +
Non-payment Fee	\$40
*Water Deposit (Inside Residential)	\$80

*Water Deposit (Outside Residential)	\$160
*Water Deposit (Inside Non-residential)	\$100
*Water Deposit (Outside Non-Residential)	\$200
Meter Tampering Fee	\$100
**Meter Testing Fee (Inside)	\$10
**Meter Testing Fee (Outside)	\$20
Service Initiation Fee	\$10
Backflow Annual Testing (For Irrigation Accounts)	\$10.42 per month
Hydrant Meter Deposit	\$2,000
<p>*No deposit is required for property owners. Deposits are required for rental or leased property and are refundable when final bills are paid.</p> <p>**During testing, if meter checks out of limits estimated by AWWA, the money shall be refunded and an adjustment made to the water bill. If meter tests are within AWWA Standards, the fee shall remain with the City.</p>	

Please Note: A processing fee will be added for all electronic payments.

Sewer Rates

Sewer Base Rate (per month)	\$5.38 to \$5.89
Sewer Rates per 1,000 gallons:	
0-2,500	\$6.41 to \$7.02
2,500-10,000	\$12.41 to \$13.59
10,001-100,000	\$12.49 to \$13.68
100,001-1,000,000	\$12.57 to \$13.76
1,000,001-2,000,000	\$12.65 to \$13.85
2,000,000+	\$12.74 to \$13.95
Unmetered Sewer Charge (per month)	\$72.41
Outside User Sewer Surcharge (per month)	\$31.75

Please Note: A processing fee will be added for all electronic payments.

Water and Sewer Tap and System Development Fees

Water & Sewer Tap & Meter Fees					
	Water Meter Fee	Water Tap Fee (Inside City limits)	Water Tap Fee (Outside City limits)	Sewer Tap Fee (Inside City limits)	Sewer Tap Fee (Inside City limits)
Residential Dwelling Unit (3/4" Meter - 2 BR)*	\$300/ \$350	\$1,000/ \$2000	\$2,000/ \$4000	\$1,000/ \$2000	\$2,000/ \$4000
Residential Dwelling Unit (3/4" Meter - 3 BR)*	\$300/ \$350	\$1,000/ \$2000	\$2,000/ \$4000	\$1,000/ \$2000	\$2,000/ \$4000
Residential Dwelling Unit (3/4" Meter - 4 BR)*	\$300/ \$350	\$1,000/ \$2000	\$2,000/ \$4000	\$1,000/ \$2000	\$2,000/ \$4000
Residential Dwelling Unit (3/4" Meter - 5 BR)*	\$300/ \$350	\$1,000/ \$2000	\$2,000/ \$4000	\$1,000/ \$2000	\$2,000/ \$4000
All Other Zoning Categories/Uses - 3/4" Meter	\$300/ \$350	<p>Owner or Developer is responsible for providing taps for all other types, sizes, and zoning classifications except for fire suppression taps in the #1 fire district where taps will be provided by the City.</p>			
All Other Zoning Categories/Uses - 1" Meter	Owner or Developer is responsible for providing meters meeting City or Graham Standards and Specifications				
All Zoning Categories/Uses - 1.5" Meter					
All Zoning Categories/Uses - 2" Meter					
All Zoning Categories/Uses - 3" Meter					
All Zoning Categories/Uses - 4" Meter					
All Zoning Categories/Uses - 6" Meter					

Water & Sewer System Development Fees - July 1, 2022				
Customer Type	Equivalent Residential Unit [‡]	Water Fee	Sewer Fee	Total Fee
Residential Dwelling Unit (3/4" Meter - 2 BR)	1	\$1,100	\$1,100	\$2,200
Residential Dwelling Unit (3/4" Meter - 3 BR)	1.5	\$1,650	\$1,650	\$3,300
Residential Dwelling Unit (3/4" Meter - 4 BR)	2	\$2,200	\$2,200	\$4,400
Residential Dwelling Unit (3/4" Meter - 5 BR)	2.5	\$2,750	\$2,750	\$5,500
All Other Zoning Categories/Uses - 3/4" Meter	1	\$1,100	\$1,100	\$2,200
All Other Zoning Categories/Uses - 1" Meter	1.67	\$1,837	\$1,837	\$3,674
All Zoning Categories/Uses - 1.5" Meter	3.33	\$3,663	\$3,663	\$7,326
All Zoning Categories/Uses - 2" Meter	5.33	\$5,863	\$5,863	\$11,726
All Zoning Categories/Uses - 3" Meter	11.67	\$12,837	\$12,837	\$25,674
All Zoning Categories/Uses - 4" Meter	21	\$23,100	\$23,100	\$46,200
All Zoning Categories/Uses - 6" Meter	43.33	\$47,663	\$47,663	\$95,326

†Applicable System Development Fee(s) for development requiring smaller or larger water meters will be calculated on a project specific basis using rates and methodology identified in the City's System Development Fee Analysis.

‡Equivalent Residential Unit is approximate multiplier adapted from AWWA Manual of Water Supply Practices-M1, Principles of Water Rates, Fees, and Charges.

*120 gallons per day per bedroom (min. 2-BR)

Please Note: A processing fee will be added for all electronic payments.

Notes:

- (1) Water and Sewer Development Fees are based on the number of bedrooms proposed for standard residential meter connections. Water and Sewer Development Fees for other metered connections are based on the meter size of the connection.
- (2) Any item not included in the above schedule shall be referred to the City Manager for a specific price determination.
- (3) Except for development involving the subdivision of land, the above fees are payable at the time of application for connection. For development involving the subdivision of land, System Development Fees shall be paid at the time of plat recordation or when water or sewer service is committed by the City, whichever comes first.
- (4) Projects may pre-pay water and sewer development fees after construction plan approval or after water and sewer permit issuance. Pre-payment will be based on the applicable fees at that point in time. Prepayment of fees will not be impacted by future changes in fees in that no fees will be returned due to reduced fees nor additional fees charged due to increases in fees.
- (5) Owner or Developer is responsible for providing taps for all non-standard types, sizes, and zoning classifications except for fire suppression taps in the #1 fire district where taps will be provided by the City and for standard residential taps as noted above.
- (6) Owner or Developer is responsible for providing meters meeting City of Graham Standards and Specifications for all other types, sizes, and zoning classifications for all meters above $\frac{3}{4}$ " in size.
- (7) Owner or Developer of a residential subdivision, as defined in *Section 10.336* of the City of Graham Development Ordinance, is responsible for furnishing water and sewer taps in which tap fees will not be charged.

Please Note: A processing fee will be added for all electronic payments.

Final - 6-28-22 Revised 5-9-23
Revised – 7-12-22 Adopted 6-13-23
Revised – 11-8-22 Revised 5-14-24



STAFF REPORT

SUBJECT:	DOWNTOWN ENHANCEMENT GRANT POTENTIAL PROJECTS
PREPARED BY:	BURKE ROBERTSON, PUBLIC WORKS DIRECTOR, AARON HOLLAND, ASSISTANT CITY MANAGER

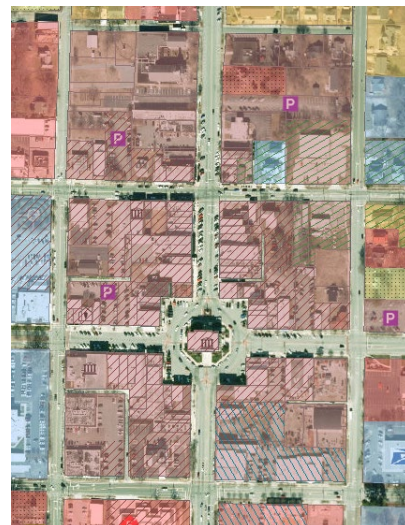
REQUESTED ACTION:

Consider potential projects for Downtown Enhancement Grant Scope of Work.

BACKGROUND/SUMMARY:

The City of Graham was recently awarded a Directed Grant through the State in the amount of \$600,000. These funds have been identified to be used within the downtown (B-1) area for enhancement related projects. As indicated by the Office of State Budget and Management, the City of Graham must provide required documents in order to have these funds released including a Scope of Work outlining what will be accomplished with the grant funds.

Staff has provided a project list of potential projects that would qualify for funding. Although the total of all projects exceeds the allocated amount, there is potential for a combination of projects.



FISCAL IMPACT:

The State has awarded the City of Graham \$600,000 to be used towards Downtown Enhancement Projects.

STAFF RECOMMENDATION:

Approval. Staff has provided a list of potential projects to consider within the downtown area.

SUGGESTED MOTION(S):

I move we approve the following projects for the Downtown Enhancement Grant Scope of Work:

(Please state potential projects)

B-1 Downtown Enhancement Grant Potential Projects

1) Resurface Municipal Parking Lots (*W Elm/Maple lot in current budget*)

*Harden/Maple lot	\$91,000.00
*Main/Marshall lot	\$84,500.00
*Elm/Marshall lot	<u>\$58,500.00</u>
	\$234,000.00
*Needed repair work	\$15,000.00
*Add non-decorative lighting	\$8,000.00
*Restripe and update landscaping	<u>\$10,000.00</u>
	\$267,000.00

2) Downtown Street Light Upgrade

There are approximately 96 street lights in the downtown area.

*Per light upgrade fee \$36.00 x 96 = \$3,456.00

- We are currently paying \$13.92 per light per month downtown.
- Upgrading to **150W LED** would be **\$19.82** per light per month, this would add \$566.40 more a month for the cost of lighting downtown.
- Upgrading to **220W LED** would be **\$22.42** per light per month, this would add \$816.00 more a month for the cost of lighting downtown.

Per Kenny Gooch with Duke Energy, Burlington upgraded its downtown lights to 150W LED. Then did a test area with 220W LED and has since converted everything to 220W LED. Duke is installing a test light in the NW corner of Court Square.

3) Repaint Metal Poles Downtown

Per Duke Energy's quote from 3/2022, the estimated cost was **\$272,000.00**. This quote did not include overtime or night/off-hours work to shorten the duration or minimize disruptions. They stated that there would be some power outages required with the work. **The City would need to remove all its items from the poles before painting and would likely have to get an agreement to reinstall.*

We asked Duke Energy if there was a planned schedule to repaint poles. **Duke Energy responded that they have no plans to paint the metal poles Downtown as part of their maintenance program. They stated the quote given a couple of years ago is no longer valid. If another quote is requested we would have to pay an engineering fee to get another quote.**

4) Resurface E. Elm St. from E. Harden to Home Ave. on W. Elm.

Mill apply BST, resurface, and restripe (*stamped brick asphalt crosswalks not included*) **\$385,000.00**. (*There is a planned water main replacement in the 200-400 block of W Elm, if this does not coincide with resurfacing the 100 blocks of Marshall St. could be substituted.*)

5) Pedestrian Cross Walk Improvements Downtown.

- Install Pedestrian refuge islands in crosswalks in Court Square
- Re-install adobe red stamped crosswalks at N Main and Harden, Court Square, and Main and Pine.
- Upgrade pedestrian signage and add RFBs (Pedestrian-activated Rapid Flashing Beacon). Engineer's cost estimate - **\$500,000**.

(All of the above would require NC DOT approval) AWCK has done some planning work on this project and they had a preliminary review from NC DOT a couple of years ago so lead time on this project would be shorter or could be a good starting point for plans for just stamped crosswalks. If East and West Elm crosswalks were to be redone with this project the 100 blocks would have to be resurfaced, the estimated cost to resurface both is \$120,000. With the resurfacing of W. Elm, the bollards for events could be installed at that time.

6) Tree Replacement Downtown.

- There are approximately 50 trees in the downtown area that have either outgrown their planting area, are not the best choice for the area planted, or are diseased and need to be replaced soon.
- Some of the brick planters will need to be repaired or removed and trees planted at sidewalk level. The tree planting windows in the sidewalks will need to be adjusted and the sidewalk repaired.

Cost per tree $\$250.00 \times 50 \text{ trees} = \$12,500.00$

(Average cost to plant including planter/sidewalk work/repair, soil, and mulch, \$1500.00 per tree.)

There are approximately 60 trees in the 200-500 block of W. Harden St. that could also be addressed at this time as well. (The majority of trees are in the grass strip, so installation costs are low.)

7) Hanging Baskets

- To place hanging baskets on the poles that have street lights; 100 block S. Main, 100 and 200 blocks N Main, 100 blocks of E and W Elm, and Harden would be approximately 65 baskets.
- The cost per basket, including soil, plants, brackets, and mounting hardware would be approximately \$70 each (providing HRC has no input)
- **\$4,500.00 for 65 baskets with installation to be done by City Staff.**

This would require an agreement with Duke Energy *(Hank Henning has been notified and awaiting a response.)*

NOTE: To keep hanging baskets looking good it takes almost daily watering/maintenance, especially in the summer. At the current staffing level, we could not keep them properly maintained without reducing efforts elsewhere.

We have quotes from two landscape companies to provide and maintain baskets on hangers the City will need to provide on the light poles. The quoted time frame would be 20 to 30 weeks a year with lower maintenance flowers. The cost range is between \$43,000 and \$50,000 per year for baskets on the metal poles.

8) Paveway Systems pattered pavement *(brick paver alternative for sidewalks and crosswalks)*

This process provides a brick paver appearance for approximately one-third the cost of conventional brick pavers *(providing the concrete or asphalt is in an acceptable condition.)* (The process for NC DOT approval of use in their ROWs would require a plan submittal of proposed.)

Examples of cost for single color design;

8,000 sq. ft. @ \$15.44 per sq. ft. = \$123,500 (just the crosswalks)

50,000 sq. ft. @ \$14.22 per sq. ft. = \$711,000

75,000 sq. ft. @ \$12.52 per sq. ft. = \$939,000

100,000 sq. ft. @ \$11.75 per sq. ft. = \$1,175,000

(NC DOT plan approval may require additional work and cost)

Not included or provided by others:

- Removal of or additional striping/restriping.
- Repair or replacement of existing asphalt or concrete.
- Traffic Control.
- Light tower.
- Roll off dumpsters.
- Permits, plans, bonds, and fees.
- Removal and replacing planters, trash cans, mailboxes, etc.

Work would be performed at night and temperatures must be above 55 degrees.

Estimated install time 8000 sq. ft. 5-6 nights depending on weather and traffic control.

75,000 sq. ft. 50-55 nights depending on weather and traffic control.

As this is a proprietary system, any future repair work would have to be performed by the vendor, (*minimum service calls for a small area (100 sq. ft.) is \$5,000 per trip.*)

The life cycle for sidewalks is unknown. NC DOT estimates the life cycle on asphalt is approximately 15 years.

We received rough estimates from CACTX Surfaces for the stamped crosswalks. They have two different processes; the traditional stamped epoxy and a stamped thermo. They also have a similar not NC DOT approval/included/provided by others as PAVEWAY with pricing ranging from \$120,000 to \$200,000 depending on sq footage and process selected.

We have a sidewalk repair contractor surveying to see how much walk they can repair without having to replace. Their process is about one-third the cost of replacement and they will provide us with the square footage that cannot be repaired so we can get quotes on replacement.

Contractor estimate for their process is \$55,883 with approximately 5,600 sq ft of walk that would need to be replaced with an estimated removal and replacement cost of around \$60,000.

9) Brick Paver Sidewalk

Traditional brick paver quotes have been between \$39 and \$47 per sq. ft. depending on total square footage, brick type, and patterns. Cost will be dependent on whether work is performed during the day or night.

75,000 sq. ft. (approximate sq. ft. of sidewalk where we install skyline Christmas decorations) @ \$39 per sq. ft. = \$2,925,000. Per sq ft price increases as sq ft. of work decreases.



STAFF REPORT

SUBJECT:	GRAHAM-MEBANE LAKE COMPREHENSIVE MASTER PLAN
PREPARED BY:	BRIAN FAUCETTE, DIRECTOR OF RECREATION AND PARKS

REQUESTED ACTION:

Adopt the Graham-Mebane Lake Comprehensive Master Plan

BACKGROUND/SUMMARY:

The Benesch Engineering firm completed the Graham-Mebane Lake Comprehensive Master Plan in March 2024. The process was conducted over several years and included a “grassroots” information-gathering effort by lake staff, listening sessions with city staff and partners, and most importantly, several visioning and listening sessions with our community. A draft was reviewed by city staff and unanimously approved by the Graham Recreation Commission to be presented to the City Council for adoption.

The Master Plan will serve as a guide for the City of Graham staff, administration, and elected officials to continue the development of the Graham-Mebane Lake over the next 5-10 years.

FISCAL IMPACT:

Adoption of the Master Plan does not obligate the city to additional fiscal outlays. However, the adoption of the Master Plan will allow GRPD staff to apply for various grants including state-funded Parks and Recreation Trust Fund (PARTF) grants, Land and Water Conservation Fund (LWCF) grants, and Accessible Parks grants.

Without the adoption of a Master Plan, the city will be ineligible for state grants that could be used to support future development of the City of Graham’s parks system.

STAFF RECOMMENDATION:

Staff recommends that the City Council accept the recommendation of the Graham Recreation Commission and adopt the Graham-Mebane Lake Comprehensive Master Plan as presented by Benesch.

SUGGESTED MOTION(S):

I make a motion to adopt the Graham-Mebane Lake Comprehensive Master Plan.



GRAHAM - MEBANE LAKE COMPREHENSIVE MASTER PLAN

GRAHAM RECREATION AND PARKS

Strengthening our community by connecting people through parks and programs.

ACKNOWLEDGEMENTS



Mayor and City Council

Jennifer Talley, Mayor
Ricky Hall, Mayor Pro Tem
Bobby Chin, Council Member
Joey Parsons, Council Member
Bonnie Whitaker, Council Member, Recreation Commission Liaison

Recreation Commission

Jay Cook — Chair
Tim Beshel
Brian Cutlip
Casey Johnson
Carmen Larimore
Laurie Pickard
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Recreation & Parks Staff

Brian Faucette — Director
Steve Hadden — Lake Warden

Planning Consultants

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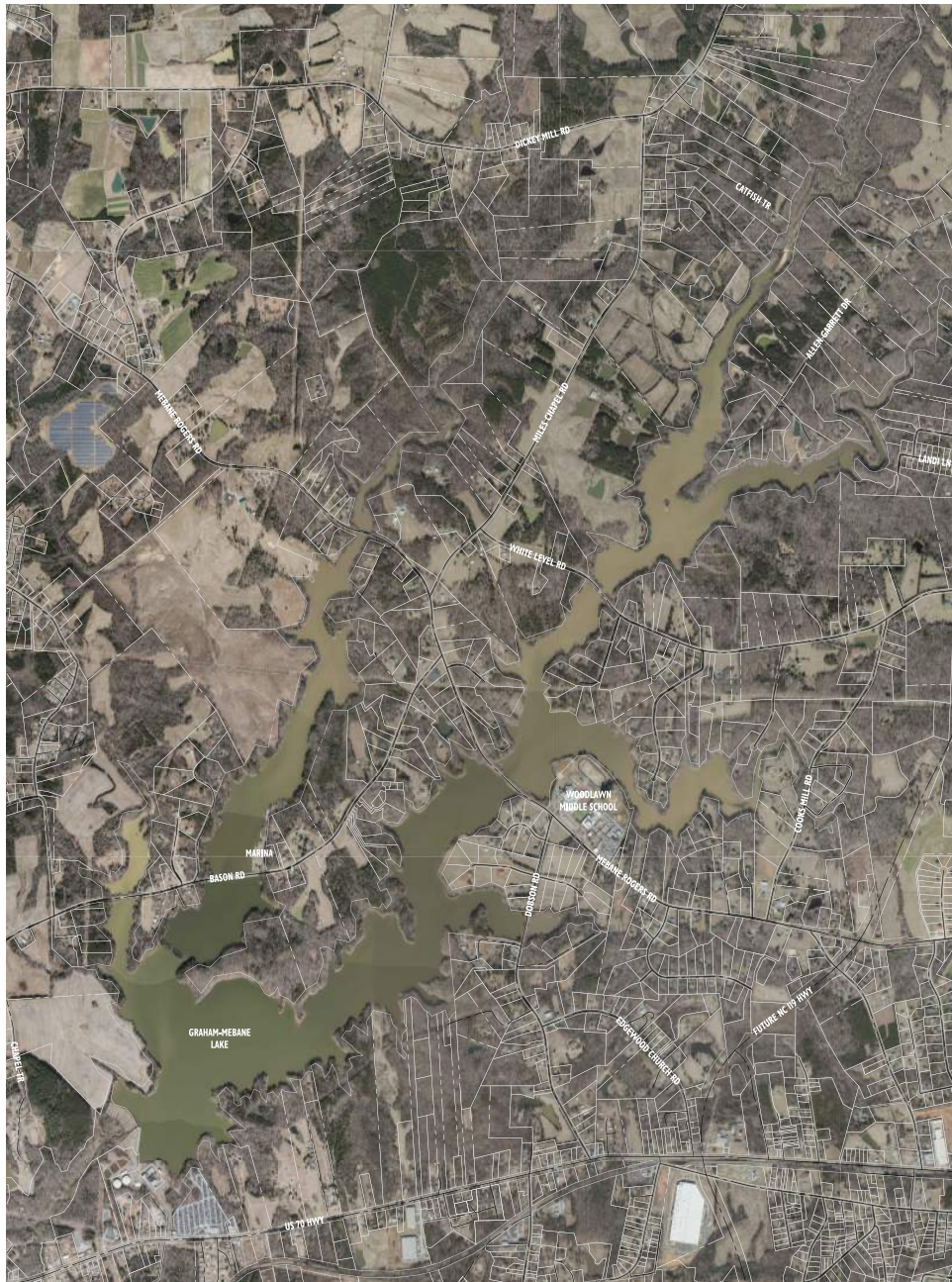
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01 - PLANNING HISTORY / PLANNING PERSPECTIVE

PLANNING OVERVIEW

Graham-Mebane Lake is a signature recreation facility serving residents of both the cities of Graham and Mebane as well as the region. The lake and marina facilities offer residents and visitors access to a 650 AC municipal reservoir. The watershed area supplying the lake is approximately 66 square miles or 42,000 acres in size.





Graham-Mebane Lake was originally constructed in 1961-62 when it was known as Quaker Lake but was expanded from 150 AC to its current size and renamed in 1994. Five creeks feed into the lake – Quaker, Otter, Mill, Stag and Back. Back Creek serves as the outflow which then joins Haw River which then flows into Jordan Lake. From Jordan Lake, Haw River meets up with Deep River, forming the Cape Fear River flowing out to the Atlantic Ocean.

While the cities of Graham and Mebane equally own the lake, the City of Graham oversees and manages lake operations. The land all around the lake is owned by the two cities and no private individual or adjacent landowner owns any “lakefront” property. It is the policy that the land around the lake be maintained/kept/left in a natural state as the primary purpose of Graham-Mebane Lake (City of Graham Ordinance Section 14-125):

“...is to provide drinking water for the community and the secondary purpose of this lake is to provide public recreation opportunities while protecting the water supply.”

Graham-Mebane Lake serves as the source of drinking water for citizens of Graham, Mebane, Green Level, and Swepsonville. The lake currently holds 2.8 billion gallons of water in storage. The water treatment plant at the dam distributes 3.8 million gallons of water to 35,000 people on a daily basis.



Many of the current regulations that govern the lake are for the protection of the water supply or for customer safety. Currently, boat access to the lake is only allowable at the marina located at 3218 Bason Road. Likewise, bank fishing is only allowed at the designated fishing area at the marina.

After 60 years of intensive use, especially with a spike during the recent pandemic, the existing park recreation access area and facilities have exceeded their functional lifespan. Development around the lake edge also continues to expand. Regulatory codes have become more stringent. While some facilities have been upgraded to meet American with Disabilities Act (ADA) codes a new marina building is needed with more accessibility. Furthermore, park usage has increased with the region’s growing population. There are many days when there is a parking shortage for not only vehicles with boat trailers, but also single vehicle users. There is increased demand for rental watercraft and the need for other activities within the marina area. New and expanded facilities are needed to keep pace with growth and to protect the environment.

The 15-year average shows that Graham-Mebane Lake was open 226 days with 12,281 visitors and 3,688 boats being launched annually.

From 2008-2018, the lake was open an average of 224 days per year with 11,186 visitors and 3,393 boats launched. Since 2019, numbers have increased with the lake open for 230 days a year with 16,417 visitors and 4,337 boats launched. Numbers peaked during the pandemic for the years 2020-2021 with a slight dip since

then but have still remained higher than pre-pandemic numbers.

In 2020, the City of Graham completed a Master Plan for Graham Recreation and Parks in which it was noted that one of the unmet needs of the fiscal year 2019-2020 adopted budget was a Lake Master Plan. In December 2020, Benesch was selected by the City of Graham to assist with preparing a master plan for Graham-Mebane Lake. This master plan is a commitment by the City of Graham to update the Bason Road Marina, provide new recreation offerings while continuing to protect natural resources. The implementation of this master plan will help support the goals outlined in both Graham Recreation and Parks’ mission, “to enrich lives by engaging innovative and diverse recreational and cultural experiences through our parks, programs, and staff” and the mission of Graham-Mebane Lake, “to provide a family-friendly outdoor environment, to increase awareness and appreciation of nature, and to encourage a safe, enjoyable lake experience.”

This master plan is a combined effort of the Graham Recreation and Parks staff and Benesch working with the public and other stakeholders. This master plan contains a description of the planning process and information gained from it, provides a plan to guide recreation re-development and expansion, and the steps needed to implement the improvements proposed in the plan. It is important that resources be budgeted today to preserve Graham-Mebane Lake for the generation of tomorrow. With increased investment Graham-Mebane Lake could become a “Destination Location”.



02 - SITE INVENTORY / ASSESSMENT

The following is a description of the existing man-made and natural features of the Graham-Mebane Lake environs. These existing features are important determinants in planning for the future recreation improvements and opportunities.

MAN-MADE FEATURES

EXISTING LAKE FACILITIES

Bason Road Marina

The lone recreational facility on Graham-Mebane Lake is the Bason Road Marina offering a variety of activities. The marina offerings are extremely popular but constrained due to the current land facility layout. The number of motorized boats on the lake at any one time is limited with only 40-45

available boat trailer parking spots between paved and grass-lined spots. The marina provides a seven-lane boat ramp, a canoe/kayak launch and floating boat docks for launching. The boat ramps need to be replaced and extended. There is little to no covered storage available for the rental boats, life jackets and paddles/oars. There is an existing boathouse for the storage of the lake warden's boat but is undersized and needs to be replaced.

Restrooms are available at the marina office and have recently been renovated to make them ADA compliant.

There are no ADA pedestrian routes located within the marina that connect all facilities to one another.

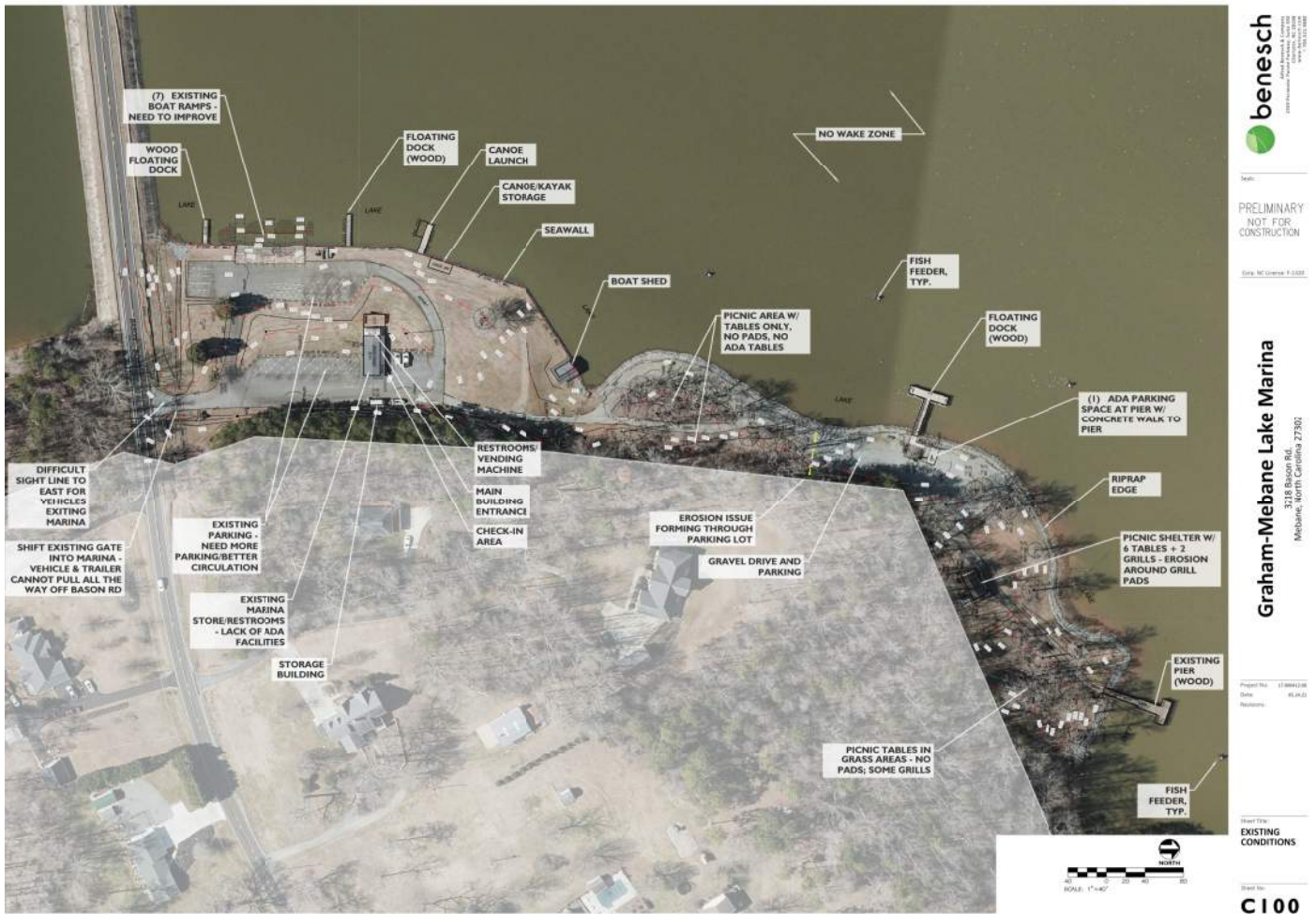
There are two areas designated for picnicking. The largest is the shelter at the north end. It is not electrified but offers six (6) tables and two (2) grills with a maximum usage capacity of 35 people. The shelter can be reserved for four-hour periods.

There are also single picnic tables available around the site on a first come, first serve basis. There are no picnic pads or ADA tables, but there are some grills.

As noted above, vehicle with boat trailer parking is minimal. Striped vehicular with trailer parking spaces (19) and vehicle-only parking spaces (6) are located around the marina office. These are the only paved spaces on the site except for an ADA space at the fishing pier. The remainder of the vehicular circulation and parking is gravel or grass with no designated spaces. There are several areas of erosion within the gravel areas. The existing vehicular gate is located just off Bason Road, creating back-ups before the gate opens on some days. Just one (1) vehicle without a boat trailer fits between the gate and edge of Bason Road.



There is an existing 4' high concrete retaining 'seawall' between the boat ramps and the boathouse. A riprap edge has been installed along the shoreline from the boathouse to the northern property line.



FACILITY/PROGRAMMING USAGE

The programming at the marina has expanded since the pandemic, offering increasingly popular activities as the public's interest in being outdoors continues to rise. Current and continuing programmed activities include:

Fishing

Fishing is the most popular activity to be found at Graham-Mebane Lake. However, due to the restricted number of boat & trailer parking spaces, the number of participants can be limited at times. This is especially a problem for those users wishing to hold club fishing tournaments at the lake.

Graham-Mebane Lake offers a Community Fishing Program through a partnership with NC Wildlife Resources Commission (NCWRC) to provide fishing opportunities for all ages, abilities, and skill levels. Fishing opportunities are available via boat, bank



and the two accessible piers. In addition to the two accessible piers, the program also provides fish feeders and attractors to help encourage fish population closer to the banks.

Also, through the partnership with NCWRC, Graham-Mebane Lake offers a Tackle Loaner Program to introduce children new anglers to the sport of fishing. The program allows participants to borrow fishing rods and reels for free.

Several fishing tournaments are hosted throughout the year for all ages.

- Bank Fishing Catfish Tournaments
- Lake Bass Tournament
- Season-Long Bass Tournament
- BBT Second Chance Tournament
- Youth Fishing Day
- Family Day at the Lake



Boating



Boat usage on the lake is limited to smaller (≤ 24 feet) motorized and non-motorized vessels. Canoes, kayaks, and stand-up paddle boards are also allowed. Pedal boats are not currently offered or desired. Gas powered boats are allowed, and there is currently no horsepower restriction though there is a 35 mph speed limit on the lake. The marina also offers canoe (3), kayak (22), and Jon-boat (4) rentals as the rental demands continue to increase. Ski boats and jet-skis are also allowed at a reduced number (see Ordinances/Policies section). Water skiing comprises about 2% of the on-the-lake activity.

Some of the new boating programs being offered include:

- Introduction to Kayaking
- Paddle Tours on the Lake
- Lake Cruise on the Pontoon



Graham-Mebane Lake Aquatic Habitat Enhancement

Graham Recreation & Parks have also partnered with NCWRC to establish native aquatic vegetation, a 5-year aquatic habitat enhancement plan. The focus of the program is to establish native aquatic vegetation at forty (40) locations within the lake, add six (6) new artificial habitat sites and drop selected shoreline trees into the lake to provide more shoreline fishing opportunities. As of August 2023, volunteers along with NCWRC had accomplished the following:

- 20 protected vegetation sites totaling 12,984 square feet
- 46 unprotected Water Willow sites totaling 3,681 square feet of shoreline planted
- The following species have been planted:
 - White Water Lily – 131
 - Spatterdock – 102

Pondweed – 62
Pickerelweed – 84
Water Willow – 1418
TOTAL: 1797

ecoEXPLORE HotSpot

Graham-Mebane Lake has also partnered with the North Carolina Arboretum to be an ecoEXPLORE HotSpot. “ecoEXPLORE (Experiences Promoting Learning Outdoors for Research and Education) is an incentive-based citizen science program for children in grades K-8. Developed by The North Carolina Arboretum, this innovative program combines science exploration with kid-friendly technology to foster a fun learning environment for children while encouraging them to explore the outdoors and participate in citizen science.”



Other Activities

The marina has also attracted a variety of other activities in the past few years from area users, including:

- Weddings
- Company picnics
- Cub Scout fishing events (from 3 counties)
- Search & Rescue training (including Canine Rescue Unit)



Graham-Mebane Lake Dam

The earthen dam is located at the southwestern end of the lake and is currently classified as low hazard. The dam extends 300 feet.

Archaeological/Historical Sites

The Historic Woodlawn School located on Wilkerson Trail, off Mebane Rogers Rd is the only listed significant historic structure in the vicinity. It is currently used as a rental facility for meetings. Otherwise, there are no significant cultural/architectural or historic sites known to occur along or in the immediate vicinity of the Graham-Mebane Lake environs (<https://www.nationalregisterofhistoricplaces.com/NC/Alamance/state.html>) accessed on June 1, 2023.

ZONING/SURROUNDING LAND USE

Graham-Mebane Lake is protected by the Alamance County Watershed Protection Ordinance (last amended on February 18, 2013) and the Jordan Lake Riparian Protection Program (established in 2009). The lake is part of the Haw River Watershed. The ordinance regulates allowable development around the lake and establishes the lake buffer as noted below. The lake buffer is co-owned by the cities of Graham and Mebane. Historically, the 100-foot buffer has not been enforced; this has caused the amount of City-owned property around the lake to vary greatly, often being much less than 100-feet.

Allowed uses within the watershed area include:

- Agriculture subject to the provisions of the Food Security Act of 1985 and the Food, Agriculture, Conservation and Trade Act of 1990 and the rules and regulations of the Soil and Water Conservation Commission.
- Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality (15 NCAC 11.6101-.0209).
- Single-family residential development.
- Multi-family residential development.
- Non-residential development: Institutional, educational, religious, commercial, office or recreational.



Prohibited uses within the watershed area include:

- Cluster development
- Sites for land application of residuals or petroleum contaminated soils.
- Landfills, incinerators, and waste processors.
- Commercial use which sells, stores, or distributes motor fuel or other hazardous materials.
- Solid waste management facilities.
- Airports.
- Industry.
- Metal salvage facilities including junkyards.
- Manufacturing, use or storage of any Hazardous Production Material (HPM) or Highly Toxic Material (HTM) or determined by the Alamance County Board of Commissioners to be injurious to the health, safety or welfare of the County's residents due to the explosive, flammable or toxic characteristics of the materials. Package treatment plants, and community sewage facilities, except for subsurface septic tanks. (These facilities are allowed only if the Health Department determines that a public health

problem can be alleviated by constructing such facilities.) Note: This provision does not prohibit the extension of municipal sewer lines (public) into the watershed critical area.

- Underground fuel or chemical storage tanks (except for L.P. Gas Storage).

Section 202 – Watershed Critical Area (WCA)

The WCA is the area extending either one mile from the normal pool elevation of a water supply reservoir or to the ridge line of the watershed (whichever comes first); or one mile upstream from the intake located directly in the stream or river (run of the river), or the ridge line of the watershed (whichever comes first). In order to maintain a predominantly undeveloped land use intensity pattern in the WCA, single-family residential, multi-family residential and non-residential development shall be allowed at a maximum of one dwelling unit or use per two acres (1 d.u. or use/2 ac.). Built-upon area for multi-family residential and non-residential development shall not exceed six percent (6%) of lot area except for expansion of existing development.

Section 205 – Lake Buffer

A one hundred foot (100') wide natural buffer shall be maintained around all water supply reservoirs, measured from the normal pool elevation outward. Desirable artificial streambank or shoreline stabilization is permitted. No new development is allowed in the buffer except for water dependent structures and public projects such as road crossings and greenways where no practical alternative exists, and other structures causing diminutive increases in impervious areas such as flag poles, signs, and security lights

ORDINANCES/POLICIES

The current ordinance allows for seventy (70) boats on the lake at any one time, the actual number is less due to the limited available parking. Lake hours are sunrise to sunset with actual times adjusted per month based on sunlight.

There is a restricted area marked with buoy lines located 1,000 feet from the spillway and 1,500 feet from the intake. The ordinance states 2,000 feet. No boating is allowed within this restricted area. Additionally, no gasoline motors are allowed within 4,000 feet of the intake (except when passing through).

The 4,000 feet is also the start of the restricted ski boats/jet-ski area which extends for about a mile towards Mebane Rogers Road. Ski boats put in at the marina and ride to the restricted area. Only six (6) ski boat and four (4) jet-ski reservations are allowed per day in the restricted ski area.

Furthermore, Chapter 14 – Recreation and Parks, Article III. Public Use of Graham-Mebane Lake of the Code of Ordinances states the following:

Sec. 14-125 Enforcement of Rules

In order to protect the water supply of the cities of Graham and Mebane and to safeguard its purity for human use, strict enforcement of rules and regulations governing the use of Graham-Mebane Lake is absolutely necessary. The primary purpose of the Graham-Mebane Lake is to provide drinking water for the community and the secondary purpose of this lake is to provide public recreation opportunities while protecting the water supply. Any activity that is deemed harmful to the quality of water is prohibited. Activities that are now allowed may be reviewed and prohibited by the cities without notice.

Sec. 14-126 Warden

- a. Generally. The Graham-Mebane Lake warden shall be the official custodian of said reservoir and the cities' surrounding property.
- b. Enforcement of rules; collection of fees. It shall be the duty of the warden to enforce all rules and regulations provided for in this article and such further rules and regulations as may be adopted by the city councils. The warden, or his designees, shall collect and properly account for all fees herein provided to be collected.
- c. Violation of rules. The warden shall deny admission to the lake to any persons known by him to have willfully violated the rules and regulations prescribed. Persons showing evidence of intoxication or having alcoholic beverages in their possession shall not be permitted to enter city property or go upon the lake. Persons discovered on the lake in an impaired condition shall have their permits taken up, and the warden shall have the power and authority to remove such persons from the lake. Persons who are consistently careless in the operation of boats or in their behavior on the lake so as to constitute a menace to themselves or others shall be denied admission to the lake. The warden shall have the authority to issue city citations to any person violating any of such regulations or failing to comply with such rules and regulations.
- d. Posting regulations. The warden shall post copies of the rules and regulations in the warden's offices and other conspicuous places about the lake premises and shall direct each person to read them before using the lake.
- e. Reports. The warden shall from time to time, as required by the director of recreation and parks, render full and complete reports of the transactions at the Graham-Mebane Lake.

Sec. 14-127 General Regulations

The following regulations apply to use of Graham-Mebane Lake:

- a. The use of alcoholic beverages is prohibited on all lake property. Persons under the influence of alcohol or any impairing drug shall be denied the use of the lake and adjoining city property.
- b. Swimming, wading, bathing and hunting from the water or banks is prohibited.
- c. Picnicking will be confined to areas designated by the cities.
- d. It shall be unlawful for any person, except law enforcement officers in the course of their authorized duty, to carry or discharge any firearm device. This regulation shall include, but not be limited to, any air rifles or toy guns or pistols designed to hurl a dangerous projectile.
- e. No trash, garbage, cans, bottles or other similar containers, papers, litter or similar refuse shall be deposited in the lake, on the shore thereof or on the adjacent lands owned by the cities around such lake, except in designated containers.
- f. Boats will not be permitted to land or contact the lake bank except at docks, ramps or landings provided by the cities for such purposes.
- g. No person under 16 years of age shall be allowed to operate a boat unless accompanied by a person 18 years of age or older. No person under 12 years of age shall occupy a boat unless accompanied by a person 18 years of age or older.
- h. No adjacent property owner shall have the right to use any of the cities' property surrounding the lake. It is the policy of the cities to maintain the shoreline of their municipal lake in a natural state. Trees, shrubs, ground cover and natural vegetation may not be changed so that the water supply may be protected from harmful chemicals, fertilizers, erosion and the effects of development. Development of the cities' property is forbidden. This includes establishing yards or gardens, thinning trees or underbrush, or installation of tables, walkways and other structures.

- i. No boat may be placed on the lake unless the same has been approved and specifically authorized by the warden or his staff. Any unauthorized boats may be impounded and disposed of as required by law. Boat access from anywhere other than the cities' ramps on Bason Road shall be strictly prohibited from the lake.
- j. The city manager shall have the authority to close the lake when it is determined that further activities would be detrimental to the cities' water supply or in times of drought.
- k. No hunting shall be allowed upon the lake or the cities' property surrounding the lake.
- l. No boating or recreational activities are allowed within 2,000 feet of the water intake and the spillway except by water plant personnel.
- m. It shall be unlawful for any person to fish, dive, swim, or participate in any activity whatsoever from any bridge or other structure on or adjacent to the lake; however this shall not prohibit pedestrian or vehicular traffic from crossing bridges.
- n. Each boat shall be numbered for identification with numbers not less than three inches high and the register shall show the number of the boat used. Every boat used on the lake shall be supplied with a United States Coast Guard approved life preserver for each occupant, and no person shall use a boat on the lake unless the same is so equipped. One oar shall also be present on each boat.
- o. No person shall violate any laws governing the pollution of public water supplies. No human excrement or urine shall be voided in the lake or deposited on the surface of the ground within a distance of 100 feet of the margin of any streams, branches, springs or tributaries thereto. A violation of this section shall be sufficient cause for refusing to permit the violator to go upon the lake thereafter.
- p. Any permit may be revoked and taken up whenever the holder thereof willfully violates any of the rules and regulations governing fishing or boating in the lake or any of the restrictions attached to such permit or has been guilty of conduct tending to impair the purity or sanitary conditions of the water in the lake.
- q. The lake hours shall vary dependent on the seasons. Activities on the lake shall be allowed only between sunrise and sunset.
- r. Boats operated on the lake may be manually operated or propelled by means of oars, paddles or motors. The speed limit shall not exceed 35 miles per hour. The maximum number of boats permitted on the lake at one time shall be 70.
- s. No more persons than allowed by the Coast Guard certification plate shall be allowed to occupy a boat at the same time.
- t. Buoys and signs shall be used at the lake to designate restricted areas of the lake. It shall be unlawful for any person to damage, tamper with, tie up to, or disregard any sign or buoy designating any restricted area.
- u. Each permit issued shall carry a notification absolving the city of any and all liability and all loss incurred while in boats or on the docks.
- v. Fees for fishing and boating shall be fixed from time to time by the city councils and kept on file in the office of the city clerk.
- w. No person shall operate a boat in any manner that endangers the lives or property of others. Reckless boating shall not be tolerated and the warden has the right to have violators removed and deny admission in the future. Boat traffic shall move around the lake in a counterclockwise direction.
- x. Boats within 100 feet of the shore or 100 feet of a dock, pier, or ramp, and under the bridges at Bason Road, White Level Road, Mebane Rogers Road and through the channel at Quaker Dam shall not exceed five miles per hour, these are no-wake areas.
- y. No boats longer than 24 feet long will be allowed on the lake.
- z. No boat refueling shall be allowed on the waters of the lake.

Sec. 14-128 Fishing

- a. Persons using the lake for the purpose of fishing shall comply with the provisions of this section
- b. No person shall fish in the Graham-Mebane Lake except by proper permit approved and issued to such person by the lake warden or his authorized agent. All regulations by the state wildlife resources commission with regard to licenses, manner of taking fish and the size and number of fish to be taken are a part of these regulations. This article is subject to any state requirements that may be in conflict herewith.
- c. No permit shall be valid for use by any person other than the person to whom the same was issued. All permits not used on the date issued shall be void.
- d. Every permit required by this article shall be issued subject to revocation or cancellation upon violations by the holder thereof of any of the rules or regulations governing fishing in the lake.
- e. No permit shall be issued under this article to any person who has knowingly violated the rules and regulations governing fishing in the lake.
- f. Fish may be taken in the lake only with rod, line and hooks with natural bait or ties with artificial flies, spoons, plugs or artificial minnows.
- g. No fish caught in the lake shall be sold, bartered or exchanged.
- h. All fishing in the lake shall be from a boat or other designated areas and in no instance shall bank fishing, picnicking, cleaning or cooking fish in other than designated areas be permitted.
- i. The fees for fishing privileges in the Graham-Mebane Lake shall be fixed from time to time by the city councils and kept on file in the office of the city clerks.
- j. No fishing or boating shall be allowed past the buoy line which is within 2,000 feet of the intake at the water plant.
- k. No fish cleaning shall be allowed on the waters of the lake or on any city property.
- l. Creel limits, as posted at the marina, shall be observed.

Sec. 14-129 Fishing

- a. Persons using the lake for the purpose of power boating shall comply with the provisions of this section. The use of gasoline powered boats using a petroleum derivative fuel shall be restricted to distances greater than 4,000 feet from the water plant intake structure as indicated on the Graham-Mebane Lake map posted at the Lake Marina, except that these types of boats shall be allowed to cross areas of the lake which are less than 4,000 feet from the water intake to gain access to properly designated areas in the Back Creek arm of the lake.
- b. Water skiing and jet skis shall be confined to those areas of the lake that are designated for this activity as shown on the Graham-Mebane Lake map as posted at the lake marina. Skiers shall make a conscious effort to keep a minimum distance of 100 feet from fishing boats and sailboats.
- c. Boats returning for a downed skier shall do so with caution.
- d. Boats pulling water skiers shall have at least two persons in the boat. Each water skier shall wear a life preserver type of ski belt or vest at all times. No skiing shall be allowed under the bridge at Mebane Roger Road.
- e. Sailing craft shall have navigation rights over power craft, but shall also move in the same general direction with traffic.
- f. The fees for boating and skiing shall be fixed from time to time by the city councils and kept on file in the offices of the city clerks.
- g. Permits relating to this section shall not be transferrable.

Most of the surrounding land use around the lake perimeter is low density single-family residential, farmland

or remains undeveloped/forested. Exceptions include Woodlawn Middle School and Eastern Alamance High School on Mebane Rogers Road and the Graham-Mebane Water Treatment Plant and Cash For Cars Auto Salvage on US 70 at the southern end of the lake.

EXISTING UTILITIES

While the Graham-Mebane water treatment plant is located at the dam, most properties abutting the lake are still served by well and septic systems. Public water and sewer are provided to the incorporated municipal areas only at this time.

NATURAL FEATURES

Topography

The topography within the buffer area around the lake typically has elevations ranging from around 530-531 to 540-545 feet. The marina topography ranges from elevation 531 to 543 while the proposed nature area on the Bason Life Estate peninsula ranges from 531 to 565 at the peak.

Soils

The Alamance County soil survey prepared by the USDA Natural Resource Conservation Service indicates the Graham-Mebane Lake shoreline consists of the following soil types:

Cecil sandy loam

Notable characteristics: Well drained; medium to rapid runoff; moderate permeability. Major Uses: cultivation, with the remainder in pasture and forest.

Chewacla loam

Notable characteristics: Somewhat poorly drained, Frequent to rare flooding for very brief to long periods. Major Uses: Pasture, cropland, some forest.

Cullen clay loam

Notable characteristics: Well drained with medium to rapid runoff and medium internal drainage. Permeability is moderate. Major Uses: Most of these soils are under cultivation and in pasture with the remainder in forest.

Enon sandy loam

Notable characteristics: Well drained; medium to rapid runoff; slow internal drainage; slow permeability. Major Uses: Most of these soils are under cultivation and in pasture with the remainder in forest.

Helena loam

Notable characteristics: Moderately well drained. Major Uses; Mostly cultivated.



Rowan Pondexter complex

Notable characteristics: Well drained, no flooding. Major Uses: Woodlands

Udorthents loamy

Notable characteristics: Moderate to slow permeability to a depth of 10 inches and rapid to very slow below that depth. Major Uses: parks, recreation fields, buildings and building sites.

Hydrology/Drainage

Five creeks feed into the lake – Quaker, Otter, Mill, Stagg and Back. Back Creek serves as the outflow which then joins Haw River which then flows into Jordan Lake. From Jordan Lake, Haw River meets up with Deep River, forming the Cape Fear River flowing out to the Atlantic Ocean.

Vegetation

Most of the surrounding vegetation around the reservoir consists of mixed pine-hardwood, upland hardwood, and freshwater marsh. Trees include Black Gum, Ash, Maple, Sweetgum, Yellow Poplar, Oak, Pine, and Hickory.

Wildlife/Aquatic Life

The lake is home to several species of fish, the most popular for fishing include largemouth bass, catfish, and crappie, however, bluegill, shad and carp can also be found.

A variety of birdlife and waterfowl exists around the lake as well as large and small game animals.

OTHER PLANS

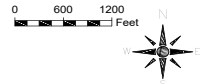
Graham Recreation and Parks Master Plan – 2020

In 2020, Graham Recreation and Parks revisited the adopted vision for recreation services provided by the City of Graham with updated statistical data from the 2008 plan. Graham-Mebane Lake was included in the 2020 plan but was not a major focus of the plan. However, there are several Lake Division elements noted including:

- Page 29 – Opportunities – The placement of way-finding signage from Interstate 40/85, along NC 49, and Bason Road would lead users from Graham to the marina. Installation of walking trails along the banks of the lake, even in limited locations, would provide significant opportunities for passive recreation, nature study, and environmental education. To enhance user experience, the expansion of parking should be explored. The exploration of playground facilities on site would make Graham-Mebane Lake more welcoming to younger families.
- Page 37 – One of the unmet capital needs during the fiscal year 2019-2020 adopted budget is a Lake Master Plan.
- Page 47 – Mission, Vision, and Goals
 - Graham Recreation and Parks Department Mission Statement
 - “To inspire a happy, healthy community by creating a stimulating and engaging environment through elite, diversified recreational experiences.”
 - Graham Recreation and Parks Department Vision Statement
 - “To energize our community by inspiring healthy play for all.”
 - ▷ Goal #1 - The Recreation and Parks Department plans to add an emphasis to nature by enhancing

Graham-Mebane Lake | AREA CONTEXT

Graham, NC



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natural amenities and recall appropriate past developments to a more natural setting.

- ▷ Goal #2 - The Recreation and Parks Department envisions a more well-connected park system to create a more inclusive recreation and park system.
- ▷ Goal #3 - The Recreation and Parks Department wants to inspire a healthy and engaged community through collaborative and intentional recreation and park services.
- Page 48 – Near-Term (1-5 years) Recommendations – Existing Facilities
 - Replace/expand existing boat docks; and
 - Perform bathymetric survey of Graham-Mebane Lake to produce a high quality lake depth chart and establish an accurate lake volume.
- Page 49 – Near-Term (1-5 years) Recommendations – New Facilities
 - Install a National Weather Service approved weather station and implement a Severe Weather Warning System
- Page 49 – Near-Term (1-5 years) Recommendations – Programs
 - Continue to grow the vessel rental program to include permanent vessel storage and dock slips for jon-boats;
 - Continue maintenance schedule to replace and install new buoys;
 - Develop policy and implement a schedule to install artificial fish structure;
 - Implement comprehensive boating safety training programs for staff and patrons; and
 - Explore programming opportunities featuring the pontoon boat.
- Page 51 – Mid-Term (6-10 years) Recommendations – Existing Facilities
 - Repair boat launch ramps; and
 - Expand and relocate the boathouse to house all motorized boats and add locked storage.
- Page 52 – Mid-Term (6-10 years) Recommendations – New Facilities
 - Install a seawall in the bank fishing area to include safety railing, benches, and a revised parking area; and
 - Replace or remove the fuel tank at Graham-Mebane Lake.
- Page 53 – Long-Term (11-20 years) Recommendations – Existing Facilities
 - Establish trail system at Graham-Mebane Lake; and
 - Replace or renovate the marina building to include new offices, storage, and work bays.

SITE ASSESSMENT SUMMARY

Opportunities

- The marina facility area still has available land to allow for re-organization, upgrades, and expansion of facilities.
- Existing marina area and open space reduce potential construction costs by reducing clearing and grubbing required for expansion.
- Existing amenity areas and open space reduce potential construction costs by reducing clearing and grubbing required for expansion.

Constraints

- With a combination of the 100-foot buffer requirement and steeper slopes along the lake edge, it will be challenging to develop additional recreational facilities, such as lake side trails or a greenway.
- A majority of the soils found around the lake have some development restrictions requiring special care in facility placement and design. Some undercutting and structural soil replacement may be required

for trails and pads. Subsurface soil investigation is highly recommended.

- The support structures (restrooms, shelter) are showing wear and lack of ADA Compliance.
- Parking at the marina, especially boat trailer parking, remains a challenge in balancing parking expansion with recreation facility expansion.



03 - COMMUNITY ENGAGEMENT

Graham-Mebane Lake – Community Meeting: May 26, 2021



As part of the master planning process, Benesch along with Graham Recreation & Parks developed a methodology for obtaining input through a community engagement drop-in session held on May 26, 2021, at the picnic shelter at Graham-Mebane Lake. The meeting was publicized through the Parks & Recreation website and postings at the lake. Approximately sixteen people attended the workshop.

Attendees could arrive and leave as their schedules would allow while having the opportunity to participate, to the fullest extent while moving through various information stations at their own pace. Benesch and Graham Recreation & Parks monitored the stations, explained the exhibits, noted feedback and answered questions.

After signing in, each participant was given the opportunity to learn about Graham-Mebane Lake and the master planning process by viewing aerials of the lake environs and using dots to identify where they live around the lake.

Attendees then viewed exhibits and were provided dots to vote on and rank activities and programs that are currently offered at the lake and/or could be offered at the lake. Approximately 60 potential “Things to Do at the Lake” were represented on the exhibits with blank spaces for attendees to add other activities or programs, if desired. There was also an opportunity for participants to provide any comments on the lake or the planning process.

The full results of the “Things to Do at the Lake” exhibit are included in the appendix. A summary of the top 5 existing and potential activities and programs favored by the meeting participants for each category include:

Marina Center (Managed Events/Activities for Youth & Adults)

- Fishing Tournaments
- Canoeing & Kayaking
- Pier Fishing
- Bait Shop
- Zipline

Organized Public Events

- July 4th Fireworks
- Outdoor Classroom
- Art in the Park – Arts & Crafts, Local Artist & Art Guild Festival

- Outdoor Amphitheater – Drama, Theater, Concerts, etc.
- Outdoor Events, Charity Events, Festivals, etc.

Recreation (Un-organized Events & Activities)

- Nature Trails
- Cross Country Hiking & Running Trails
- Horseshoe Pits/Cornhole
- Playgrounds
- Greenway Connections – Walking & Bicycle Trails

Children & Family Recreation (Managed Events & Activities for Children)

- Picnic Shelters & Pavilions for Social Events
- Tube Rides
- Paddle Boats
- Splash Pad/Sprayground
- Hammock Area

Educational & Historical Interest

- Fishing Instruction
- Astronomy
- Wildlife Education
- Environmental Education
- Outdoor Story Telling
- Canoe/Kayak Instruction

Food & Beverages

- Food Trucks
- Food, Snack & Beverage Concessions

Camping & Lodging (Overnight Stay)

- Rental Cabins & Cottages
- Family Campgrounds & Camp Sites (Tents)

Park Administration & Maintenance

- Additional Parking
- Accessibility

In addition, the following written comments were provided both during and after the workshop:

- Safety on entrance to the lake. Speed bumps are needed.
- Asphalt walk to dock areas
- Need pre and wipe down area for boats
- Ski boat; need to do away with (x3)
- ADA parking close to the ramp
- Would like to be able to clean property down to the lake - behind EAHS
- Huge cone behind one ramp that collects all sorts of trash and debris.
- Pass Plus 1 - If I have a pass, my rider should not have to pay (x4)
- Some sort of padding around boat docks
- Need to sell minnows
- Sand beach for canoe/kayak launch
- ADA boat launch/longer docks
- Ski boats acting dangerous in shallow water areas
- Ski boats and jet skis never pay attention to signs
- Night fishing (x2)
- Let homeowners be part of the solution to keep the lake beautiful and clean. Current restrictions technically prevent homeowners from cleaning around their property lines of bottles, cans, plastic, etc. Allow homeowners to trim up areas for lake viewing allowing them to be part of the solution! (x3)
- Why do EAHS and Woodlawn Middle School have separate rules? - EAHS baseball fields drain right into the lake following heavy rain. Woodlawn puts pipes into the lake to water their athletic fields.
- What was the rationale for clearing the area from the girls softball field (EAHS) from the outfield fence to the lake? Numerous trees were removed which doesn't help the stability of the bank.
- Ring buoys on piers for emergency use
- Would prefer jet ski area to be eliminated. Very stressful crossing this area as a kayaker
- Concerned with increase in litter on lake if trails/walkways are added to the park. Find most litter in areas accessible by people
- Additional parking for vehicles with kayak trailers as well as boat - Kayak trailer parking should be closest to kayak launch spot.
- My wife and I are relatively new to Graham and have heard nice things about the lake. We went there last week and we're really surprised that there are no walking trails to enjoy the lake. If there is a place for residents to extend their wishes, I would certainly like to let you know we would be supportive of some type of trail systems.

Graham-Mebane Lake Survey – Fall 2018

Prior to the beginning of the Graham-Mebane Lake master planning process, Graham Recreation & Parks posted a survey question:

“What would you like to see at the Lake? Help us make plans for the future.”

RESPONSES FROM SEPTEMBER - NOVEMBER 2018:

- Open and close later in all months
- Open and close later in all months
- Open earlier in the months of May, June, July, and August and close later
- Employee barbecue. Tim, Roger, James

- Open earlier and close later, open earlier on Sunday [original, plus starred, plus checked-marked, plus signature = 4 comments?]
- Open early on Sunday
- Later closing times!
- Crappie tournament
- Open early in May, June, July, Aug., and Sept. and on Sunday and close later
- Open early on Sunday. Open early in May, June, July, and August and close later
- Open early on Sunday
- During bass spawn, (mid April – mid June) CATCH AND RELEASE ALL Bass at point of catch
- May, June, July, August open @ 6:00
- Carp Tournament too
- 1) Repair ramps 2) Move shed and van
- Allow more boats in Bass Tournaments. Have more tournaments
- NO organized bass tournaments year round
- Open all year
- Better, softer bunks around docks
- Longer Docks with T on end (arrow)
- Sandy bottom here (arrow)
- (Arrow) Move no parking signs over to 3 ft. off road surface
- Need walking trail
- Dock need work, Bathroom = Bridge II Sports www.bridge2sports.org; Ashley Thomas, Beyond ADA, 919 452-4147; (kayak ramp new plate drawing) [Three notes from same person]

SPRING/SUMMER COMMENTS 2019 (FEBRUARY – JULY)

- Rent John boats like all the other lakes do.
- Need John Boats!! Please, as soon as possible!!
- Open earlier close later more bank and boat catfish and bass tournaments.
- New seawall, 2 story marina building, more parking.
- Put another Port-a-potty on backside near last pier area.
- More Lake tournaments. Bass + Catfish Like Both Bank + Boat.
- Allow more boats in bass tournaments 25 to 30 boats.
- Have a Crappie tournament with 35 or 40 Boats Please.
- Up the numbers of boats in tournaments to 35 or 40 Boats.
- Would love to fish here but you don't have any Jon Boats. You have all kinds of kayaks but don't care about people who wants to fish out of a Jon boat.
- Need Jon Boats to fish out of.
- Need Jon Boats to rent.
- Please Please Please Get us some John boats. Canoes are not for us 250 lbs'ers.

04 - PROGRAM DESCRIPTION / PHYSICAL NEEDS

Based on the site assessment, site limitations and input received from Recreation & Parks staff and the community, preliminary master plans were developed for three (3) areas of focus:

- Graham-Mebane Lake Environs
- Bason Road Marina
- Bason Road Nature Area

The Recreation & Parks staff reviewed and discussed the programming input and developed the following facility goals and objectives:

Facilities Programming

- Seek new and improved recreation facility opportunities within the Lake Environs:
 - Provide new updated restrooms/main marina office building.
 - Provide additional walkways/walking loops.
 - Provide additional picnic shelters of variable sizes; expand and improve picnicking options.
 - Renovate and upgrade boat launches and piers.
 - Provide better organized parking/boat drop-off.
 - Provide better canoe/kayak launch accessibility & storage.
 - Introduce an inclusive playground element.
 - Provide more fishing areas and opportunities.
 - Provide expanded pedestrian circulation throughout the marina facility.
 - Provide a special events space.
 - Provide a larger boathouse for lake warden's boat.
 - Develop greenway and trail opportunities.
 - Provide group camping opportunities.
- Make sure Graham-Mebane Lake is fully accessible:
 - All lake facilities shall be accessible to each other & parking.
 - Provide better internal connectivity and accessibility within the marina facility.
- Create/enhance programming for Graham-Mebane Lake and any future facilities:
 - Provide educational, healthy & active living programs & opportunities for all ages & abilities, especially outdoor and nature related activities.
 - Seek new recreation opportunities or other new recreation trends.
 - Expand programming beyond adult and small children to include teen youth.



Operations

- Strive to provide funding to maintain or exceed minimum level of service standards & create a sustainable economic base for Graham-Mebane Lake:
 - Maintain quality lake management, operations & maintenance throughout.
 - Create vision, goals, and responsibilities for establishment of a Friends of the Lake organization.
- Seek & develop partnerships with other area recreation providers:
 - Seek funding/programming partnerships with area stakeholders.
- Increase community outreach / lake recreation marketing:
 - Provide better wayfinding between other Graham parks and recreation facilities and Graham-Mebane Lake.
 - Display QR codes at the lake to direct users to Graham Recreation & Parks' website for park information, maps, upcoming events, etc.
 - Ensure the Graham-Mebane Lake Master Plan is coordinated with other municipal plans, ordinances & policies.
 - Hold regular community conversations to check in with lake users on the level of service provided by Graham Recreation & Parks.
- Maintain and enforce the water quality and lake buffers of Graham-Mebane Lake:
 - Address shoreline erosion.
 - Continue the aquatic habitat enhancement program; expand opportunities.

MASTER PLAN - GRAHAM-MEBANE LAKE ENVIRONS

A master plan was developed by addressing the recreational and lake needs and concerns expressed by the community during the community meeting along with Recreation & Parks staff desires within the physical limitations found around the lake and current policies and ordinances. The primary goal of the plan is to identify areas of recreation improvement and expansion - which will realize more users and visitors - while still maintaining good water quality and safeguarding lake biology and aquatic populations. In addition, the plan needs to balance the proposed recreation development and improvements with the current NCDEQ regulations. Graham Recreation & Parks needs to set the example for homeowners around the lake. Notable components of the lake environs master plan include:



The existence of the 100' lake buffer and topography within the buffer restricts recreational development around the lake perimeter. There may be acquisition opportunities in the future around the lake shoreline in which to introduce recreation activities, but for the purposes of this master plan, the focus is on four main elements:

- Redevelopment and expansion of the Bason Road Marina environs. Potential marina area improvements are described in further detail in the following section.
- Acquire and master plan the Bason Life Estate across from the Bason Road Marina for additional passive recreation opportunities. Potential recreation improvements are described in further detail after the Bason Road Marina section.
- Seek additional lakefront properties for acquisition in providing additional lake access and recreational opportunities. The focus of this potential acquisition(s) is in the area on the west side of the lake across from the Bason Life Estate property where the lake is wider and accessible from Bason Road.
- Consider additional policy/ordinance language to assist in the enforcement of the 100' lake buffer along the entire lake shoreline. As previously stated, the protection of Graham-Mebane Lake as the main water resource for the region needs to be further emphasized with more enforced policies and better communicated to shoreline land owners and developers.

MASTER PLAN - BASON ROAD MARINA

A preliminary master plan was developed for the Bason Road Marina facility by addressing the recreational needs and desires expressed by the community and Recreation and Parks staff with the physical limitations found on the existing marina site. In addition, a major issue has long been the continual erosion of the shoreline resulting from daily lake currents, bank fishing use and waterfowl. For this plan, sections of existing sea wall would be removed along with the existing outdated small boathouse, structural fill imported to extend the shoreline to the west and retained with a new sea wall that extends the length of the shoreline to the northern pier. This new and extended sea wall allows for the planned redevelopment of the Bason Road Marina. The description of proposed park elements is broken into the different recreation areas as follows:

Marina Facilities

The existing marina facilities have been long overdue for upgrades and expansion. Proposed improved vehicular circulation and increased vehicle and boat trailer parking allow for improved and expanded boat launching facilities. The existing boat launch ramps will be replaced with longer ramps resulting in four (4) renovated boat launches set within two (2) wood piers. Another wood pier is proposed with temporary boat slips and an accessible canoe/kayak launch. A third wood pier is proposed with rental boat slips as well as a boathouse to house the staff boat. A covered storage unit is proposed to house canoes and kayaks that can be used for park programming or rental. All ramps and piers are to be connected by an ADA sidewalk or path (accessible).

Picnicking

All the existing picnicking facilities are located at the northern end of the park away from the marina. The existing shelter is proposed to be replaced and relocated on the lake side of the walkway to the end fishing pier. Three (3) smaller shelters (20' x 20') would be added between the relocated shelter and the existing pier at the north end. In addition, three (3) uncovered picnic nodes, each with a table, grill and trash receptacle will be located around the new shelters. Three (3) more uncovered picnic nodes, each with a table, grill and trash receptacle will be grouped east of the drive/parking midway through the park.

A large rentable shelter (20' x 40') is proposed just north of the marina facing the lake and proposed 'Grand Lawn'. This large shelter will be flanked by three (3) more uncovered picnic nodes, each with a table, grill, and receptacle.

At a minimum, 50% of the picnic facilities shall be ADA compliant and connected via ADA sidewalks or paths.

Fishing

The existing piers at the north end of the park and along the eastern shoreline will remain. A new wood pier is proposed to be added to the eastern shoreline between the existing NC Wildlife constructed pier and the proposed 'Grand Lawn' area. The new pier shall be designed with ADA fishing components such as lowered rails. The pier shall be connected via an ADA sidewalk from an ADA parking space(s).

Walking Loop/Paths

ADA paved walking paths and loops have been proposed throughout the marina facility. With the extension of the sea wall, a walkway will extend the length of the shoreline from the marina along the edge of the 'Grand Lawn' to the piers and picnic facilities at the north end. Accessible walkways will connect to all park facilities with a loop around the central core.

'Grand Lawn'

A 'Grand Lawn' has been proposed in the center of the park for special events such as fishing tournament ceremonies, weddings, company gatherings or just serve as greenspace in which to set a picnic and lawn chairs to watch lake activities. The eastern edge of the 'Grand Lawn' is anchored by the new large shelter while the western edge features a large overlook element.

Play Equipment/Swings

A new addition to the marina facility is the introduction of an accessible playground to be located at the northern end where the existing shelter is now. The playground provides an amenity that relates to the new picnic shelters and nodes. The playground equipment shall be comprised of ADA components installed within an accessible protective surfacing. The playground shall be connected by an ADA sidewalk or path (accessible).

Support Facilities

Main Park Office Building

The existing main park office building is proposed to be replaced with an expanded accessible facility. In addition to housing the lake warden's office, marina check-in and bait shop, the new facility would also include a water safety training room, ample equipment storage and provide accessible restrooms for the marina. Information kiosks along with an outside deck with tables would overlook the lake and marina. The new park building shall be designed to be fully accessible meeting ADA codes.

Restrooms

A new park building with restroom facilities is proposed to be located on the northern edge of the 'Grand Lawn' and serve the north end of the park. The building is proposed to have an extended roof overhang to provide additional picnicking area or quick cover for sudden inclement weather. The new restroom facility shall be designed to be fully accessible meeting ADA codes.

As noted above, restrooms will also be provided in the new park office building at the marina.

Parking

The existing parking area will be redeveloped with improved vehicular circulation. The parking areas are set up as follows:

- 51 spaces (9'x19') – Park/Picnic Parking (including 7 accessible spaces)
- 19 spaces (9'x19') – Marina Parking (including 2 accessible spaces)
- 37 spaces (11'x40') – Boat & Trailer Parking (including 2 accessible spaces)
- 12 spaces (11'x40') – Boat & Trailer Overflow Parking (along eastside of main drive)

Twelve (12) of the marina parking spaces and eight (8) of the boat & trailer parking spaces are proposed to be covered with solar panels attached to the roof structure.

Maintenance Facility

A fenced-in maintenance facility will be located just north of the park office building. The intent is to relocate all the current components into one compound including fuel tank(s), indoor shop w/storage, outdoor storage yard and a dumpster enclosure.

Landscape

The addition of new trees throughout the facility will not only replace those that have been lost to due to storm damage, old age, and/or disease but provide much needed shade for the various park nodes being developed.

MASTER PLAN - *BASON ROAD NATURE AREA*

A preliminary master plan was developed for the Bason Road Nature Area, a proposed property acquisition across Bason Road from the marina, by addressing the recreational needs and desires expressed by the community and Recreation and Parks staff with the physical limitations found on the wooded property. The description of proposed park elements is broken into the different recreation areas as follows.

Trails

A series of trails and trail loops are proposed along the ridgelines and somewhat moderate slopes that connect to five (5) proposed overlooks, two (2) piers and group camping facilities. A variety of trail surfaces would be proposed. Proposed trails, including two (2) boardwalk sections total 1.5 miles +/-.

No less than 50% of the trail system and facility connections shall be ADA accessible.

Camping

Group camping areas/sites are proposed to be developed along the trail system. A total of six (6) tent camping sites are proposed with each providing a tent pad, small shelter, table, fire ring, trash receptacle, and lamp pole & hook. All equipment would need to be packed in as no vehicles will be allowed at the sites.

At least one (1) campsite shall be entirely ADA compliant and accessible.

Piers/Overlooks

Five (5) overlooks are proposed along the western and southern shorelines, all connected by trails. In addition, four (4) wood piers are proposed with two (2) along the northern side of the peninsula and two (2) extending from the main trailhead parking area. No fishing is envisioned from these piers.

No less than 50% of the piers and overlooks and their connections shall be ADA accessible.

Picnicking

A picnic node is proposed adjacent to the northern most pier with a small shelter, tables on pads and grills. At least one table, pad, and grill shall be ADA compliant and connected via an ADA route.

Support Facilities

Main Trail Head

A main trailhead with parking will be located at the north end accessed from Bason Road. Features within the trailhead include 33 parking spaces, restrooms, informational kiosks, picnicking. This zone serves as the end for vehicular use and the access to the trail system and group camping areas.

Restrooms

A new restroom facility is proposed to be located at the trailhead to serve the trails, group camping and picnicking areas. The new restroom facility shall be accessibly designed to meet ADA codes.

Parking

The parking area will provide 33 spaces (including 2 accessible spaces) and will be gated at the Bason Road entrance. A retaining wall is proposed on the eastern side to allow for a flatter site in which to construct the parking area.



Bason Road Nature Area
Activity Node



BRAND REVISIONS & COMMENTS | 1334 Providence Avenue Parkway, Suite 200
Raleigh, NC 27604 | Phone: 919.488.4444 | Fax: 919.488.4444
Scale: 1"=200'

05 - ACTION PLAN IMPLEMENTATION

INTRODUCTION

In the previous sections, the City's needs for new recreational facilities and improvements to existing lake facilities have been identified. Careful planning and strategic thinking will be required if these needs are to be met. This section will identify funding sources for implementing some of the recommendations of this plan and identify possible strategies for funding the proposed recommendations.

Instrumental to the implementation of this Master Plan is the identification of adequate funding for facility development and improvements. Finding adequate funding for parks and recreation is often difficult with the many financial demands most municipalities face. Limited budgets place even greater importance on careful planning to meet projected needs.

While the primary focus of previous sections has been on park and facility improvements, physical improvements are only part of the issue as Graham-Mebane Lake strives to offer its users quality recreation experiences. As City leaders plan for the future, they should also consider operational and management issues that will position them to meet community-wide needs.

This section will look at a Capital Improvements Plan for addressing recommendations found in Section 04 and provide a strategy for raising funds to construct the proposed improvements and new facilities. Implementing the recommendations made in this Master Plan will result in meeting the future needs for Graham-Mebane Lake and its facilities. If the needs identified in this report are to be met, the City must establish adequate budgets for projected staffing, operations, and maintenance costs, and for capital improvements for recreation facilities. This Action Plan is designed to give City staff viable options to help finance the proposals and recommendations of this Master Plan.

REVENUE PLAN

Upon adoption of the Master Plan, City staff should consider the establishment of a Revenue Plan for Graham-Mebane Lake. A Revenue Plan incorporates all available funding resources, prioritizes them, and puts each option into a funding strategy. In a Revenue Plan, the following funding alternatives are evaluated for their appropriate use in funding capital improvements and programs.

KEY FUNDING/REVENUE SOURCES

There seems to be strong public support for Graham Recreation and Parks to improve and expand recreation facilities and programs, but innovative measures will be required to meet the needs identified in this plan. The proposed new facilities and expanded operations will require dollars from a variety of sources. The following funding sources are provided to help evaluate funding options:

General Tax Revenues (Operational & Capital)

General tax revenues traditionally provide the principal source of funds for general operations and maintenance of municipal parks and recreation facilities. Recreation, as a public service, is scheduled along

with health, public safety, schools, etc. in annual budgets established by the governing authority. Assessed valuation of real and personal property provides the framework for this major portion of the tax base. This tax base is then used to fund a majority of municipal services. Currently, funding for Graham-Mebane Lake management comes from a general fund. If the City wishes to enhance the quality of life and healthy lifestyle opportunities for its users, the current level of funding for the lake environs should be increased.

General Foundations (Operational & Capital)

Another source of revenue is the direct contribution of money from State and National General Foundations. Foundation funds should be sought for both development and construction of facilities as well as providing programs. Funding sources should include general-purpose foundations that have relatively few restrictions, special program foundations for specific activities, and corporate foundations with local connections.

Foundations with Emphasis on Conservation, Healthy Lifestyles, & Parks

Graham is in a position to receive grant funding from a wide variety of public and private foundations and trusts. Below is a list of funding sources that are particularly applicable and available for the community:

The Kate B. Reynolds Charitable Trust has been instrumental in funding projects in North Carolina. Their focus is to improve the quality of life and health.

The Trust for Public Land and NC Rails-to-Trails Conservancy have been instrumental in providing financial and technical assistance for open space conservation and development of greenways in North Carolina.

Robert Wood Johnson Foundation (RWJF) is the nation's largest philanthropic organization devoted specifically to the public's health. RWJF promotes change through partnerships and collaboration, with the goal of building a culture of health for all Americans. RWJF generally supports public agencies, universities, and public charities that are tax-exempt.

W.K. Kellogg Foundation places optimal development of children at the center of all their grants. They concentrate on early childhood development within the context of families and communities. The W.K. Kellogg Foundation's areas of focus: educated kids, healthy kids, secure families, community and civic engagement, and racial equity.

KaBOOM! is a national non-profit dedicated to providing play opportunities for America's children. They envision a place to play within walking distance of every child. KaBOOM! works with communities, volunteers, and funding partners to build playgrounds throughout the country.

BlueCross BlueShield of North Carolina Foundation has invested millions of dollars in communities across the state. They support opportunities that impact the health of our state. Their areas of focus include health of vulnerable populations, healthy active communities, and community impact through non-profit excellence.

Cigna Health through its Cigna Foundation supports organizations that enhance health in individuals, families and communities. They offer grants up to \$5,000.

Home Depot, through its Community Impact Grants Program, and Lowe's through its Lowe's Foundation offers grants to improve community health.

Another source of local assistance may be large corporations with foundations established to provide grants for public projects. Companies such as Bank of America, REI, Alamance Community Foundation, and Duke Energy have available funding through existing grant programs, or they may be interested in creating a program or partnership for specific projects.

The City should actively pursue grants from foundation and trust sources on a regional and national level.

Information on trusts and foundations can be found through the Foundation Center, 79 Fifth Avenue, New York, NY 10003-3076 (<http://fconline.foundationcenter.org/>)

General Obligation Bonds (Capital)

General tax revenue for parks and recreation are usually devoted to current operations and maintenance of existing facilities. General obligation bonds are often used to finance capital improvements in parks. The State of North Carolina gives municipal governments the authority to accomplish this borrowing of funds for parks and recreation through the issuance of bonds not to exceed the total cost of improvements (including land acquisition). For purposes of paying the debt service on the sale of these bonds, government bodies are often required to increase property taxes. Total bonding capacities for these government agencies are limited to a maximum percentage of assessed property valuation.

Graham has not used this method of financing park or recreation facility improvements in the past. In view of the recommended capital improvements suggested in this plan, borrowing funds to acquire new land and develop facilities may be a consideration. Response from the community wide survey indicated there may be support for additional spending to develop new recreation offerings at the lake.

An added value of a governing agency's bonding authority and capacity is its ability to use those funds to leverage other funding opportunities. Bonding enables government agencies to utilize funds to match federal grant-in-aid monies or state funds. General obligation bonds are still the greatest source utilized to fund park and recreation projects in North Carolina. Through a well thought out and publicly presented bond campaign, voters would be given the opportunity to choose to support park and recreation improvements through the selling of bonds.

Revenue Bonds (Capital)

Revenue bonds are used for financing high use specialty facilities like marinas. The users, and other revenue sources, pay for operations and sometimes repay the bonds. This revenue source would only be of use to the City if they choose to change their tax subsidy policy for using this type of funding. The City most likely would not seek out this option.

The legal requirements for utilizing these funding mechanisms are extremely complicated and can require approval from the state legislature. Use of revenue bonds seem to be unlikely at this time.

Limited Option or Special Use Tax (Capital)

Limited option or special use taxes can be established in various ways. A municipality can establish the tax by determining the source, such as property valuation, real estate transfer taxes, or sales tax. This option requires legislative approval. Typically, special use taxes are structured on sales tax or transfer taxes and are earmarked for a specific project. A governing body can approve a tax that is identified or earmarked on property valuation; however, other sources may require state approval. The idea behind a special option or limited option tax is that the tax is identified or limited for a special purpose or projects and the duration can also be limited to accomplishing the projects.

Federal and State Assistance (Capital)

Federal funding sources are available to assist financing capital improvement recommendations found in this plan. One of the oldest park funding sources has been available from the U.S. Park Service's Land and Water Conservation Fund (LWCF). Funding through this program has been sporadic over the past few years,

but through recent legislation action has infused new stream of continual funding into the program. While Graham Recreation & Parks has used LWCF funding in the past at a few of their parks, LWCF funding has not been used for any development at Graham-Mebane Lake.

The North Carolina General Assembly passed a bill in 1994 creating a consistent source of funds for parks and recreation in the state. The Parks and Recreation Trust Fund (PARTF) provides money for capital improvements, repairs, renovations, and land acquisition of state and local parks. Originally, revenues from the state's portion of the real estate deed transfer tax supported the fund. Revenues vary from year to year. The structure of this funding source has recently gone through changes based on legislative action. While the funding structure for this fund has changed, PARTF will continue to fund park and recreation facilities in North Carolina.

Of the funds allocated, 65% go to the state parks system, 30% provide matching grants to local governments, and the remaining 5% go to the Coastal and Estuarine Water Beach Access Program. The maximum matching grant is limited to \$500,000 for a single project. The PARTF system allows an agency to apply for a 50/50 cost-sharing grant to develop or acquire park land and facilities.

The city of Graham has received three (3) PARTF grants, the last in 2011 for other parks and facilities, but not at Graham-Mebane Lake. In the future, the City should consider applying for funds through this program for potential improvement phases at the Lake.

RTP –The Recreation Trails Program (RTP) provides funding for construction of new trails, maintenance and repair of existing trails, land acquisition, purchase of trail tools and planning, legal, environmental, and permitting costs.

ORLP – The Outdoor Recreation Legacy Partnership (ORLP) program was established in 2014 and is funded through the Land and Water Conservation Fund. ORLP is a nationally competitive, dollar-for-dollar matching grant program. It was created to aid disadvantaged, urban communities that lack access to close-by outdoor recreation. Funds can be used for the acquisition and/or development of, or substantial renovation of, public parks and other outdoor recreation spaces.

Projects may include any or all manner of outdoor recreation activities such as hiking, camping, unstructured play, picnicking, cycling, field and court sports, fishing, bird watching, swimming pools, paddling, and skating, as well as for outdoor recreation facilities and some supporting facilities and infrastructure like restrooms/bathhouses, or parking areas, when part of an overall recreation project.

New grant opportunities being administered through DPR include:

AP – Accessible Parks (AP) Grant Program provides matching grants for parks and recreation to benefit people living with disabilities in North Carolina. Local governments, including public authorities, are eligible to apply. This program is administered through the Division of Parks and Recreation and the North Carolina Parks and Recreation Trust Fund.

The matching grants can be used for:

- the construction of special facilities, or

- adaptation of existing facilities that meet the unique needs of persons living with disabilities or enable them to participate in recreational and sporting activities, regardless of their abilities.

Applicants can request a maximum of \$500,000 with each application and must match the grant with at least \$1 of local funds for every \$5 in grant funds.

GTS – Starting in 2024, the Great Trails State (GTS) Program, funded with \$12.5 million each year for two years, will be a competitive grant program for new trail development and extension of existing trails, including paved trails, greenways, and natural surface trails for biking, hiking, walking, equestrian use, and paddling. The fund will be administered by the North Carolina Department of Natural and Cultural Resources (NCDNCR).

Eligible applicants will include municipalities or counties, regional councils of government, other public authorities, and nonprofit organizations. Eligible uses for funds will include planning, design, and related environmental assessment or permitting, land and easement acquisition, trail construction, trail structures (such as bridges), trail amenities (such as trailhead parking, signage, etc.), and maintenance, and can be used as matching funds for federal or other non-state grants.

The fund will require a minimum of a 25% flexible match, including cash, in-kind services, or donation of assets. Grants awarded will be limited to \$500,000 per project.

Another source of state administered funding is through the North Carolina Land and Water Fund (NCLWF) (formerly Clean Water Management Trust Fund). These funds are set aside for the acquisition of riparian properties, financing of innovative wastewater management initiatives, stormwater mitigation and stream bank restoration projects, support for greenways, and some planning programs. The acquired or purchased property can be used for recreation while protecting valuable water resources from the effects of urban encroachment. Money from this grant is particularly applicable to the preservation of open space, greenway development, and water access.

Another excellent source to find government grants is on the website (www.grants.gov). This website clearing house provides information for all federal grants. Grant opportunities exist in the following categories:

- Community Development
- Environment
- Health
- Natural Resources
- Transportation

Any of these categories could have rotating grants that could be used to develop programs and facilities for recreation and lake improvements.

User Fees (Operational)

User fees are often charged by departments or municipalities to offset operational costs, and (occasionally) provide funding for the construction of facilities. Every agency must establish its philosophy with regard to cost recovery through the use of fees. Graham Recreation & Parks has historically charged fees for some facilities and programs, but these fees have typically not been set to cover the total operational cost of the program and have never been used to finance construction of facilities.

Currently, Graham Recreation & Parks charges fees for vessel launching and rentals, bank fishing and the lake shelter.

Ultimately, Graham Recreation & Parks may consider a change in user fees that will help offset more of the cost of some activities. Based on elected officials' direction, the revenue generated by increased fees could then be used to offset impacts on the general fund and possibly be used for capital improvement funding to help make park improvements.

Many of the proposed facilities in this Master Plan are outdoors (playgrounds, trails, camping, new recreation facilities, etc.) and offer only limited opportunity for cost recovery. There may be some areas where greater cost recovery could be achieved. Examples may include rental fees for additional shelters, campgrounds, etc. or for lake-oriented programming and facilities.

Revenue Opportunities

User fees are not the only means of generating revenue. Graham Recreation & Parks may consider using some other revenue generating opportunities which could include:

Sponsorships from local private businesses. Sponsorships typically come in the form of products, events, programs, cause-related, and in-kind. Sponsorships can also take the form of naming rights for a facility or program. Sponsorship or naming agreements should include very specific details related to sponsorship cost, duration, use of promotional materials, etc.

Grant applications from local foundations, state and federal agencies, or individuals. Most grants take time to prepare and require coordination effort with other agencies or departments from within the community to create a quality submittal. Grants also require extensive tracking of expenditures and outcomes for attaining future funding.

Partnerships are a relatively recent method of sharing funding resources to provide services. These partnerships can be formed with a wide variety of other public or private agencies. Often partnerships are two or more government agencies. Through these partnerships, a municipality receives direct benefit in either facility use, programming assistance, or volunteer man-hours. These benefits add value and help offset cost thus creating earned income. This earned income requires both agencies to have common visions, values, and goals for the partnership to be successful. Some examples of partnerships include:

- Trail sponsors that adopt sections of trails for maintenance and cleanup.
- Adopt-a-park or adopt-a-shoreline partners that help maintain park lands and lake buffers. These sponsors are typically in the form of scout units, neighborhood associations and businesses that are in proximity to parks.
- School partnerships where both partners invest in the development of facilities and programs based on shared use of facilities and staff. This investment may be financial or may include other means of support.
- Municipal partnerships with Alamance County, City of Mebane, etc. to share in land acquisition, development funding for park and recreation development as well as staffing.
- Special event partners that assist with the development of community-wide events.
- Program partners who assist in providing services to the community.
- Advertising and licensing in programs, facilities, and events sponsored by Graham Recreation & Parks. Highly exposed advertising space could be leveraged to businesses willing to pay a fee for the right to advertise.

- Volunteer development programs can reduce staff costs. Volunteers can create advocacy and bring down the cost of programs and services.
- Privatizing the development of facilities or services is an opportunity that is used by some departments when they are unable to control the cost of labor and are unable to find the needed capital to develop a recreational facility or a concession operation. This gives the government agency a management tool to create an asset or improve a service without tapping into their own resources. Facilities that could be considered for privatization include picnic shelters, marina, camping facilities, boat rentals, equipment rentals, and other forms of concessions.
- Marketing strategies are an important component in developing untapped revenue opportunities. Promotional activities improve awareness of the activities provided by Graham Recreation & Parks and assist in bringing more revenue to the system by filling programs and facilities.

METHODS FOR LAND ACQUISITION & DEDICATION

In order to meet the needs identified in this report, Graham Recreation & Parks should consider expanding its lake environs recreational lands which would lead to a need for future land acquisition. Methods available for acquiring the land include the following:

Fee Simple Purchase

Outright purchase is perhaps the most widely used method of obtaining land. Fee simple purchase has the advantage of being relatively simple to administer, and to explain to the general public to justify a particular public expenditure. Unfortunately, fee simple purchase often is the most expensive means of obtaining and utilizing a property.

Fee Simple Purchase with Lease-Back or Resale

This technique of land acquisition enables the City to purchase land to lease or sell to a prospective user with deed restrictions that would protect the land from abuse or development. This method is used by governments who impose development restrictions severe enough that the owner considers himself/herself to have lost the major portion of the property's value and it is more economical for him/her to sell with a lease-back option.

Long-Term Option

A long-term option is frequently used when a property is considered to have potential future value though it is not desired or affordable at the time. Under the terms of a long-term option, the City agrees with the landowner on a selling price for the property, along with a period of time for which the City has the right to exercise its option. The first benefit of this protective method is that the option may stabilize escalating land cost and establishes a land use for the property. Secondly, the City does not have to expend large sums of money until the land is purchased. Thirdly, the purchase price of the land is established. The disadvantage of this method is that a price must be paid for every right given by the property owner. In this case, the cost of land use stabilization and a price commitment comes in the form of the cost of securing the option.

First Right of Purchase

This approach to acquiring land eliminates the need for fixing the selling price of a parcel of land yet alerts the City of any impending purchase which might disrupt the land acquisition goals. The City would be notified that a purchase is pending and would have the right to purchase the property before it is sold to the party requesting the purchase.

Land Trust

The role and responsibility of a Land Trust is to acquire park land and open space while maintaining a well-balanced system of park resources representing outstanding ecological, scenic, recreational, and historical features. A Land Trust is a 501 (c) (3) not-for-profit corporation made up of key knowledgeable leaders in the area who represent a cross section of interest and experience in recreation, historic properties, conservation, preservation, land development, and environmental issues. Their goals and responsibilities are to work with landowners to acquire park land for current and future generations. The individuals appointed to the Land Trust must have knowledge of land acquisition methods and tools used to entice landowners to sell, donate, provide easements, life estates, irrevocable trusts, or a combination of all. This includes seeking out a knowledgeable land acquisition attorney who is trained in these areas to provide the most efficient and effective processes to achieve the balance of types of land to meet the goals of this Master Plan.

The City does not have to go through the time and expense of setting up a land trust to utilize this vehicle for land donation or conservation. Piedmont Land Conservancy is the established land trust in Alamance County. The City could partner with them to provide protection of valuable open space without creating a new entity.

Donations

A significant, and yet often untapped, source for funding for acquisition and development of public park and recreations projects is through a well-organized local gifts program. Donations of land, money, or labor can have a meaningful impact on the development of Parks and Recreation facilities.

The most frequently used type of gift involves the giving of land to be used for a park, facility, or a greenway. The timing of such a donation can correspond with a PARTF grant application, thereby providing all or a significant portion of the local matching requirement associated with this fund. A similar use of gifts involves donated labor or materials, which become part of an improvement project and help to reduce project costs. The value of the services or materials can, in some cases, also be used to match non-local grant funds.

Some agencies have developed a gift catalog as a tool for promoting a gifts program. Such a publication should explain the role and importance of the gifts program, describe its advantages, define the tax advantages that may occur to the donor, and identify various gifts (land, labor, play equipment, materials, trees, etc.) that are needed to meet program needs. The gifts catalog should be prepared in a format that can be distributed effectively and inexpensively and should provide a clear statement of needs, typical costs associated with various gifts, and be made readily available to the public.



To aid this type of gift program, a strategy for contacting potential donors (individuals, businesses, foundations, service clubs, etc.) should be developed. An important part of this strategy should include contacting the local Bar Association, trust departments of lending institutions, and the Probate Court. Communicating with these groups regularly will make them aware of the potential for individuals to include a gift to the City as part of their tax and estate planning.

Life Estate

A life estate is a deferred gift. Under this plan, a donor retains use of their land during their lifetime and relinquishes title to such land upon their death. In return for this gift, the owner is usually relieved of the property tax burden on the donated land

Easement

The most common type of less-than-fee interest in land is an easement. Property ownership may be viewed as a combination of rights. With this understanding, it is possible to purchase any one or several of these rights. An easement seeks either to compensate the landholder for the right to use their land in some manner or to compensate them for the loss of one of their privileges to use the land. One advantage of this less-than-fee interest in the land is the private citizen continues to use the land while the land remains on the tax records continuing as a source of revenue for the City. Perhaps the greatest benefit lies in the fact that the City purchases only those rights that it specifically needs to execute its park land objectives. By purchasing only rights that are needed, the City is making more selective and efficient use of its limited financial resources.

OPERATIONAL RECOMMENDATIONS

Graham Recreation & Parks must also address some of the operational issues at Graham-Mebane Lake that will face the Department in the coming decade. These issues relate to the manpower and organizational changes that will be required as the Department expands and adds new facilities at the lake. These recommendations address some of the critical operational issues the Department needs to identify as it expands the facilities and services it provides.

An important aspect of these planning recommendations is to develop a vision for the Department to improve Graham-Mebane Lake and its recreation facilities for City residents and regional users. Ultimately, the provision of better facilities and recreational programs includes both facility improvements and establishing a method of delivery of services. Currently, Graham is limited in the resources it directs to this mission. If the City is to improve the quality of Graham-Mebane Lake and the facilities offered, it will be required to add staff to manage/operate facilities and provide services.

Staff Needs

Action on the recommendations found in this Master Plan will expand the City's parks and facilities. The development and construction of new recreation facilities, and the expansion of existing facilities will require additional staff to maintain, operate and program these new facilities. Currently, lake operations, programming and maintenance is overseen through Parks and Recreation staff.

- Lake Warden
- Part-time Assistant Wardens (2)
- Part-time Lake attendants (6)
- Part-time staff for kayak rentals and instruction (2)

While the development of a true operation and maintenance program for these future facilities is beyond the scope of this Master Plan, it is important that the City plan and budget for adequate staff positions for any new facilities that are constructed. At a minimum, a lake event/program coordinator position should be considered.

Friends of the Lake

Graham Recreation & Parks is currently supported by the Graham Recreation Commission that acts as a liaison between the Department, city residents and City Council. The Commission currently provides input, guidance and recommendations on plans, program offerings and recreation facilities for the Department. In addition to the Recreation Commission, this plan recommends that the City establish a Friends of the Lake (FOTL) organization that can provide more focus on the mission, goals and objectives listed at the beginning of Section Four. The purpose of the committee would be to promote, advise and assist Graham Recreation & Parks and the Lake Warden with making sure these ideals are met. Advisory committee assistance can include, but not be limited to:

- Assisting with development of new funding sources for the Lake environs relating to recreation facilities, and shoreline/land acquisition.
- Assisting with review and making recommendations towards proposed recreation and lake related projects
- Assisting with review and making recommendations on potential land acquisition related to recreation projects, lake access and shoreline protection.
- Assisting in the development of long-range plans
- Assisting in the promotion and facilitation of community or special events to be held at the lake
- Assisting with promotion of community awareness for needs Graham-Mebane Lake towards making the lake a “Destination Location”

It is recommended that the FOTL prepare an annual work plan from which the FOTL can work with staff and the Recreation Commission to meet future and recreational development and services.

Code of Ordinances

An amendment was proposed to Chapter 14 - Recreation and Parks, Article III Public Use of Graham-Mebane Lake of the Code of Ordinances that stated the following:

Sec. 14-130 Lake Buffer on City Property

- a. No adjacent property owner shall have the right to use any of the cities’ property surrounding the lake. It is the policy of the cities to maintain the shoreline of their municipal lake in a natural state. Trees, shrubs, ground cover and natural vegetation may not be changed so that the water supply may be protected from harmful chemicals, fertilizers, erosion, and the effects of development. Development of the cities’ property is forbidden. This includes establishing yards or gardens, thinning trees or underbrush, or installation of tables, walkways, and other structures.
- b. From the normal pool elevation to thirty (30) feet away from the normal pool elevation will be left undisturbed. No mowing or cutting or vegetation will be allowed.
- c. From thirty (30) feet away from the normal pool elevation until fifty (50) feet away from the normal pool elevation will be left undisturbed except for City approved selective cutting and limited limbing of trees. No mowing will be allowed in this section.
- d. From fifty (50) feet away from the normal pool elevation to one hundred (100) feet away from the normal pool elevation will be left vegetated.

This proposed language should be revisited for consideration of adoption as part of Article III.

Operational Costs

As noted above, the development of expanded and new recreation facilities will require additional staff. These new staff positions will add to the annual operational budget in both staff and equipment costs. The expansion of recreational facilities could also add to the energy and utility cost of lake and recreation facilities. The recommended facility improvements included in this Plan will increase the City's facilities. The City's management staff along with elected officials must carefully consider the financial impact of each major capital improvement project as projects are considered. No capital improvement project should be undertaken without the commitment of support for adequate ongoing operational funding. Likewise, consideration should be given to the positive economic impacts that some facilities may have on the region's economy, and if applicable, their potential for revenue generation.

Greener Operation

As the world's population expands and environmental concerns over climate change, conservation of resources, and preservation of our fragile natural systems become more apparent, greater environmental responsibility by public and private agencies has become critical. As a government agency, particularly one that is involved with the management of public open space and the improvement of the public's health, the Department's operation should make a concerted effort to minimize its environmental impact.

With this understanding, Graham Recreation & Parks should evaluate its Lake maintenance and operational procedures with an intent to minimize waste and environmental impact. Where economically feasible, Graham Recreation & Parks should look to implement operational procedures that emphasize conservation, recycling, and sustainability. Likewise, as Graham Recreation & Parks looks to build new facilities, it should consider constructing facilities that minimize environmental impacts, conserve energy, and reuse building materials where possible.

RECOMMENDED TEN-YEAR PRIORITY PROJECTS

Recognizing that this is a vision plan for a signature recreation facility and the regional source of drinking water, Graham Recreation & Parks and elected officials must prioritize the recommendations in this document based on the public's input and staff review. The following lake development initiatives should be considered as a focus over the next ten years:

- Replace and upgrade the boat launching facilities and vehicular circulation.
- Design and construct a new Marina Office/Main Park facility.
- Design and engineer a new sea wall to allow redevelopment of the central core area at the marina.
- Ensure all existing and future facilities are accessible to all users.
- Acquire and master plan the Bason Life Estate tract for consideration as a Nature Area.
- Seek additional lakefront properties for potential acquisition in providing additional lake access and recreational opportunities.
- Establish a Friends of the Lake committee; develop a work plan.
- Seek partnerships with area businesses and agencies that focus on health and wellness to expand programming along the lake.

MASTER PLAN FUNDING STRATEGY

This Master Plan identifies a Vision Plan for Graham-Mebane Lake and future recreation development and offerings around the lake. It is understood that not all the recommendations will be acted upon over the next decade. Graham Recreation & Parks and elected officials will ultimately have to prioritize the steps they will take to meet some of these lake and recreation needs.

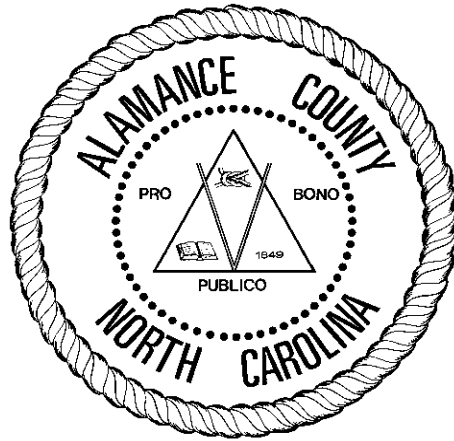
To assist with the prioritization, the following items should be considered by both Graham Recreation & Parks and the elected officials:

- Clearly delineate capital expenses vs. operational expenses.
- Identify any additional staff requirements as a result of proposed projects.
- Identify and evaluate areas of future development.
- Prepare potential risk assessments associated with all elements.
- Prepare proforma and cost benefit analysis demonstrating each project's value to Graham - Mebane Lake.
- Revenue sources must be identified and verified - Projected tax base growth, Land sales, User fees, Partnerships, Sponsors, Grants, General Fund, Bond Referenda, etc.
- Project timelines for each project and tasks involved.
- Identify the degree of difficulty involved for each project.
- Indicate the apparent "ripeness" of each project.
- Demonstrate the Public's interest (as expressed in the surveys) for each project / element.



APPENDICES

ALAMANCE COUNTY WATERSHED PROTECTION ORDINANCE



Originally adopted by
THE BOARD OF COUNTY COMMISSIONERS
May 4, 1987

Last Amended by
THE BOARD OF COUNTY COMMISSIONERS
November 17, 1997, February 18, 2013

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WATERSHED PROTECTION ORDINANCE

WHEREAS, it is the intention of the Alamance County Board of Commissioners, upon recommendation by the Alamance County Planning Board, to protect the watershed areas of Alamance County. Primarily these watershed areas include the water supply lakes for the cities of Burlington, Graham, Mebane and for the Orange Water and Sewer Authority. This Ordinance is promulgated in order to provide for a safe and potable water supply for present and future generations of Alamance County citizens; and

WHEREAS, the County of Alamance has the authority to regulate the uses of properties in water supply watersheds located in its territorial jurisdiction by virtue of N.C.G.S. 153A-340(ff) and Article 21 of Chapter 143 of the General Statutes of North Carolina.

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS FOR THE COUNTY OF ALAMANCE DOTH ORDAIN:

ARTICLE 100: AUTHORITY

Section 101. Jurisdiction.

The provisions of this Ordinance shall apply within the areas designated as a Public Water Supply Watershed by the N.C. Environmental Management Commission (EMC) and shall be defined and established on the maps entitled, "Watershed Protection Map of Alamance County, North Carolina" ("the Watershed Map"), which is adopted simultaneously herewith. The Watershed Maps and all explanatory matter contained thereon accompanies and is hereby made a part of this Ordinance. This Ordinance shall be permanently kept on file in the office of the Clerk to the Board of County Commissioners.

Section 102. Exceptions to Applicability.

- A. Nothing contained herein shall repeal, modify, or amend any Federal or State law or regulation, or any Ordinance or regulation pertaining thereto except any Ordinance which this Ordinance specifically replaces.
- B. It is not intended that this Ordinance interfere with any easement, covenants or other agreements between parties. However, if the provisions of this Ordinance impose greater restrictions or higher standards for the use of a building or land, then the provisions of this Ordinance shall control.
- C. Existing development, as defined in this Ordinance, is regulated under the provisions as stated in **Section 211**.
- D. A nonconforming lot of record shall not be subject to the development restrictions

of this Ordinance if it is developed for single-family residential purposes, except as specified in **Section 203**. Any lot or parcel created as part of any other type of subdivision that is exempt from a local subdivision ordinance shall be subject to the land use requirements (including impervious surface requirements) of these rules, except that such a lot or parcel must meet the minimum buffer requirements to the maximum extent practicable.

Section 103. Reenactment of Existing Watershed Ordinance.

This Ordinance in part carries forward by re-enactment, some of the **Alamance County Watershed Protection Ordinance** adopted by the Board of Commissioners on May 4, 1987, as amended 11-19-90, 9-20-93, 12-18-95 and 1-21-97, and it is not the intention to repeal but rather to re-enact and continue in force such existing provisions so that all rights and liabilities that have accrued thereunder are preserved and may be enforced. All provisions of the Watershed Protection Ordinance which are not re-enacted herein are hereby repealed. All suits at law or in equity and/or all prosecutions resulting from the violation of any Ordinance provisions heretofore in effect, which are now pending in any court of this state or of the United States, shall not be abated or abandoned by reason of the adoption of this Ordinance, but shall be prosecuted to their full finality the same as if this Ordinance had not been adopted; and any and all violations of the existing Watershed Protection Ordinance, prosecutions for which have not yet been instituted, may be hereafter filed and prosecuted; and nothing in this Ordinance shall be so construed as to abandon, abate or dismiss any litigation or prosecution now pending and/or which may heretofore have been instituted or prosecuted.

Section 104. Criminal Penalties.

Any person violating any provisions of this Ordinance shall be guilty of a misdemeanor and, upon conviction, shall be punished in accordance with NCGS 14-4. The maximum fine for each offense shall not exceed \$500.00. Each day that the violation continues shall constitute a separate offense.

Section 105. Remedies.

A. If any subdivision, development and/or land use is found to be in violation of this Ordinance, the County Manager may initiate an action in the name of Alamance County, in addition to all other remedies available either at law or in equity, institute an action or proceedings to restrain or correct the violation; an action to prevent occupancy of the building, structure, or land; or an action to prevent any illegal act, conduct, business, or use in or about the premises. No activity, situation, structure or land use shall be allowed within the watershed area which poses a threat to water quality and the public health, safety and welfare. Such conditions may arise from inadequate on-site sewage systems which utilize ground absorption; inadequate sedimentation and erosion control

measures; the improper storage or disposal of junk, trash or other refuse within a buffer area; the absence or improper implementation of a spill containment plan for toxic and hazardous materials; the improper management of stormwater runoff, or any other situation found to pose a threat to water quality. All remedies as outlined in this Section are available to address public health violations as specified above.

B. In addition to the remedies already listed, the County Manager may impose and institute an action in the name of Alamance County to collect a civil penalty. The assessable penalty will be instituted for violations of this Ordinance as follows:

<u>Class of Violation</u>	<u>Degree of Violation</u>	<u>Penalty Amount</u>
Class I	Severe	\$1,000 per day
Class II	Moderate	\$ 500 per day
Class III	Minor	\$ 100 per day

C. Civil penalties may be assessed against any person for violations as outlined in this Section. Standards in determining the amount of assessment of a violation shall be as follows:

1. Violation of effluent standard(s) or water quality standard(s) or,
2. effect on receiving waters, public health, and fish or wildlife.

D. If the Watershed Administrator in the Administrative Services or Inspections Departments find that any of the provisions of this Ordinance are being violated, the Administrator shall notify in writing the person responsible for such violations, indicating the nature of the violations, and ordering the action necessary to correct it. He shall order discontinuance of the illegal use of land, buildings or structures; removal of illegal buildings or structures, or of additions, alterations or structural changes thereto; discontinuance of any illegal work being done; or shall take any action authorized by this Ordinance to ensure compliance with or to prevent violation of its provisions. If a ruling of the Watershed Administrator is questioned, the aggrieved party or parties may appeal such ruling to the Board of Adjustment.

Section 106. Severability.

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, the declaration shall not affect the validity of this Ordinance as a whole or any part thereof that is not specifically declared to be invalid or unconstitutional.

ARTICLE 200: DEVELOPMENT REGULATIONS

Section 201. Establishment of Watershed Zones.

The purpose of this Section is to list and describe the watershed zones herein adopted. For purposes of this Ordinance, watersheds in Alamance County are hereby divided into the following zones, as appropriate:

- **Watershed Critical Area (WCA)**
- **Balance of Watershed (BOW)**

Within the two zones set forth the following watershed areas are identified:

WATERSHED CRITICAL AREA (WCA):

- Back Creek Watershed
- Stoney Creek Watershed
- Big Alamance Creek Watershed

BALANCE OF WATERSHED (BOW):

- Back Creek Watershed
- Stoney Creek Watershed
- Cane Creek Watershed
- Rocky River Watershed
- Haw River Watershed
- Upper Haw River Watershed

Section 202. Watershed Areas Described.

A. **Watershed Critical Area (WCA).** The WCA is the area extending either one mile from the normal pool elevation of a water supply reservoir or to the ridge line of the watershed (whichever comes first); or one mile upstream from the intake located directly in the stream or river (run of the river), or the ridge line of the watershed (whichever comes first). In order to maintain a predominantly undeveloped land use intensity pattern in the WCA, single-family residential, multi-family residential and non-residential development shall be allowed at a maximum of one dwelling unit or use per two acres (1 d.u. or use/2 ac.). Built-upon area for multi-family residential and non-residential development shall not exceed six percent (6%) of lot area except for expansion of existing development (See **Section 211. A. - Expansion of Existing Development.**)

1. **Allowed Uses:**

- Agriculture subject to the provisions of the Food Security Act of 1985 and the Food, Agriculture, Conservation and Trade Act of 1990 and the rules and regulations of the Soil and Water Conservation Commission.
- Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality (15 NCAC 11.6101-.0209).
- Single-family residential development.
- Multi-family residential development.
- Non-residential development: Institutional, educational, religious, commercial, office or recreational.

2. **Prohibited Uses:**

- Cluster development
- Sites for land application of residuals or petroleum contaminated soils.
- Landfills, incinerators, and waste processors.
- Commercial use which sells, stores, or distributes motor fuel or other hazardous materials.
- Solid waste management facilities.
- Airports.
- Industry.
- Metal salvage facilities including junkyards.
- Manufacturing, use or storage of any Hazardous Production Material (HPM) or Highly Toxic Material (HTM) or determined by the Alamance County Board of Commissioners to be injurious to the health, safety or welfare of the County's residents due to the explosive, flammable or toxic characteristics of the materials.

- Package treatment plants, and community sewage facilities, except for subsurface septic tanks. (These facilities are allowed only if the Health Department determines that a public health problem can be alleviated by constructing such facilities.) Note: This provision does not prohibit the extension of municipal sewer lines (public) into the watershed critical area.
- Underground fuel or chemical storage tanks (except for L.P. Gas Storage).

3. **Density and Built-upon Limits:**

a. **Single-Family Residential.** Development shall not exceed one dwelling unit per two (2) acres on a project by project basis (1 d.u./2 ac.). No residential lot shall be less than two (2) acres. Nonconforming lots of record shall conform to **Section 203**.

b. **Multi-Family Residential and Non-Residential.** All multi-family residential and non-residential development shall require a minimum area of two (2) acres per dwelling unit or non-residential development use. No lot shall be less than two (2) acres. Development shall not exceed six percent (6%) built-upon area on a project by project basis. For the purpose of calculating built upon area, total project area shall include total acreage in the tract on which the project is to be developed. Nonconforming lots of record shall conform to **Section 203**.

c. **Existing Development.** Existing development is regulated under the provisions as stated in **Section 211**.

4. **Above Ground Storage Tanks.** A spill containment plan is required for all new above ground storage tanks with accumulative capacity of over 250 gallons. (Except for L.P. Gas Storage).

B. **Balance of Watershed (BOW).** The BOW is the entire land area contributing surface drainage to a specific point, the public water supply intake, minus the watershed critical area. In order to maintain a predominantly undeveloped land use intensity pattern in the BOW, single-family residential uses shall be allowed at a maximum of one dwelling unit per acre (1 d.u./ac.). No lot shall be less than one (1) acre. All multi-family residential and non-residential development shall require a minimum area of forty thousand square feet (40,000 sq. ft.) per dwelling unit or non-residential development use, when more than one unit or use is to be sited on a lot. Built-upon area shall not exceed twelve percent (12%) of

lot area except for expansion of existing development (See **Section 211. A.** - Expansion of Existing Development.)

1. **Allowed Uses:**

- Agriculture, subject to the provision of the Food Security Act of 1985 and the Food, Agricultural, Conservation and Trade Act of 1990.
- Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality. (15 NCAC 11.6101 - .0209).
- Single-family residential development.
- Multi-family residential development.
- Non-residential development: Institutional, educational, religious, commercial, office, industrial or recreational.
- Non-discharging landfills.

2. **Prohibited Uses:**

- Sites for land application of residuals or petroleum contaminated soils.
- Discharging landfills.
- Storage of hazardous materials unless a spill containment plan is implemented.

3. **Density and Built-upon Limits:**

a. **Single-Family Residential.** Development shall not exceed one dwelling unit per acre on a project by project basis (1 d.u./ac.). No residential lot shall be less than one acre, except within an approved cluster development whose overall project density is no greater than one dwelling unit per acre. Nonconforming lots of record shall conform to **Section 203.**

b. **Multi-family Residential.** No lot shall be less than one (1) acre. Also, all multi-family residential development shall require a minimum area of forty thousand square feet (40,000 sq. ft.) for each unit located on a lot, as

subject to Health Department approval. Development shall not exceed twelve percent (12%) built-upon area on a project by project basis. For the purpose of calculating built upon area, total project area shall include total acreage in the tract on which the project is to be developed. Nonconforming lots of record shall conform to **Section 203**.

c. **Non-Residential.** No lot shall be less than one (1) acre. Also, non-residential development shall require a minimum area of forty thousand square feet (40,000 sq. ft.) for each use located on a lot, as subject to Health Department approval. Development shall not exceed twelve percent (12%) built upon area on a project by project basis. For the purpose of calculating built upon area, total project area shall include total acreage in the tract on which the project is to be developed. Nonconforming lots of record shall conform to **Section 203**.

4. **Special Non-Residential Intensity Allocation (SNIA).** Certain non-residential, specifically institutional uses, in the **Balance of the Watersheds (BOW)** may be allowed to exceed the limit of twelve percent (12%) built-upon area if they apply for approval under the Special Non-Residential Intensity Allocation (SNIA). Applicants shall apply to the Alamance County Planning Board, who shall make recommendation to the Board of County Commissioners. The Board of County Commissioners is authorized to approve SNIA's consistent with the provisions of this Ordinance.

a. If the Board of County Commissioners approves the SNIA, an individual project can be developed up to seventy percent (70%) built-upon area. Up to ten percent (10%) of the balance of any designated watershed may be developed with this special allocation. The SNIA allocation is permitted only in the following watersheds:

<u>Watershed</u>	<u>Maximum SNIA Acres Available</u>
• Back Creek	1,432
• Stoney Creek	2,938
• Cane Creek	164
• Rocky River	554
• Haw River	319
• Big Alamance Creek	NA

b. The SNIA allocation shall be used only for **institutional uses** within the balance of the above watersheds. Eligible institutional uses include: churches, schools, fire stations and governmental buildings.

Projects must minimize built-upon surface areas and direct stormwater away from surface waters to minimize water quality impacts, as certified by an engineer registered in the State of North Carolina.

c. The Watershed Administrator in the Administrative Services Department shall forward the request to the Planning Board for the SNIA allocation as well as keep records of the number of acres available to be developed under the SNIA allocation.

Section 203. Nonconforming Lot of Record.

Nonconforming lots of record created before the original adoption date of the Watershed Protection Ordinance are not required to have a minimum area of forty-thousand square feet (40,000 sq. ft.). However, additional lot area may be required by the Alamance County Health Department.

Section 204. Stream and Pond Buffer.

The riparian buffer protection rules of 15A NCAC 02B .0267 and .0268 and Section 6.(g) of Session Law 2009-216, found in Section 7.(b) of Session Law 2009-484 (Jordan Water Supply Nutrient Strategy) apply to all lands regulated by this Ordinance.

Section 205. Lake Buffer.

A one hundred foot (100') wide natural buffer shall be maintained around all water supply reservoirs, measured from the normal pool elevation outward. Desirable artificial streambank or shoreline stabilization is permitted. No new development is allowed in the buffer except for water dependent structures and public projects such as road crossings and greenways where no practical alternative exists, and other structures causing diminutive increases in impervious areas such as flag poles, signs and security lights.

Section 206. Cluster Development.

Clustering of development is allowed only in Balance of Watershed (BOW) areas. Provisions for clustering of development shall meet overall density standards set forth in **Section 202**, as well as the standards in the Alamance County Subdivision Ordinance.

Section 207. Bona Fide Farms.

Bona fide farms are exempt from the watershed regulations. However, farms are subject to other federal, state and local regulations. A SCS (Soil Conservation Services) conservation plan for each farm or timber stand is highly desirable.

Section 208. Site Plan Requirements.

Site plans are required for all development other than single-family residences. Site plans should be submitted to the Watershed Administrator in the Administrative Services Department for approval. A permit will not be issued until the site plan is approved. The plan will be acted upon within thirty (30) days of receipt. Site plans shall meet the following requirements:

- A. Five copies of site plans shall be submitted on 18" X 24" sheets.
- B. Plan should be to scale no smaller than 1" = 100'.
- C. Plan shall show the following:
 - Title block (Development name, owner/developer, township, scale and tax map number).
 - Property lines.
 - North arrow.
 - Vicinity map.
 - Legend.
 - Location of existing and proposed structures and all other impervious improvements.
 - Site data (total acres, total impervious area, total number of lots, etc.).
 - Easements - location width and purpose.
 - Location of ponds, lakes and perennial streams.
 - Location and elevation of 100-year flood plain and marginal land.
 - Location of septic tank and drainage field or public utilities.
 - Sedimentation and erosion controls measures.
 - Representative topography (Alamance County's topographic maps).
 - Front, side and rear yard requirements.

- Surveyor or engineers seal.
- Lake and stream buffers.
- Date.

Section 209. Rules Governing the Interpretation of Watershed Area Boundaries.

Where uncertainty exists as to the boundaries of the watershed areas, as shown on the Watershed Map, the following rules shall apply:

- A. Where area boundaries are indicated as approximately following either street, alley, railroad or highway lines or centerlines thereof, such lines shall be construed to be said boundaries.
- B. Where area boundaries are indicated as approximately following lot lines, such lot lines shall be construed to be said boundaries. However, a surveyed plat prepared by a registered land surveyor may be submitted to the County as evidence that one or more properties along these boundaries do not lie within the watershed area.
- C. Where the watershed area boundaries lie at a scaled distance **more** than twenty-five feet (25') from any parallel lot line, the location of watershed area boundaries shall be determined by use of the scale appearing on the watershed map.
- D. Where the watershed area boundaries lie at a scaled distance of twenty-five feet (25') or less from any parallel lot line, the location of watershed area boundaries shall be construed to be the lot line.
- E. Where other uncertainty exists, the Watershed Administrator in the Administrative Services Department shall interpret the Watershed Map as to location of such boundaries. This decision may be appealed to the Board of Adjustment.

Section 210. Application of Regulations.

- A. No building or land shall hereafter be used and no development shall take place except in conformity with the regulations herein specified for the watershed area in which it is located.
- B. No area required for the purpose of complying with the provisions of this Ordinance shall be included in the area determining compliance required for another building.
- C. Every residential building, (including manufactured homes), hereafter erected,

moved or structurally altered shall be located on a lot which conforms to the regulations herein specified, except as permitted in **Section 211**.

D. If a use or class of use is not specifically indicated as being allowed in a watershed area, such use or class of use is prohibited.

Section 211. Existing Development.

Any existing development, as defined in this Ordinance, may be continued and maintained subject to the provisions provided herein.

A. Expansion of Existing Development.

1. Expansions of single-family residential development may be undertaken without restrictions.

2. Expansions to all multi-family residential development and all non-residential development may be made without including the built-upon area of the existing development in the density calculations. However, the total built-upon area added to a lot after the effective date of this Ordinance may not exceed the built-upon requirements of the BOW or WCA zone, as appropriate.

B. Reconstruction of Buildings or Built-upon Areas. Single-family residential development may be repaired and/or reconstructed without restriction. Any other existing building or built-upon area not in conformance with the restrictions of this Ordinance that has been damaged or removed may be repaired and/or reconstructed, provided:

1. Repair or reconstruction is initiated within twelve (12) months and completed within an additional two (2) years of such damage.

2. The total amount of space devoted to built-upon area may not be increased unless the additional built-upon area meets the expansion requirements of **Section 211(A)**.

C. Uses of Land. This category consists of uses existing at the time of adoption of this Ordinance where such use of the land is not permitted to be established hereafter in the watershed area in which it is located. Such uses may be continued except as follows:

1. When such use of land has been changed to an allowed use, it shall not thereafter revert to any prohibited use.

2. Such use of land as a non-permitted use shall be changed only to an allowed use.
3. When such a non-permitted use ceases for a period of at least twelve (12) consecutive months, it shall not be re-established.

D. **Vacant Lots.** This category consists of vacant lots for which plats or deeds have been recorded in accordance with the Alamance County Subdivision Ordinance in the office of the Register of Deeds of Alamance County. A lot may be used for any of the uses allowed in the watershed area in which it is located. Multiple contiguous lots of record under the same ownership shall not be required to be recombined to meet watershed rules.

Section 212. Watershed Protection Permit.

A. No building or built-upon area shall be erected, moved, enlarged or structurally altered, nor shall any building permit be issued nor shall any change in the use of any building or land be made until a Watershed Protection Permit has been issued by the Watershed Administrator in the Administrative Services Department. Single-family development is exempt from the requirement of obtaining a Watershed Protection Permit.

B. No Watershed Protection Permit shall be issued except in conformity with the provisions of this Ordinance.

C. Watershed Protection Permit applications shall be filed with the Watershed Administrator in the Administrative Services Department. The application shall include a completed application form and supporting documentation.

D. Prior to the issuance of a Watershed Protection Permit, the Watershed Administrator in the Administrative Services Department may consult with qualified personnel for assistance to determine if the application meets the requirements of this Ordinance.

E. A Watershed Protection Permit shall expire if a Building Permit or Watershed Occupancy Permit for such use is not obtained by the applicant within twelve (12) months from the date of issuance.

Section 213. Building Permit Required.

No permit required under the North Carolina State Building Code shall be issued for any activity until a Watershed Protection Permit is issued. Single-family residential development is exempt from the Watershed Protection Permit requirement.

Section 214. Watershed Protection Occupancy Permit.

A. The Watershed Administrator in the Inspections Department shall issue a Watershed Protection Occupancy Permit certifying that all requirements of this Ordinance have been met prior to the occupancy or use of a building hereafter erected, altered or moved and/or prior to the change of use of any building or land.

B. A Watershed Protection Occupancy Permit, either for the whole or part of a building, shall be applied for coincidental with the application for a Watershed Protection Permit and shall be issued or denied within ten (10) days after construction is approved by the Inspections Department.

C. When a change in use of land or use of an existing building occurs, the Watershed Administrator shall issue a Watershed Protection Occupancy Permit certifying that all requirements of this Ordinance have been met coincidental with the Watershed Protection Permit.

D. No building or structure which has been erected, moved, or structurally altered may be occupied until the Watershed Administrator in the Inspections Department has approved and issued a Watershed Protection Occupancy Permit.

E. If the Watershed Protection Occupancy Permit is denied, the Watershed Administrator in the Inspections Department shall notify the applicant in writing stating the reasons for denial.

ARTICLE 300: ADMINISTRATION, ENFORCEMENT AND APPEALS

Section 301. Watershed Administrator and Duties thereof.

A. The Alamance County Board of County Commissioners shall appoint Watershed Administrators, who shall be duly sworn in. A representative from the Administrative Services and Inspections Departments shall serve as Watershed Administrators. This Ordinance shall be jointly enforced by the Administrative Services and Inspections Department in the areas of the County outside the planning jurisdiction of the municipalities. It shall be the duty of the Watershed Administrators to administer and enforce the provisions of this Ordinance as follows:

1. The Watershed Administrator in the Administrative Services Department shall issue Watershed Protection Permits as prescribed herein. The Watershed Administrator in the Inspections Department shall issue Watershed Protection Occupancy Permits as prescribed herein. A record of all permits shall be kept on file and shall be available for public inspection during regular office hours.

2. The Watershed Administrator in the Inspections Department shall serve as clerk to the Board of Adjustment.

3. The Watershed Administrator in the Administrative Services Department shall keep records of all amendments to the local water supply Watershed Protection Ordinance and shall provide copies of all amendments upon adoption to the, Division of Water Quality of the Department of Environment, Health and Natural

Resources (DEHNR).

4. The Watershed Administrator in the Administrative Services Department shall keep records of the jurisdiction's utilization of the Special Non-Residential Intensity Allocation (SNIA) provision. Records for each watershed shall include the total acres of the balance of the watershed, total acres eligible to be developed under this option, total acres approved for this development option, and individual records for each project with the following information: location, acres, site plan, and use, as applicable.

5. The Watershed Administrators are granted the authority to administer and enforce the provisions of this Ordinance, exercising in the fulfillment of their responsibility the full police power of the County except that no civil or criminal action can be taken without the expressed permission of the County Manager. The Watershed Administrators, or their duly authorized representative, may enter any building, structure, or premises, as provided by law, to perform any duty imposed upon them by this Ordinance.

6. The Watershed Administrator in the Inspections Department shall keep a record of variances to the Watershed Protection Ordinance. This record shall be submitted for each calendar year to the Division of Water Quality; of the DEHNR on or before January 1st of the following year and shall provide a description of each project receiving a variance and the reasons for granting the variance.

Section 302. Hazardous Materials Inventory.

An inventory of hazardous materials as applicable to **Article 400** shall be kept in the Alamance County Emergency Management Office.

Section 303. Spill Containment Plan.

All spill containment plans required for new above ground storage tanks shall be kept on file in the Alamance County Emergency Management Office.

Section 304. Appeal from the Watershed Administrator.

A. Any order, requirement, decision or determination made by the Watershed Administrator may be appealed to and decided by the Board of Adjustment.

B. Any appeal from a decision of the Watershed Administrator must be submitted to the Board of Adjustment within thirty (30) days from the date the order, interpretation, decision or determination is made. All appeals must be made in writing stating the reasons for appeal. Following submission of an appeal, the Watershed Administrator shall transmit to the Board all papers constituting the record upon which the action appealed from was taken.

C. An appeal stays all proceedings in furtherance of the action appealed, unless the officer from whom the appeal is taken certifies to the Board after the notice of appeal has been filed with him, that by reason of facts stated in the certificate, a stay would in his opinion cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by a court of record on application of notice of the officer from whom the appeal is taken and upon due cause shown.

D. The Board shall fix a reasonable time for hearing the appeal and give notice thereof to the parties and shall decide the same within a reasonable time. At the hearing, any party may appear in person, by agent or by attorney.

Section 305. Changes and Amendments.

A. The Board of County Commissioners may, on its own motion or on petition, after public notice and hearing, amend, supplement, change or modify the watershed regulations and restrictions as described herein.

B. No action shall be taken until the proposal has been submitted to the Planning Board for review and recommendations. If no recommendation has been received from the Planning Review Board within forty-five (45) days after submission of the proposal to the Chairman of the Planning Board, the Board of County Commissioners may proceed as though a favorable report had been received.

C. Under no circumstances shall the Board of County Commissioners adopt such amendments, supplements or changes that would cause this Ordinance to violate the watershed protection rules as adopted by the N.C. Environmental Management Commission. All amendments must be filed with the DEHNR, Division of Community Assistance.

Section 306. Board of Adjustment.

A. The Alamance County Board of Adjustment consists of seven (7) members appointed by the Alamance County Board of Commissioners. This Board shall be appointed for three year terms. The Board shall exercise those provisions granted by G.S. 153A-345.

B. Three (3) alternate members shall be appointed to serve on the Board of Adjustment in the absence of any regular member and shall be appointed for three (3) year terms. While attending in the capacity of a regular member, the alternate shall have and exercise all the powers and duties of the absent regular member.

C. Members on the Board of Adjustment must reside within a designated watershed of Alamance County.

D. The Board of Adjustment shall establish "Rules of the Board of Adjustment" for procedures in accordance with G.S. 153A-345.

E. Members of the Board of Adjustment may be removed by the Alamance County Board of Commissioners for, among other reasons, violation of the rules stated below:

1. Faithful attendance at meetings of the Board and conscientious performance of the duties required of members of the Board shall be considered a prerequisite to continuing membership on the Board.

2. No Board member shall take part in the hearing, consideration, or determination of any case in which he is personally or financially interested. A Board member shall have a "financial interest" in a case when a decision in the case will: 1) cause him or his spouse to experience a direct financial benefit or loss, or 2) will cause a business in which he or his spouse owns a 10 percent or greater interest, or is involved in a decision-making role, to experience a direct financial benefit or loss. A Board member shall have a "personal interest" in a case when it involves a member of his immediate family (i.e., parent, spouse, or child).

3. No Board member shall discuss any case with any parties thereto prior to the public hearing on that case; provided, however, that members may receive and/or seek information pertaining to the case from a Watershed Administrator or any other member of the Board, its secretary or clerk prior to the hearing.

4. Members of the Board shall not express individual opinions on the proper judgement of any case prior to its determination on that case.

5. Members of the Board shall give notice to the chairman at least forty-eight (48) hours prior to the hearing of any potential conflict of interest which he has in a particular case before the Board.

6. No Board member shall vote on any matter that decides an application or appeal unless he had attended the public hearing on that application or appeal.

F. The Powers and Duties of the Board of Adjustment shall be as follows:

1. Administrative Review. The Board of Adjustment shall hear and decide appeals from any decision or determination made by a Watershed Administrator in either the Administrative Services Department or the Inspections Department in the enforcement of this Ordinance.

2. Variances. The Board of Adjustment shall have the power to authorize, in specific cases, minor variances from the terms of this Ordinance as will not be contrary to the public interests where, owing to special conditions, a literal enforcement of this Ordinance will result in practical difficulties or unnecessary hardship, so that the spirit of this Ordinance shall be observed, public safety and welfare secured, and substantial justice done. Major variances shall be handled procedurally in the same manner as minor variances. However, approval of major variances is subject to approval or denial by the Environmental Management Commission (EMC) as outlined in this Ordinance. If the Alamance County Board of Adjustment rules to deny a major variance, this major variance request will not be forwarded to the Environmental Management Commission (EMC). Appeals must

be made directly to Superior Court in Alamance County to appeal a denial of a major variance from the Board of Adjustment.

a. Applications for a variance (minor and major) shall be made on the proper form obtainable from the Watershed Administrator in the Inspections Department and shall include the following information:

(1) A site plan drawn to the requirements of **Section 207**.

(2) A complete and detailed description of the proposed variance, together with any other pertinent information which the applicant feels would be helpful to the Board of Adjustment in considering the application.

(3) The Watershed Administrator in the Inspections Department shall notify in writing each local government having jurisdiction in the watershed, as well as the user (intake) of the watershed. Such notice shall include a description of the variance being requested. Local governments receiving notice of the variance request may submit comments to the Watershed Administrator in the Inspections Department prior to a decision by the Board of Adjustment. Such comments shall become a part of the record of proceedings of the Board of Adjustment.

b. Before the Board of Adjustment may grant a variance, it shall make the following three findings, which shall be recorded in the permanent record of the case, and shall include the factual reasons on which they are based:

(1) **FINDING ONE:** There are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the Ordinance. In order to determine that there are practical difficulties or unnecessary hardships, the Board of Adjustment must find that the five (5) following conditions exist:

(a) If the applicant complies with the provisions of the Ordinance, the applicant can secure no reasonable return from, nor make reasonable use of, his property. Merely proving that the variance would permit a greater profit to be made from the property will not be considered adequate to justify the Board in granting a variance. Moreover, the Board shall consider whether the variance is the minimum possible deviation from the terms of the Ordinance that will make possible the reasonable use of his property.

(b) The hardship results from the application of the Ordinance to the property rather than from other factors such as deed restrictions or other hardship.

(c) The hardship is due to the physical nature of the applicant's property, such as its size, shape, or topography, which is different from that of neighboring property.

(d) The hardship is not the result of the actions of an applicant who knowingly or unknowingly violates the Ordinance, or who purchases the property after the effective date of the Ordinance, and then comes to the Board for relief.

(e) The hardship is peculiar to the applicant's property, rather than the result of conditions that are widespread. If other properties are equally subject to the hardship created in the restriction, then granting a variance would be a special privilege denied to others, and would not promote equal justice.

(2) **FINDING TWO:** The variance is in harmony with the general purpose and intent of the Ordinance and preserves its spirit.

(3) **FINDING THREE:** In the granting of the variance, the public safety and welfare have been assured and substantial justice has been done. The Board shall not grant a variance if it finds that doing so would in any respect impair the public health, safety, or general welfare.

c. In granting the variance, the Board may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable in furtherance of the purpose of this Ordinance. If a variance for the construction, alteration or use of property is granted, such construction, alteration or use shall be in accordance with the approved site plan.

d. The Board of Adjustment shall refuse to hear an appeal or an application for a variance previously denied if it finds that there have been no substantial changes in conditions or circumstances bearing on the appeal or application.

e. A variance issued in accordance with this section shall be considered a Watershed Protection Permit and shall expire if a Building Permit or Watershed Occupancy Permit for such use is not obtained by the applicant within six (6) months from the date of the decision.

f. If the application calls for the granting of a major variance, and if the Board of Adjustment decided in favor of granting the variance, the Secretary to the Board of Adjustment shall prepare a preliminary record of the hearing with all deliberate speed. The preliminary record of the hearing shall include:

(1) The variance application;

- (2) The hearing notices;
- (3) The evidence presented;
- (4) Motions, offers of proof, objections to evidence, and rulings on them;
- (5) Proposed findings and exceptions;
- (6) The proposed decision, including all conditions proposed to be added to the permit.

g. The preliminary record shall be sent to the Environmental Management Commission (EMC) for its review. If the Commission concludes from the preliminary record that the variance qualifies as a major variance, the Commission shall either approve or deny the variance as proposed. The Commission shall prepare a Commission decision and send it to the Board of Adjustment. If the EMC denies the variance an appeal must be made to Superior Court in Wake County, North Carolina. The Board of Adjustment shall prepare a final decision approving or denying the variance as proposed.

Section 307. Appeals from the Board of Adjustment.

Appeals from the Board of Adjustment must be filed with the Superior Court in accordance with G.S. 153-345(E).

ARTICLE 400: WATERSHED MANAGEMENT PLAN

The purpose of the Management Plan is to document industries that are located within the County's watershed boundaries which use, store or manufacture chemicals that could potentially pose a threat to water quality. The Management Plan will be used to verify that the hazardous materials inventory of each industry is up to date and kept on file in the Alamance County Emergency Management Office. The Toxic Chemical Release Inventory and response plan which is required under SARA Title III legislation is maintained by the Environmental Protection Agency (EPA). Also, the Alamance County Emergency Management Office maintains a computerized list of SARA Title III facilities. There are 302 extremely hazardous and 312 hazardous materials facilities (i.e. 10,000 pounds or more) within Alamance County.

ARTICLE 500: DEFINITIONS

Balance of Watershed (BOW). The entire land area contributing surface drainage to a specific point, the public water supply intake, minus the watershed critical area.

Bona Fide Farm. A land use to derive income from growing plants, trees or livestock on land, and

not including land used primarily for another use and incidentally for growing trees, plants or livestock for income.

Buffer. An area of natural or planted vegetation through which stormwater runoff flows in a diffuse manner so that the runoff does not become channelized and which provides for infiltration of the runoff and filtering of pollutants. The buffer is measured landward from the normal pool elevation of impounded structures and from the bank of each side of streams or rivers.

Building. Any structure having a roof supported by columns or by walls, and intended for shelter, housing or enclosure of persons, animals or property. The connection of two buildings by means of an open porch, breezeway, passageway, carport or other such open structure, with or without a roof, shall not be deemed to make them one building.

Built-upon Area. Built-upon areas shall include that portion of a development project that is covered by impervious or partially impervious cover including buildings, pavement, gravel areas (such as roads, parking lots, paths), recreation facilities (such as tennis courts), etc. (Note: Wooden slatted decks and the water area of a swimming pool are considered pervious.)

Cluster Development. Cluster development means the grouping of buildings in order to conserve land resources and provide for innovation in the design of the project including minimizing stormwater runoff impacts. This term includes nonresidential development as well as single-family residential and multi-family developments. For the purpose of this Ordinance, planned unit developments and mixed use development are considered as cluster development.

Development. Any land disturbing activity which adds to or changes the amount of impervious or partially impervious cover on a land area or which otherwise decreases the infiltration of precipitation into the soil.

Discharging Landfill. A facility with liners, monitoring equipment and other measures to detect and/or prevent leachate from entering the environment and in which the leachate is treated on site and discharged to a receiving stream.

Dwelling Unit. A building, or portion thereof, providing complete and permanent living facilities for one family.

Existing Development. Those projects that are built or those projects that at a minimum have established a vested right under North Carolina zoning law as of the effective date of this ordinance based on at least one of the following criteria:

- (1) substantial expenditures of resources (time, labor, money) based on a good faith reliance upon having received a valid local government approval to proceed with the project, or
- (2) having an outstanding valid building permit as authorized by the General Statutes (G.S. 153A-344.1 and G.S. 160A-385.1), or
- (3) having an approved site specific or phased development plan as authorized by the General Statutes (G.S. 153A-344.1 and G.S. 160A-385.1).

Existing Lot . A lot or tract of land which is part of a subdivision, a plat of which has been recorded in the Office of the Register of Deeds prior to the adoption of this Ordinance, or a lot or tract of land described by metes and bounds, the description of which has been so recorded prior to the adoption of this Ordinance.

Hazardous Production Material (HPM). A solid, liquid or gas that has a degree rating in health, flammability or reactivity of Class 3 or 4 as ranked by NFIPA 704 and which is used directly in research, laboratory or production processes which have as their end product materials which are not hazardous, as defined in the North Carolina State Building Code Volume V - Fire Prevention.

Highly Toxic Material (HTM). A material which produces a lethal dose or lethal concentration within those categories as defined by the Code of Federal Regulations: Title 29, CFR 1910.1200, as defined in the North Carolina State Building Code Volume V - Fire Prevention.

Impervious Surface. (See Built-Upon Area).

Landfill. A facility for the disposal of solid waste on land in a sanitary manner in accordance with Chapter 130A Article 9 of the N.C. General Statutes.

Lot of Record. (See Existing Lot).

Major Variance. A variance from the minimum statewide watershed protection rules, that results in any one or more of the following;

- (1) the relaxation, by a factor greater than ten (10) percent, or any management requirement under the low density option;
- (2) the relaxation, by a factor greater than five (5) percent, of any buffer, density or built upon area requirement under the high density option;
- (3) any variation in the design, maintenance or operation requirements of a wet detention pond or other approved stormwater management system.

Minor Variance. A variance from the minimum statewide watershed protection rules that results in a relaxation, by a factor of up to ten (10) percent of any buffer, density or built-upon area requirement under the low density option.

Multi-Family Residential. Any development where: 1) a single building contains more than one dwelling unit, 2) more than one dwelling unit is on a separate deeded lot or manufactured home park lot, and/or 3) a lot contains more than one dwelling unit.

Nonconforming Lot of Record. A lot described by a plat or a deed that was recorded prior to the effective date of local watershed protection regulations (or their amendments) that does not meet the minimum lot size or other development requirements of the statewide watershed protection rules.

Non-residential Development. All development other than residential development.

Perennial Streams. Streams located on U.S.G.S. maps shown as solid blue lines.

Residential Development. Any development in which its primary purpose is to serve for residential housing and its related accessory functions.

Road. (See Street).

Single-Family Residential. Any development where: 1) no building contains more than one dwelling unit, 2) every dwelling unit is on a separate deeded lot or a manufactured home park lot and 3) where no lot contains more than one dwelling unit.

Solid Waste Management Facility. Means land, personnel and equipment used in the management of solid waste as defined in Title 15A of the North Carolina Administrative Code.

Special Non-Residential Intensity Allocation (SNIA) - A built-upon area allocation made under the procedures of the SNIA.

Street. A right-of-way for vehicular traffic which affords the principal means of access to abutting properties.

Structure. Anything constructed or erected, including but not limited to buildings, which requires location on the land or attachment to something having permanent location on the land.

Variance. A permission to develop or use property granted by the Board of Adjustment relaxing or waiving a water supply watershed management requirement adopted by the Environmental Management Commission (EMC) that is incorporated into this Ordinance. (Also see Major Variance and Minor Variance.)

Vested Right. A right pursuant to G.S. 153A-344.1 to undertake and complete the development and use of property under the terms and conditions of an approved site specific development plan.

Water Dependent Structure. Any structure for which the use requires access to or proximity to or sitting within surface waters to fulfill its basic purpose, such as boat ramps, boat houses, docks and bulkheads. Ancillary facilities such as restaurants, outlets for boat supplies, parking lots and commercial boat storage areas are not water dependent structures.

Watershed. The entire land area contributing surface drainage to a specific point, the public water supply intake.

Watershed Administrator. An official or designated person or persons of Alamance County appointed by the Board of County Commissioners responsible for the administration and enforcement of this Ordinance.

Watershed Critical Area (WCA). The area adjacent to a water supply intake or reservoir where risk associated with pollution is greater than from the remaining portions of the watershed. The critical area is defined as extending either one mile from the normal pool elevation of a water supply reservoir or to the ridge line of the watershed (whichever comes first); or one mile upstream

from the intake located directly in the stream or river (run-of-the-river), or the ridge line of the watershed (whichever comes first).

Watershed Management Plan. A plan that documents industries that are located within watershed boundaries which use, store or manufacture chemicals that could potentially pose a threat to water quality and the response procedures for handling spills and/or discharges.

ARTICLE 600: WORD INTERPRETATION

For the purpose of this Ordinance, certain words shall be interpreted as follows:

Words in the present tense include the future tense.

Words used in the singular number include the plural, and words used in the plural number include the singular, unless the natural construction of the wording indicates otherwise.

The word "person" includes a firm, association, corporation, municipal corporation, trust, and company as well as an individual.

The word "structure" shall include the word "building".

The word "lot" shall include the words, "plot," "parcel," or "tract."

The word "shall" is always mandatory and not merely directory.

The word "will" is always mandatory and not merely directory.

ARTICLE 700: EFFECTIVE DATE

This Ordinance shall take effect and be in force on November 17, 1997 .

Adopted this the 17th day of November, 1997.

Tom Manning
Chairman

Bill Lashely
Vice-Chairman

Linda Massey
Commissioner

Tim Sutton
Commissioner

David I. Smith
Commissioner

Appendix A

Upper Haw River Watershed Balance of Watershed (BOW) area

Minimum Lot Area and Impervious Area Requirements

No lot shall be less than one-half acre. All multi-family residential and non-residential development shall require a minimum area of one-half acre per dwelling unit or non-residential development use, when more than one unit or use is to be sited on a lot. Built-upon area shall not exceed twenty-four percent (24%) of lot area except for expansion of existing development (See **Section 211. A. – Expansion of Existing Development.**) All new lots to be used for multi-family structures, community business or industrial purposes shall be required to obtain a watershed permit from the County's Watershed Administrator before any building permits may be issued.

- a. **Single-Family Residential.** Development shall not exceed one dwelling unit per one-half acre on a project by project basis. No residential lot shall be less than one-half acre, except within an approved cluster development whose overall project density is no greater than one dwelling unit per one-half acre. Nonconforming lots of record shall conform to **Section 203.**
- b. **Multi-family Residential.** No lot shall be less than one-half acre. Also, all multi-family residential development shall require a minimum area of one-half acre for each unit located on a lot, as subject to Health Department approval. Development shall not exceed twenty-four percent (24%) built-upon area on a project by project basis. For the purpose of calculating built upon area, total project area shall include total acreage in the tract on which the project is to be developed. Nonconforming lots of record shall conform to **Section 203.**
- c. **Non-Residential.** No lot shall be less than one-half acre. Also, non-residential development shall require a minimum area of one-half acre for each use located on a lot, as subject to Health Department approval. Development shall not exceed twenty-four percent (24%) built upon area on a project by project basis. For the purpose of calculating built upon area, total project area shall include total acreage in the tract on which the project is to be developed. Nonconforming lots of record shall conform to **Section 203.**

Allowed Uses

- a. Agriculture, subject to the provision of the Food Security Act of 1985 and the Food, Agricultural Conservation and Trade Act of 1990.
- b. Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality. (15 NCAC 11.6101 - .0209).
- c. Single-family residential development.

- d. Multi-family residential development.
- e. Non-residential development: Institutional, educational, religious, commercial, office, industrial or recreational.
- f. Non-discharging landfills.

Prohibited Uses

- a. Sites for land application of residuals or petroleum contaminated soils.
- b. Discharging landfills.
- c. Storage of hazardous materials unless a spill containment plan is implemented.

ARTICLE XIII. RIPARIAN BUFFER PROTECTION ORDINANCE

Section 10.570 Authority

This Ordinance is adopted pursuant to the authority vested in the City of Graham by the Session Laws and the General Statutes of North Carolina, particularly Session Law 2009-216 (House Bill 239), Session Law 2009-484 (Senate Bill 838), N.C Gen. Stat §153A-121, 153A-140, Chapter 153A, Article 18, N.C. Gen. Stat §160A-174, 160A-193, Chapter 160D-926, and any special legislation enacted by the General Assembly for the City of Graham.

Section 10.571 Purpose and Intent

The purposes of the City of Graham in adopting the following Ordinance is to protect and preserve existing riparian buffers throughout the Jordan Watershed as generally described in Rule 15A NCAC 02B .0262 (Jordan Water Supply Nutrient Strategy: Purpose and Scope), in order to maintain their nutrient removal and stream protection functions. Additionally, this Ordinance will help protect the water supplyuses of Jordan Reservoir and of designated water supplies throughout the Jordan watershed.

Buffers adjacent to streams provide multiple environmental protection and resource management benefits. Forested buffers enhance and protect the natural ecology of stream systems, as well as water quality through bank stabilization, shading, and nutrient removal. They also help to minimize flood damage in flood prone areas. Well-vegetated streamside riparian areas help to remove nitrogen and prevent sediment and sediment-bound pollutants such as phosphorous from reaching the streams.

Section 10.572 Title

This Ordinance shall be known as the *City of Graham Riparian Buffer Protection Ordinance*.

Section 10.573 Jurisdiction

This Ordinance shall be applied to all land in the planning jurisdiction of the City of Graham.

Section 10.574 Applicability

This Ordinance applies to all landowners and other persons conducting activities in the area described in Section 10.573, with the exception of activities conducted under the authority of the State, the United States, multiple jurisdictions, or local units of government, and forest harvesting and agricultural activities. The NC Division of Water Quality shall administer the requirements of Rule 15A NCAC 02B .0267 and .0268 (Jordan Water Supply Nutrient Strategy: Protection of Existing Riparian Buffers and Mitigation of Existing Riparian Buffers, respectively) for these activities.

Section 10.575 Relation to Other Ordinances

The requirements of this Ordinance shall supersede all locally implemented buffer requirements stated in Rules 15A NCAC 02B .0214 through .0216 as applied to WS-II, WS-III, and WS-IV waters in the Jordan watershed. If the provisions of this ordinance otherwise conflict with the provisions of any other validly enforceable ordinance(s) or laws, the most stringent provisions shall control. This Ordinance is not intended to interfere with, abrogate, or annul any other ordinance, rule, regulation, or other provision of law.

Section 10.576 Riparian Area Protection within the Jordan Reservoir Watershed

A. Buffers Protected

The following minimum criteria shall be used for identifying regulated buffers:

1. This Ordinance shall apply to activities conducted within, or outside of with hydrologic impacts in violation of the diffuse flow requirements set out in Section 10.576(E) upon, 50-foot wide riparian buffers directly adjacent to surface waters in the Jordan watershed (intermittent streams, perennial streams, lakes, reservoirs and ponds), excluding wetlands.
2. Wetlands adjacent to surface waters or within 50 feet of surface waters shall be considered as part of the riparian buffer but are regulated pursuant to Rules 15A NCAC 2B .0230 and .0231, Rules 15A NCAC 2H .0500, 15A NCAC 2H .1300, and Sections 401 and 404 of the Federal Water Pollution Control Act.
3. For the purpose of this Ordinance: a surface water is defined as being present if the feature is approximately shown on any of the following:
 - a. The most recent version of the soil survey map prepared by the Natural Resources Conservation Service of the United States Department of Agriculture.
 - b. The most recent version of the 1:24,000 scale (7.5 minute) quadrangle topographic maps prepared by the United States Geologic Survey (USGS).
 - c. A map approved by the Geographic Information Coordinating Council and by the NC Environmental Management Commission. Prior to approving a map under this Item, the Commission shall provide a 30-day public notice and opportunity for comment. Alternative maps approved by the Commission shall not be used for buffer delineation on projects that are existing and ongoing within the meaning of Section 10.576.(C) of this Ordinance.
4. Where the specific origination point of a stream regulated under this Item is in question, upon request of the NC Division of Water Quality or another party, the City of Graham shall make an on-site determination. A City of Graham representative who has successfully completed the Division's *Surface Water Identification Training Certification* course, its successor, or other equivalent training curriculum approved by the Division, shall establish that point using the latest version of the Division publication, *Identification Methods for the Origins of Intermittent and Perennial Streams*, available at http://h2o.enr.state.nc.us/ncwetlands/documents/NC_Stream_ID_Manual.pdf or from the NC Division of Water Quality - 401 Oversight Express Permitting Unit, or its successor. The City of Graham may accept the results of a site assessment made by another party who meets these criteria. Any disputes over on-site determinations made according to this Item shall be referred to the Director of the Division of Water Quality c/o the 401 Oversight Express Permitting Unit, or its successor, in writing. The Director's determination is subject to review as provided in Articles 3 and 4 of G.S. 150B.
5. Riparian buffers protected by this Ordinance shall be measured pursuant to Section 10.576.(D) of this Ordinance.

6. Parties subject to this Ordinance shall abide by all State rules and laws regarding waters of the state including but not limited to Rules 15A NCAC 2B .0230 and .0231, Rules 15A NCAC 2H .0500, 15A NCAC 2H .1300, and Sections 401 and 404 of the Federal Water Pollution Control Act.
7. No new clearing, grading, or development shall take place nor shall any new building permits be issued in violation of this Ordinance.

B. Exemption Based on Onsite Determination

When a landowner or other affected party including the Division believes that the maps have inaccurately depicted surface waters, he or she shall consult the City of Graham. Upon request, a City of Graham representative who has successfully completed the Division of Water Quality's *Surface Water Identification Training Certification* course, its successor, or other equivalent training curriculum approved by the Division, shall make an on-site determination. The City of Graham may also accept the results of site assessments made by other parties who have successfully completed such training. Any disputes over on-site determinations shall be referred to the Director of the Division of Water Quality c/o the 401 Oversight Express Permitting Unit, or its successor, in writing. A determination of the Director as to the accuracy or application of the maps is subject to review as provided in Articles 3 and 4 of G.S. 150B. Surface waters that appear on the maps shall not be subject to these buffer requirements if a site evaluation reveals any of the following cases:

1. Man-made ponds and lakes that are not part of a natural drainage way that is classified in accordance with 15A NCAC 2B .0100, including ponds and lakes created for animal watering, irrigation, or other agricultural uses. (A pond or lake is part of a natural drainage way when it is fed by an intermittent or perennial stream or when it has a direct discharge point to an intermittent or perennial stream.)
2. Ephemeral streams.
3. The absence on the ground of a corresponding intermittent or perennial stream, lake, reservoir, or pond.
4. Ditches or other man-made water conveyances, other than modified natural streams.

C. Exemption when Existing Uses are Present and Ongoing

This Ordinance shall not apply to uses that are existing and ongoing; however, this Ordinance shall apply at the time an existing, ongoing use is changed to another use. Change of use shall involve the initiation of any activity that does not meet either of the following criteria for existing, ongoing activity:

1. It was present within the riparian buffer as of the effective date of this Ordinance and has continued to exist since that time. Existing uses shall include agriculture, buildings, industrial facilities, commercial areas, transportation facilities, maintained lawns, utility lines and on-site sanitary sewage systems, any of which involve either specific, periodic management of vegetation or displacement of vegetation by structures or regular activity. Only the portion of the riparian buffer occupied by the footprint of the existing use is exempt from this Ordinance. Change of ownership through purchase or inheritance is not a change of use. Activities necessary to maintain uses are allowed provided that the site remains similarly vegetated, no

impervious surface is added within 50 feet of the surface water where it did not previously exist as of the effective date of this Ordinance, and existing diffuse flow is maintained. Grading and revegetating Zone Two is allowed provided that the health of the vegetation in Zone One is not compromised, the ground is stabilized and existing diffuse flow is maintained.

2. Projects or proposed developments that are determined by the City of Graham to meet at least one of the following criteria:
 - a. Project requires a 401 Certification/404 Permit and these were issued prior to the effective date this Ordinance, and prior to the effective date of this Ordinance.
 - b. Projects that require a state permit, such as landfills, NPDES wastewater discharges, land application of residuals and road construction activities, have begun construction or are under contract to begin construction and had received all required state permits and certifications prior to the effective date of this Ordinance;
 - c. Projects that are being reviewed through the Clean Water Act Section 404/National Environmental Policy Act Merger 01 Process (published by the US Army Corps of Engineers and Federal Highway Administration, 2003) or its immediate successor and that have reached agreement with DENR on avoidance and minimization by the effective date of this Ordinance; or
 - d. Projects that are not required to be reviewed by the Clean Water Act Section 404/National Environmental Policy Act Merger 01 Process (published by the US Army Corps of Engineers and Federal Highway Administration, 2003) or its immediate successor if a Finding of No Significant Impact has been issued for the project and the project has the written approval of the City of Graham prior to the effective date of this Ordinance.
 - e. Projects that have a vested right per North Carolina General Statutes § 160D-108.

D. Zones of the Riparian Buffer

The protected riparian buffer shall have two zones as follows:

1. Zone One shall consist of a vegetated area that is undisturbed except for uses provided for in the Table of Uses, Section 10.577(B) of this Ordinance. The location of Zone One shall be as follows:
 - a. For intermittent and perennial streams, Zone One shall begin at the top of the bank and extend landward a distance of 30 feet on all sides of the surface water, measured horizontally on a line perpendicular to a vertical line marking the top of the bank.
 - b. For ponds, lakes and reservoirs located within a natural drainage way, Zone One shall begin at the normal water level and extend landward a distance of 30 feet, measured horizontally on a line perpendicular to a vertical line marking the normal water level.
2. Zone Two shall consist of a stable, vegetated area that is undisturbed except for uses provided for in the Table of Uses, Section 10.577(B) of this Ordinance. Grading and revegetating in Zone Two is allowed provided that the health of the vegetation in Zone One is not compromised.

Zone Two shall begin at the outer edge of Zone One and extend landward 20 feet as measured horizontally on a line perpendicular to the surface water. The combined width of Zones One and Two shall be 50 feet on all sides of the surface water.

E. Diffuse Flow Requirements

Diffuse flow of runoff shall be maintained in the riparian buffer by dispersing concentrated flow prior to its entry into the buffer and reestablishing vegetation as follows:

1. Concentrated runoff from new ditches or man-made conveyances shall be converted to diffuse flow at non-erosive velocities before the runoff enters Zone Two of the riparian buffer;
2. Periodic corrective action to restore diffuse flow shall be taken as necessary and shall be designed to impede the formation of erosion gullies; and
3. As set out in Sections 7(D) and 8(B) of this Ordinance, The Zones of the Riparian Buffer and Table of Uses respectively, no new stormwater conveyances are allowed through the buffers except for those specified in the Table of Uses, Section 10.577(B) of this Ordinance, addressing stormwater management ponds, drainage ditches, roadside ditches, and stormwater conveyances.

Section 10.577 Potential Uses and Associated Requirements

A. Approval for New Development

City of Graham shall issue an approval for new development only if the development application proposes to avoid impacts to riparian buffers defined in Section 10.576(A) of this Ordinance, or where the application proposes to impact such buffers, it demonstrates that the applicant has done the following, as applicable:

1. Determined the activity is exempt from requirements of this Ordinance;
2. Received an Authorization Certificate from the City of Graham pursuant to Section 10.578A of this Ordinance;
3. For uses designated as Allowable with Mitigation in the Table of Uses in Section 10.577(B), received approval of mitigation plan pursuant to Section 10.578(C) of this Ordinance; and
4. Received a variance pursuant to Section 10.578(B).

B. Table of Uses

The following chart sets out potential new uses within the buffer, or outside the buffer with impacts on the buffer, and categorizes them as exempt, allowable, or allowable with mitigation. All uses not categorized as exempt, allowable, or allowable with mitigation are considered prohibited and may not proceed within the riparian buffer or outside the buffer if the use would impact the buffer, unless a variance is granted pursuant to Section 10.578(C) of this Ordinance, Variances. The requirements for each category are given in Section 10.577(C) of this Section following the Table of Uses.

*To qualify for the designation indicated in the column header, an activity must adhere to the limitations defined for it in a given listing as well as the requirements established in Section 10.577(C) of this Ordinance.

Use	Exempt*	Allowable*	Allowable with Mitigation*
<p>Access trails: Pedestrian access trails leading to the surface water, docks, fishing piers, boat ramps and other water dependent activities:</p> <ul style="list-style-type: none"> • Pedestrian access trails that are restricted to the minimum width practicable and do not exceed 4 feet in width of buffer disturbance, and provided that installation and use does not result in removal of trees as defined in this Ordinance and no impervious surface is added to the riparian buffer • Pedestrian access trails that exceed 4 feet in width of buffer disturbance, the installation or use results in removal of trees as defined in this Ordinance or impervious surface is added to the riparian buffer 	X	X	
<p>Airport facilities:</p> <ul style="list-style-type: none"> • Airport facilities that impact equal to or less than 150 linear feet or one-third of an acre of riparian buffer • Airport facilities that impact greater than 150 linear feet or one-third of an acre of riparian buffer • Activities necessary to comply with FAA requirements (e.g. radar uses or landing strips)¹ 		X X	X
<p>Archaeological activities</p>	X		
<p>Bridges</p>		X	
<p>Canoe Access provided that installation and use does not result in removal of trees as defined in this Ordinance and no impervious surface is added to the buffer.</p>	X		
<p>Dam maintenance activities:</p> <ul style="list-style-type: none"> • Dam maintenance activities that do not cause additional buffer disturbance beyond the footprint of the existing dam or those covered under the U.S. Army Corps of Engineers Nationwide Permit No. 3 • Dam maintenance activities that do cause additional buffer disturbance beyond the footprint of the existing dam or those not covered under the U.S. Army Corps of Engineers Nationwide Permit No.3 	X	X	
<p>Drainage ditches, roadside ditches and stormwater conveyances through riparian buffers:</p> <ul style="list-style-type: none"> • New stormwater flows to existing drainage ditches, roadside ditches, and stormwater conveyances provided flows do not alter or result in the need to alter the conveyance and are managed to minimize the sediment, nutrients and other pollution that convey to waterbodies. 	X		

Use	Exempt*	Allowable*	Allowable with Mitigation*
<ul style="list-style-type: none"> • Realignment of existing roadside drainage ditches retaining the design dimensions, provided that no additional travel lanes are added and the minimum required roadway typical section is used based on traffic and safety considerations. • New or altered drainage ditches, roadside ditches and stormwater outfalls provided that a stormwater management facility is installed to control nutrients and attenuate flow before the conveyance discharges through the riparian buffer • New drainage ditches, roadside ditches and stormwater conveyances applicable to linear projects that do not provide a stormwater management facility due to topography constraints provided that other practicable BMPs are employed. 		<p style="text-align: center;">X</p> <p style="text-align: center;">X</p>	<p style="text-align: center;">X</p>
<p>Driveway crossings of streams and other surface waters subject to this Ordinance:</p> <ul style="list-style-type: none"> • Driveway crossings on single-family residential lots that disturb equal to or less than 25 linear feet or 2,500 square feet of riparian buffer • Driveway crossings on single-family residential lots that disturb greater than 25 linear feet or 2,500 square feet of riparian buffer • In a subdivision that cumulatively disturb equal to or less than 150 linear feet or one-third of an acre of riparian buffer • In a subdivision that cumulatively disturb greater than 150 linear feet or one-third of an acre of riparian buffer 	<p style="text-align: center;">X</p>	<p style="text-align: center;">X</p> <p style="text-align: center;">X</p>	<p style="text-align: center;">X</p>
<p>Driveway impacts other than crossing of a stream or other surface waters subject to this Ordinance</p>			<p style="text-align: center;">X</p>
<p>Fences:</p> <ul style="list-style-type: none"> • Fences provided that disturbance is minimized and installation does not result in removal of trees as defined in this Ordinance • Fences provided that disturbance is minimized and installation results in removal of trees as defined in this Ordinance 	<p style="text-align: center;">X</p>	<p style="text-align: center;">X</p>	
<p>Fertilizer application: one-time application to establish vegetation</p>	<p style="text-align: center;">X</p>		
<p>Grading and revegetation in Zone Two provided that diffuse flow and the health of existing vegetation in Zone One is not compromised and disturbed areas are stabilized until they are revegetated.</p>	<p style="text-align: center;">X</p>		
<p>Greenway/hiking trails designed, constructed and maintained to maximize nutrient removal and erosion protection, minimize adverse effects on aquatic life and habitat, and protect water quality to the maximum extent practical.</p>		<p style="text-align: center;">X</p>	
<p>Historic preservation</p>	<p style="text-align: center;">X</p>		

Use	Exempt*	Allowable*	Allowable with Mitigation*
Maintenance access on modified natural streams: a grassed travel way on one side of the water body when less impacting alternatives are not practical. The width and specifications of the travel way shall be only that needed for equipment access and operation. The travel way shall be located to maximize stream shading.		X	
Mining activities: <ul style="list-style-type: none"> • Mining activities that are covered by the Mining Act provided that new riparian buffers that meet the requirements of Sections 7(D) and 7(E) of this Ordinance are established adjacent to the relocated channels • Mining activities that are not covered by the Mining Act OR where new riparian buffers that meet the requirements of Sections 7(D) and 7(E) of this Ordinance are not established adjacent to the relocated channels • Wastewater or mining dewatering wells with approved NPDES permit 	X	X	X
Piping of a stream allowed under a permit issued by the United States Army Corps of Engineers		X	
Playground equipment: <ul style="list-style-type: none"> • Playground equipment on single-family lots provided that installation and use does not result in removal of vegetation • Playground equipment installed on lands other than single-family lots or that requires removal of vegetation 	X	X	
Ponds created by impounding streams and not used as stormwater BMPs: <ul style="list-style-type: none"> • New ponds provided that a riparian buffer that meets the requirements of Sections 7(D) and 7(E) of this Ordinance is established adjacent to the pond • New ponds where a riparian buffer that meets the requirements of Sections 7(D) and 7(E) of this Ordinance is NOT established adjacent to the pond 		X	X
Protection of existing structures, facilities and stream banks when this requires additional disturbance of the riparian buffer or the stream channel		X	
Railroad impacts other than crossings of streams and other surface waters subject to this Ordinance.			X
Railroad crossings of streams and other surface waters subject to this Ordinance: <ul style="list-style-type: none"> • Railroad crossings that impact equal to or less than 40 linear feet of riparian buffer • Railroad crossings that impact greater than 40 linear feet but equal to or less than 150 linear feet or one-third of an acre of riparian buffer • Railroad crossings that impact greater than 150 linear feet or one-third of an acre of riparian buffer 	X	X	X

Use	Exempt*	Allowable*	Allowable with Mitigation*
<ul style="list-style-type: none"> Associated with culvert installation or bridge construction or replacement. 		X	
<p>Temporary sediment and erosion control devices, provided that the disturbed area is restored to pre-construction topographic and hydrologic conditions immediately after construction is complete and replanted immediately with comparable vegetation, except that tree planting may occur during the dormant season. A one-time application of fertilizer may be used to establish vegetation. At the end of five years the restored buffer shall comply with the restoration criteria in Section 10.578(C)(7) of this Ordinance:</p> <ul style="list-style-type: none"> In Zone Two provided ground cover is established within timeframes required by the Sedimentation and Erosion Control Act, vegetation in Zone One is not compromised, and runoff is released as diffuse flow in accordance with Section 10.576(E) of this Ordinance. In Zones one and two to control impacts associated with uses approved by the City of Graham or that have received a variance, provided that sediment and erosion control for upland areas is addressed, to the maximum extent practical, outside the buffer. In-stream temporary erosion and sediment control measures for work within a stream channel that is authorized under Sections 401 and 404 of the Federal Water Pollution Control Act. In-stream temporary erosion and sediment control measures for work within a stream channel. 	X	X	
<p>Utility, electric, aerial, perpendicular crossings of streams and other surface waters subject to this Ordinance^{2,3,5}:</p> <ul style="list-style-type: none"> Disturb equal to or less than 150 linear feet of riparian buffer Disturb greater than 150 linear feet of riparian buffer 	X	X	
<p>Utility, electric, aerial, other than perpendicular crossings⁵:</p> <ul style="list-style-type: none"> Impacts in Zone Two Impacts in Zone One^{2,3}: 		X	X
<p>Utility, electric, underground, perpendicular crossings^{3,4,5}:</p> <ul style="list-style-type: none"> Disturb less than or equal to 40 linear feet of riparian buffer Disturb greater than 40 linear feet of riparian buffer 	X	X	
<p>Utility, electric, underground, other than perpendicular crossings⁴:</p> <ul style="list-style-type: none"> Impacts in Zone Two Impacts in Zone One 	X X		

Use	Exempt*	Allowable*	Allowable with Mitigation*
Utility, non-electric, perpendicular crossings of streams and other surface waters subject to this Ordinance ^{3,5} : <ul style="list-style-type: none"> • Disturb equal to or less than 40 linear feet of riparian buffer with a maintenance corridor equal to or less than 10 feet in width • Disturb equal to or less than 40 linear feet of riparian buffer with a maintenance corridor greater than 10 feet in width • Disturb greater than 40 linear feet but equal to or less than 150 linear feet of riparian buffer with a maintenance corridor equal to or less than 10 feet in width • Disturb greater than 40 linear feet but equal to or less than 150 linear feet of riparian buffer with a maintenance corridor greater than 10 feet in width • Disturb greater than 150 linear feet of riparian buffer 	X	X X	 X X
Utility, non-electric, other than perpendicular crossings ^{4,5} : <ul style="list-style-type: none"> • Impacts in Zone Two • Impacts in Zone One 	X		X
Vegetation management: <ul style="list-style-type: none"> • Emergency fire control measures provided that topography is restored • Mowing or harvesting of plant products in Zone Two • Planting vegetation to enhance the riparian buffer • Pruning forest vegetation provided that the health and function of the forest vegetation is not compromised • Removal of individual trees that are in danger of causing damage to dwellings, other structures or human life, or are imminently endangering stability of the streambank. • Removal of individual trees which are dead, diseased or damaged. • Removal of poison ivy • Removal of invasive exotic vegetation as defined in: <i>Smith, Cherri L. 1998. Exotic Plant Guidelines. Dept. of Environment and Natural Resources. Division of Parks and Recreation. Raleigh, NC. Guideline #30</i> 	X X X X X X X X		
Vehicular access roads leading to water-dependent structures as defined in 15A NCAC 02B .0202, provided they do not cross the surface water and have minimum practicable width not exceeding ten feet.		X	
Water dependent structures as defined in 15A NCAC 02B .0202 where installation and use result in disturbance to riparian buffers.		X	
Water supply reservoirs: <ul style="list-style-type: none"> • New reservoirs where a riparian buffer that meets the requirements of Sections 7(D) and 7(E) of this Ordinance is established adjacent to the reservoir • New reservoirs where a riparian buffer that meets the requirements of Sections 7(D) and 7(E) of this Ordinance is not established adjacent to the reservoir 		X	 X

Use	Exempt*	Allowable*	Allowable with Mitigation*
Water wells <ul style="list-style-type: none"> • Single-family residential water wells • All other water wells 	X	X	
Wetland, stream and buffer restoration that results in impacts to the riparian buffers: <ul style="list-style-type: none"> • Wetland, stream and buffer restoration that requires NC Division of Water Quality approval for the use of a 401 Water Quality Certification • Wetland, stream and buffer restoration that does not require Division of Water Quality approval for the use of a 401 Water Quality Certification 	X	X	
Wildlife passage structures		X	

¹Provided that:

- No heavy equipment is used in Zone One.
- Vegetation in undisturbed portions of the buffer is not compromised.
- Felled trees are removed by chain.
- No permanent felling of trees occurs in protected buffers or streams.
- Stumps are removed only by grinding.
- At the completion of the project the disturbed area is stabilized with native vegetation.
- Zones one and two meet the requirements of Sections 7(D) and 7(E).

²Provided that, in Zone One, all of the following BMPs for overhead utility lines are used. If all of these BMPs are not used, then the overhead utility lines shall require a no practical alternative evaluation by the City of Graham, as defined in Section 10.578(A).

- A minimum zone of 10 feet wide immediately adjacent to the water body shall be managed such that only vegetation that poses a hazard or has the potential to grow tall enough to interfere with the line is removed.
- Woody vegetation shall be cleared by hand. No land grubbing or grading is allowed.
- Vegetative root systems shall be left intact to maintain the integrity of the soil. Stumps shall remain where trees are cut.
- Riprap shall not be used unless it is necessary to stabilize a tower.
- No fertilizer shall be used other than a one-time application to re-establish vegetation.
- Construction activities shall minimize the removal of woody vegetation, the extent of the disturbed area, and the time in which areas remain in a disturbed state.
- Active measures shall be taken after construction and during routine maintenance to ensure diffuse flow of stormwater through the buffer.
- In wetlands, mats shall be utilized to minimize soil disturbance.

³Provided that poles or aerial infrastructure shall not be installed within 10 feet of a water body unless the City of Graham completes a no practical alternative evaluation as defined in Section 10.578(A).

⁴Provided that, in Zone One, all of the following BMPs for underground utility lines are used. If all of these BMPs are not used, then the underground utility line shall require a no practical alternative evaluation by the City of Graham, as defined in Section 10.578(A).

- Woody vegetation shall be cleared by hand. No land grubbing or grading is allowed.
- Vegetative root systems shall be left intact to maintain the integrity of the soil. Stumps shall remain, except in the trench where trees are cut.
- Underground cables shall be installed by vibratory plow or trenching.
- The trench shall be backfilled with the excavated soil material immediately following cable installation.
- No fertilizer shall be used other than a one-time application to re-establish vegetation.
- Construction activities shall minimize the removal of woody vegetation, the extent of the disturbed area, and the time in which areas remain in a disturbed state.
- Measures shall be taken upon completion of construction and during routine maintenance to ensure diffuse flow of stormwater through the buffer.
- In wetlands, mats shall be utilized to minimize soil disturbance.

⁵Perpendicular crossings are those that intersect the surface water at an angle between 75 degrees and 105 degrees.

C. Requirements for Categories of Uses

Uses designated in Section 10.577(B) of this Section as exempt, allowable, and allowable with mitigation within a riparian buffer shall have the following requirements:

1. Exempt. Uses designated as exempt are permissible without authorization by the City of Graham provided that they adhere to the limitations of the activity as defined in Section 10.577(B) of this Section, the Table of Uses. In addition, exempt uses shall be designed, constructed and maintained to minimize soil disturbance and to provide the maximum water quality protection practicable, including construction, monitoring, and maintenance activities.
2. Allowable. Uses designated as allowable may proceed provided that there are no practical alternatives to the requested use pursuant to Section 10.578(A) of this Section. This includes construction, monitoring, and maintenance activities. These uses require written authorization from the City of Graham.
3. Allowable with Mitigation. Uses designated as allowable with mitigation may proceed provided that there are no practical alternatives to the requested use pursuant to Section 10.578(A) of this Section and an appropriate mitigation strategy has been approved pursuant to Section 10.578(C). These uses require written authorization from the City of Graham.

Section 10.578 Permits Procedures, Requirements, and Approvals

A. Determination of No Practical Alternatives / Request for Authorization Certificate

1. Persons who wish to undertake uses designated as allowable or allowable with mitigation shall submit a request for a “no practical alternatives” determination to the City of Graham. The applicant shall certify that the project meets all the following criteria for finding “no practical alternatives”:

- a. The basic project purpose cannot be practically accomplished in a manner that would better minimize disturbance, preserve aquatic life and habitat, and protect water quality;
 - b. The use cannot practically be reduced in size or density, reconfigured or redesigned to better minimize disturbance, preserve aquatic life and habitat, and protect water quality; and
 - c. Best management practices shall be used if necessary to minimize disturbance, preserve aquatic life and habitat, and protect water quality.
2. The applicant shall also submit at least the following information in support of their assertion of “no practical alternatives”:
- a. The name, address and phone number of the applicant;
 - b. The nature of the activity to be conducted by the applicant;
 - c. The location of the activity, including the jurisdiction;
 - d. A map of sufficient detail to accurately delineate the boundaries of the land to be utilized in carrying out the activity, the location and dimensions of any disturbance in riparian buffers associated with the activity, and the extent of riparian buffers on the land;
 - e. An explanation of why this plan for the activity cannot be practically accomplished, reduced or reconfigured to better minimize disturbance to the riparian buffer, preserve aquatic life and habitat and protect water quality; and
 - f. Plans for any best management practices proposed to be used to control the impacts associated with the activity.
3. Within 60 days of a submission that addresses Section 10.578(A)(2) , the City of Graham shall review the entire project and make a finding of fact as to whether the criteria in Section 10.578(A)(1) of this Section have been met. A finding of “no practical alternatives” shall result in issuance of an Authorization Certificate. Failure to act within 60 days shall be construed as a finding of “no practical alternatives” and an Authorization Certificate shall be issued to the applicant unless one of the following occurs:
- a. The applicant agrees, in writing, to a longer period;
 - b. The City of Graham determines that the applicant has failed to furnish requested information necessary to the City of Graham decision;
 - c. The final decision is to be made pursuant to a public hearing; or
 - d. The applicant refuses access to its records or premises for the purpose of gathering information necessary to the City of Graham’s decision.
4. The City of Graham may attach conditions to the Authorization Certificate that support the purpose, spirit and intent of this Ordinance.

5. Any appeals of determinations regarding Authorization Certificates shall be referred to the Director of the Division of Water Quality, c/o the 401 Oversight Express Permitting Unit, or its successor. The Director's decision is subject to review as provided in G.S. 150B Articles 3 and 4.

B. Variances

1. Requirements for Variances. Persons who wish to undertake prohibited uses may pursue a variance. The City of Graham Board of adjustments may grant minor variances. For major variances, the City of Graham shall prepare preliminary findings and submit them to the Division of Water Quality, 401 Oversight Express Permitting Unit, or its successor for approval by the Environmental Management Commission. The variance request procedure shall be as follows:
 - a. For any variance request, the City of Graham Board of adjustments shall make a finding of fact as to whether there are practical difficulties or unnecessary hardships that prevent compliance with the riparian buffer protection requirements. A finding of practical difficulties or unnecessary hardships shall require that the following conditions are met:
 - i. If the applicant complies with the provisions of this Ordinance, he/she can secure no reasonable return from, nor make reasonable use of, his/her property. Merely proving that the variance would permit a greater profit from the property shall not be considered adequate justification for a variance. Moreover, the City of Graham Board of adjustments shall consider whether the variance is the minimum possible deviation from the terms of this Ordinance that shall make reasonable use of the property possible;
 - ii. The hardship results from application of this Ordinance to the property rather than from other factors such as deed restrictions or other hardship;
 - iii. The hardship is due to the physical nature of the applicant's property, such as its size, shape, or topography, such that compliance with provisions of this ordinance would not allow reasonable use of the property;
 - iv. The applicant did not cause the hardship by knowingly or unknowingly violating this Ordinance;
 - v. The applicant did not purchase the property after the effective date of this Ordinance, and then request a variance; and
 - vi. The hardship is rare or unique to the applicant's property.
 - b. The variance is in harmony with the general purpose and intent of the State's riparian buffer protection requirements and this Ordinance and preserves its spirit; and
 - c. In granting the variance, the public safety and welfare have been assured, water quality has been protected, and substantial justice has been done.

2. Minor Variances

A minor variance request pertains to activities that will impact only Zone Two of the riparian buffer. Minor variance requests shall be reviewed and approved based on the criteria in Section 10.578(A)(1) through Section 10.578(A)(3) by the City of Graham pursuant to G.S. 160D-705. The City of Graham may attach conditions to the variance approval that support the purpose, spirit and intent of the riparian buffer protection program. Request for appeals to decisions made by the City of Graham shall be made in writing to the Director of the Division of Water

Quality c/o the 401 Oversight Express Permitting Unit, or its successor. The Director's decision is subject to review as provided in G.S. 150B Articles 3 and 4.

3. Major Variances

A major variance request pertains to activities that will impact any portion of Zone One or any portion of both Zones One and Two of the riparian buffer. If the City of Graham has determined that a major variance request meets the requirements in Section 10.578(B)(1) through 8(C)(3), then it shall prepare a preliminary finding and submit it to the NC Environmental Management Commission c/o the Division of Water Quality, 401 Oversight Express Permitting Unit, or its successor, for approval. Within 90 days after receipt by the City of Graham, the Commission shall review preliminary findings on major variance requests and take one of the following actions: approve, approve with conditions and stipulations, or deny the request. Appeals from a Commission decision on a major variance request are made on judicial review to Superior Court.

C. Mitigation

1. This item shall apply to persons who wish to impact a riparian buffer in the Jordan watershed when one of the following applies:
 - a. A person has received an Authorization Certificate pursuant to Section 10.578(A) of this Ordinance for a proposed use that is designated as "allowable with mitigation;" or
 - b. A person has received a variance pursuant to Section 10.578(B) of this Ordinance and is required to perform mitigation as a condition of a variance approval.
2. Issuance of the Mitigation Approval. The City of Graham shall issue a mitigation approval upon determining that a proposal meets the requirements set out in this Ordinance. The approval shall identify at a minimum the option chosen, the required and proposed areas, and either the mitigation location or the offset payment amount as applicable.
3. Options for Meeting the Mitigation Requirement. The mitigation requirement may be met through one of the following options:
 - a. Payment of a compensatory mitigation fee to the Riparian Buffer Restoration Fund pursuant to 15A NCAC 02B .0269 (Jordan Water Supply Nutrient Strategy: Riparian Buffer Mitigation Fees to the NC Ecosystem Enhancement Program) contingent upon acceptance of payments by the NC Ecosystem Enhancement Program, or to a private mitigation bank that complies with banking requirements of the US Army Corps of Engineers, currently set out at <http://www.saw.usace.army.mil/WETLANDS/Mitigation/mitbanks.html> or from the US Army Corps of Engineers, PO Box 1890, Wilmington, NC, 28402-1890, and the applicable trading criteria in Rule 15A NCAC 02B .0273;
 - b. Donation of real property or of an interest in real property pursuant to Section 10.578(C)(6) of this Ordinance; or
 - c. Restoration or enhancement of a non-forested riparian buffer pursuant to the requirements of Section 10.578(C)(7) of this Ordinance.

4. The Area of Mitigation. The City of Graham shall determine the required area of mitigation, which shall apply to all mitigation options identified in Section 10.578(C)(3) of this Ordinance and as further specified in the requirements for each option set out in this Section, according to the following:
 - a. The impacts in square feet to each zone of the riparian buffer shall be determined by the City of Graham by adding the following:
 - i. The area of the footprint of the use causing the impact to the riparian buffer;
 - ii. The area of the boundary of any clearing and grading activities within the riparian buffer necessary to accommodate the use; and
 - iii. The area of any ongoing maintenance corridors within the riparian buffer associated with the use.
 - b. The required area of mitigation shall be determined by applying the following multipliers to the impacts determined in Section 10.578(4)(a) of this Ordinance to each zone of the riparian buffer:
 - i. Impacts to Zone One of the riparian buffer shall be multiplied by three;
 - ii. Impacts to Zone Two of the riparian buffer shall be multiplied by one and one-half; and
 - iii. Impacts to wetlands within Zones One and Two of the riparian buffer that are subject to mitigation under 15A NCAC 2H .0506 shall comply with the mitigation ratios in 15A NCAC 2H .0506.
5. The Location of Mitigation. For any option chosen, the mitigation effort shall be located within the same subwatershed of the Jordan watershed, as defined in 15A NCAC 02B.0262, and the same distance from the Jordan Reservoir as the proposed impact, or closer to the Reservoir than the impact, and as close to the location of the impact as feasible. Alternatively, the applicant may propose mitigation anywhere within the same subwatershed of the Jordan watershed, as defined in 15A NCAC 02B.0262, provided that the mitigation proposal accounts for differences in delivery of nutrients to the affected arm of Jordan Reservoir resulting from differences between the locations of the buffer impact and mitigation. Additional location requirements for the property donation option are enumerated in Section 10.578(C)(6)(c)(i) of this Ordinance.
6. Donation of Property. Persons who choose to satisfy their mitigation determination by donating real property or an interest in real property shall meet the following requirements:
 - a. The donation of real property interests may be used to either partially or fully satisfy the payment of a compensatory mitigation fee to the Riparian Buffer Restoration Fund pursuant to 15A NCAC 02B .0269. The value of the property interest shall be determined by an appraisal performed in accordance with Section 10.578(C)(6)(d)(iv) of this Ordinance. The donation shall satisfy the mitigation determination if the appraised value of the donated property interest is equal to or greater than the required fee. If the appraised value of the donated property interest is less than the required fee calculated pursuant to 15A NCAC 02B .0269, the applicant shall pay the remaining balance due.
 - b. The donation of conservation easements to satisfy compensatory mitigation requirements shall be accepted only if the conservation easement is granted in perpetuity.
 - c. Donation of real property interests to satisfy the mitigation determination shall be accepted only if such property meets all of the following requirements:

- i. In addition to the location requirements of Section 10.578(C)(5) of this Ordinance, the property shall be located within an area that is identified as a priority for restoration in, or is otherwise consistent with the goals of, the *Basinwide Wetlands and Riparian Restoration Plan for the Cape Fear River Basin* developed by NC Division of Water Quality pursuant to G.S. 143-214.10;
 - ii. The property shall contain riparian buffers not currently protected by the State's riparian buffer protection program that are in need of restoration as defined in Section 10.578(7)(d) of this Ordinance;
 - iii. The restorable riparian buffer on the property shall have a minimum length of 1000 linear feet along a surface water and a minimum width of 50 feet as measured horizontally on a line perpendicular to the surface water;
 - iv. The size of the restorable riparian buffer on the property to be donated shall equal or exceed the area of mitigation responsibility determined pursuant to Section 10.578(C)(4) of this Ordinance;
 - v. Restoration shall not require removal of man-made structures or infrastructure;
 - vi. The property shall be suitable to be successfully restored, based on existing hydrology, soils, and vegetation;
 - vii. The estimated cost of restoring and maintaining the property shall not exceed the value of the property minus site identification and transaction costs;
 - viii. The property shall not contain any building, structure, object, site, or district that is listed in the National Register of Historic Places established pursuant to Public Law 89-665, 16 U.S.C. 470 as amended;
 - ix. The property shall not contain any hazardous substance or solid waste;
 - x. The property shall not contain structures or materials that present health or safety problems to the general public. If wells, septic, water or sewer connections exist, they shall be filled, remediated or closed at owner's expense in accordance with state and local health and safety regulations;
 - xi. The property and adjacent properties shall not have prior, current, and known future land use that would inhibit the function of the restoration effort; and
 - xii. The property shall not have any encumbrances or conditions on the transfer of the property interests.
- d. At the expense of the applicant or donor, the following information shall be submitted to the City of Graham with any proposal for donations or dedications of interest in real property:
- i. Documentation that the property meets the requirements laid out in Section 10.578(C)(6)(c) of this Ordinance;
 - ii. US Geological Survey 1:24,000 (7.5 minute) scale topographic map, county tax map, USDA Natural Resource Conservation Service County Soil Survey Map, and county road map showing the location of the property to be donated along with information on existing site conditions, vegetation types, presence of existing structures and easements;
 - iii. A current property survey performed in accordance with the procedures of the North Carolina Department of Administration, State Property Office as identified by the State Board of Registration for Professional Engineers and Land Surveyors in "Standards of Practice for Land Surveying in North Carolina." Copies may be obtained from the North Carolina State Board of Registration for Professional Engineers and Land Surveyors, 3620 Six Forks Road, Suite 300, Raleigh, North Carolina 27609;

- iv. A current appraisal of the value of the property performed in accordance with the procedures of the North Carolina Department of Administration, State Property Office as identified by the Appraisal Board in the "Uniform Standards of Professional North Carolina Appraisal Practice." Copies may be obtained from the Appraisal Foundation, Publications Department, P.O. Box 96734, Washington, D.C. 20090-6734; and
 - v. A title certificate.
7. Riparian Buffer Restoration or Enhancement. Persons who choose to meet their mitigation requirement through riparian buffer restoration or enhancement shall meet the following requirements:
 - a. The applicant may restore or enhance a non-forested riparian buffer if either of the following applies:
 - i. The area of riparian buffer restoration is equal to the required area of mitigation determined pursuant to Section 10.578(C)(4) of this Ordinance; or
 - ii. The area of riparian buffer enhancement is three times larger than the required area of mitigation determined pursuant to Section 10.578(C)(4) of this Ordinance;
 - b. The location of the riparian buffer restoration or enhancement shall comply with the requirements in Section 10.578(C)(5) of this Ordinance;
 - c. The riparian buffer restoration or enhancement site shall have a minimum width of 50 feet as measured horizontally on a line perpendicular to the surface water;
 - d. Enhancement and restoration shall both have the objective of establishing a forested riparian buffer according to the requirements of this Item. Enhancement shall be distinguished from restoration based on existing buffer conditions. Where existing trees are sparse, that is greater than or equal to 100 trees per acre but less than 200 trees per acre, a buffer may be enhanced. Where existing woody vegetation is absent, that is less than 100 trees per acre, a buffer may be restored;
 - e. The applicant shall first receive an Authorization Certificate for the proposed use according to the requirements of Section 10.578(A) of this Ordinance. After receiving this determination, the applicant shall submit a restoration or enhancement plan for approval by the City of Graham. The restoration or enhancement plan shall contain the following:
 - i. A map of the proposed restoration or enhancement site;
 - ii. A vegetation plan. The vegetation plan shall include a minimum of at least two native hardwood tree species planted at a density sufficient to provide 320 trees per acre at maturity;
 - iii. A grading plan. The site shall be graded in a manner to ensure diffuse flow through the riparian buffer;
 - iv. A fertilization plan; and
 - v. A schedule for implementation;
 - f. Within one year after the City of Graham has approved the restoration or enhancement plan, the applicant shall present proof to the City of Graham that the riparian buffer has been restored or enhanced. If proof is not presented within this timeframe, then the person

shall be in violation of both the State's and the City of Graham riparian buffer protection program;

- g. The mitigation area shall be placed under a perpetual conservation easement that will provide for protection of the property's nutrient removal functions; and
- h. The applicant shall submit annual reports for a period of five years after the restoration or enhancement showing that the trees planted have survived and that diffuse flow through the riparian buffer has been maintained. The applicant shall replace trees that do not survive and restore diffuse flow if needed during that five-year period.

Section 10.579 Compliance and Enforcement

A. Site Inspections

- 1. Agents, officials, or other qualified persons authorized by the City of Graham may periodically inspect riparian buffers to ensure compliance with this ordinance.
- 2. Notice of the right to inspect shall be included in the letter of approval of each variance and buffer authorization.
- 3. Authority to Enter Property and Conduct Investigations and Inspections. Authorized agents, officials or other qualified persons shall have the authority, upon presentation of proper credentials, to enter and inspect at reasonable times any property, public or private, for the purpose of investigating and inspecting the site of any riparian buffer. No person shall willfully resist, delay, or obstruct an authorized representative, employee, or agent of the City of Graham, while that person is inspecting or attempting to inspect a riparian buffer nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out their official duties. The City of Graham shall have the power to conduct such investigations as deemed reasonably necessary to carry out the duties as prescribed in this Ordinance.
- 4. Notice of Violation
 - a. If it is determined that a person has failed to comply with the requirements of this Ordinance, or rules, or orders adopted or issued pursuant to this Ordinance, a notice of violation shall be served upon that person. The notice may be served by any means authorized under G.S. 1A-1, rule 4. In the event service cannot be accomplished by registered or certified mail, it may be accomplished in any manner provided in rule (4) of the North Carolina Rules of Civil Procedure.
 - b. The notice shall specify the violation and inform the person of the actions that need to be taken to comply with this Ordinance, or rules or orders adopted pursuant to this Ordinance. The notice shall direct the person to correct the violation within a specified reasonable time. The notice shall inform the person that any person who violates or fails to act in accordance with any of the provisions of this Ordinance or rules or orders adopted or issued pursuant to this Ordinance is subject to the civil penalties and other enforcement actions as provided in this Ordinance.

5. Power to Require Statements. The City of Graham shall also have the power to require written statements, or the filing of reports under oath, with respect to pertinent questions relating to land-disturbing activities.

B. Civil Penalties

1. Assessment of Penalties. Any person who violates or fails to act in accordance with any of the provisions of this Ordinance or rules or orders adopted or issued pursuant to this Ordinance shall be subject to a civil penalty. A civil penalty for a violation may be assessed in an amount not to exceed ten thousand dollars (\$10,000) per day. If any violation for which a penalty may be assessed is continuous, a civil penalty may be assessed for each day of the violation in an amount not to exceed twenty-five thousand dollars (\$25,000) per day for as long as the violation occurs. Each day of a continuing violation shall constitute a separate violation under Section 10.579(B)(1).
2. Notice of Civil Penalty Assessment. The governing body of the City of Graham shall provide written notice of the civil penalty amount and the basis for the assessment to the person assessed. The notice of civil penalty assessment shall be served by any means authorized under G.S. 1A-1, Rule 4, and shall direct the violator to either pay the assessment or contest the assessment, within thirty (30) days after receipt of the notice of assessment by written demand for a hearing.
3. Hearing. A hearing on the civil penalty shall be conducted by the City of Graham City council within 30 days after the date the written demand for the hearing is received by the City of Graham City council. The conducting the hearing shall make its recommendation to the governing body of the City of Graham within 30 days after the date of the hearing.
4. Final Decision. The governing body shall issue a final decision on the civil penalty within 30 days of the recommended decision. A copy of the final decision shall be served on the violator by any means authorized under G.S. 1A-1, Rule 4.
5. Appeal of Final Decision. Appeal from the final decision of the governing body shall be to the Superior Court of the county in which the violation occurred. Any appeal must be filed with thirty days of receipt of the final decision. A copy of the appeal must be served on the (City manager/other appropriate person) by any means authorized under G.S. 1A-1, Rule 4.
6. Demand for Payment of Penalty. An assessment that is not contested is due when the violator is served with a notice of assessment. The civil penalty must be paid within 30 days or the assessment, if not appealed, or within 30 days after the conclusion of the administrative or judicial review of the assessment. If payment is not received within 30 days after demand for payment is made, the City of Graham may institute a civil action to recover the amount of the assessment. The civil action may be brought in the Superior Court where the violation occurred, or the violator's residence or principal place of business is located. Such civil actions must be filed within three (3) years of the date the assessment was due.
7. Use of Penalties. [Civil penalties collected pursuant to this Ordinance shall be credited to the general fund of the City of Graham as nontax revenue.]

C. Criminal Penalties (Repealed effective 12/14/2021).

D. Injunctive Relief

1. Civil Action in Superior Court. Whenever the governing body of the City of Graham has reasonable cause to believe that any person is violating or threatening to violate this Ordinance or any rule or order adopted or issued pursuant to this Ordinance, it may, either before or after the institution of any other action or proceeding authorized by this Ordinance, institute a civil action in the name of the City of Graham for injunctive relief to restrain the violation or threatened violation. The action shall be brought in the Superior Court of Alamance County.
2. Order to Cease Violation. Upon determination by a court that an alleged violation is occurring or is threatened, the court shall enter any order or judgment that is necessary to abate the violation, to ensure that restoration is performed, or to prevent the threatened violation. The institution of an action for injunctive relief under this section shall not relieve any party to the proceedings from any civil or criminal penalty prescribed for violations of this Ordinance.

E. Compliance with Requirements. Any person engaged in new activities as defined by this Ordinance who fails to meet the requirements of this Ordinance shall be deemed in violation of this Ordinance.

Section 10.580 Severability

If any one or more sections or portions thereof of this Ordinance are held to be invalid or unenforceable, all other sections and portions thereof shall nevertheless continue in full force and effect.

Section 10.581 Effective Date

This Ordinance will become effective upon approval by the NC Environmental Management Commission and adoption by the City of Graham City council.

Section 10.582 Revisions to this Ordinance

The City of Graham shall review any revisions to the Riparian Buffer Protection Ordinance made by the Environmental Management Commission and, within 60 days of receipt of the recommended revisions, submit draft amendments to the Commission for its consideration and comments. Within 90 days after receipt of the Commissions' comments, the City of Graham will incorporate amendments into this ordinance.

Section 10.583 Definitions

For the purpose of this Ordinance, these terms shall be defined as follows:

- A. 'Access Trails' means pedestrian trails constructed of pervious or impervious surfaces and related structures to access a surface water, including boardwalks, steps, rails, and signage.

- B. 'Airport Facilities' means all properties, facilities, buildings, structures, and activities that satisfy or otherwise fall within the scope of one or more of the definitions or uses of the words or phrases 'air navigation facility', 'airport', or 'airport protection privileges' under G.S. 63-1; the definition of 'aeronautical facilities' in G.S. 63-79(1); the phrase 'airport facilities' as used in G.S. 159-48(b)(1); the phrase 'aeronautical facilities' as defined in G.S. 159-81 and G.S. 159-97; and the phrase 'airport facilities and improvements' as used in Article V, Section 13, of the North Carolina Constitution, which shall include, without limitation, any and all of the following: airports, airport maintenance facilities, clear zones, drainage ditches, fields, hangars, landing lighting, airport and airport-related offices, aeronautic industrial facilities that require direct access to the airfield, parking facilities, related navigational and signal systems, runways, stormwater outfalls, terminals, terminal shops, and all appurtenant areas used or suitable for airport buildings or other airport facilities, and all appurtenant rights-of-way; restricted landing areas; any structures, mechanisms, lights, beacons, marks, communicating systems, or other instrumentalities or devices used or useful as an aid, or constituting an advantage or convenience to the safe taking off, navigation, and landing of aircraft, or the safe and efficient operation or maintenance of an airport or restricted landing area; easements through, or interests in, air space over land or water, interests in airport hazards outside the boundaries of airports or restricted landing areas, and other protection privileges, the acquisition or control of which is necessary to ensure safe approaches to the landing areas of airports and restricted landing areas, and the safe and efficient operation thereof and any combination of any or all of such facilities. Notwithstanding the foregoing, the following shall not be included in the definition of 'airport facilities':
 - 1. Satellite parking facilities;
 - 2. Retail and commercial development outside of the terminal area, such as rental car facilities; and
 - 3. Other secondary development, such as hotels, industrial facilities, free-standing offices and other similar buildings, so long as these facilities are not directly associated with the operation of the airport, and are not operated by a unit of government or special governmental entity such as an airport authority, in which case they are included in the definition of 'airport facilities.'

- C. 'Channel' means a natural water-carrying trough cut vertically into low areas of the land surface by erosive action of concentrated flowing water or a ditch or canal excavated for the flow of water.

- D. 'DBH' means diameter at breast height of a tree measured at 4.5 feet above ground surface level.

- E. 'Development' means the same as defined in Rule 15A NCAC 2B .0202(23).

- F. 'Ditch or canal' means a man-made channel other than a modified natural stream constructed for drainage purposes that is typically dug through inter-stream divide areas. A ditch or canal may have flows that are perennial, intermittent, or ephemeral and may exhibit hydrological and biological characteristics similar to perennial or intermittent streams.
- G. 'Ephemeral stream' means a feature that carries only stormwater in direct response to precipitation with water flowing only during and shortly after large precipitation events. An ephemeral stream may or may not have a well-defined channel, the aquatic bed is always above the water table, and stormwater runoff is the primary source of water. An ephemeral stream typically lacks the biological, hydrological, and physical characteristics commonly associated with the continuous or intermittent conveyance of water.
- H. 'Existing development' means development, other than that associated with agricultural or forest management activities, that meets one of the following criteria:
 - 1. It either is built or has established a vested right based on statutory or common law as interpreted by the courts, for projects that do not require a state permit, as of the effective date of either local new development stormwater programs implemented under Rule 15A NCAC 2B .0265 (Jordan Water Supply Nutrient Strategy: Stormwater Management for New Development) or, for projects requiring a state permit, as of the applicable compliance date established in Rule 15A NCAC 2B .0271 (Jordan Water Supply Nutrient Strategy: Stormwater Management for New Development), Items (5) and (6); or
 - 2. It occurs after the compliance date set out in Sub-Item (4)(d) of Rule .0265 (Jordan Water Supply Nutrient Strategy: Stormwater Management for New Development) but does not result in a net increase in built-upon area.
- I. 'Greenway / Hiking Trails' means pedestrian trails constructed of pervious or impervious surfaces and related structures including but not limited to boardwalks, steps, rails, and signage, and that generally run parallel to the shoreline.
- J. 'High Value Tree' means a tree that meets or exceeds the following standards: for pine species, 14-inch DBH or greater or 18-inch or greater stump diameter; or for hardwoods and wetland species, 16-inch DBH or greater or 24-inch or greater stump diameter.
- K. 'Intermittent stream' means a well-defined channel that contains water for only part of the year, typically during winter and spring when the aquatic bed is below the water table. The flow may be heavily supplemented by stormwater runoff. An intermittent stream often lacks the biological and hydrological characteristics commonly associated with the continuous conveyance of water.
- L. 'Jordan nutrient strategy' or 'Jordan water supply nutrient strategy' means the set of Rules 15A NCAC 2B .0262 through .0273 and .0311(p).
- M. 'Jordan Reservoir' means the surface water impoundment operated by the US Army Corps of Engineers and named B. Everett Jordan Reservoir, as further delineated for purposes of the Jordan nutrient strategy in Rule 15A NCAC 2B .0262(4).
- N. 'Jordan watershed' means all lands and waters draining to B. Everett Jordan Reservoir.

- O. New Development' means any development project that does not meet the definition of existing development set out in this Ordinance.
- P. 'Perennial stream' means a well-defined channel that contains water year-round during a year of normal rainfall with the aquatic bed located below the water table for most of the year. Groundwater is the primary source of water for a perennial stream, but it also carries stormwater runoff. A perennial stream exhibits the typical biological, hydrological, and physical characteristics commonly associated with the continuous conveyance of water.
- Q. "Perennial waterbody" means a natural or man-made basin, including lakes, ponds, and reservoirs, that stores surface water permanently at depths sufficient to preclude growth of rooted plants. For the purpose of the State's riparian buffer protection program, the waterbody must be part of a natural drainage way (i.e., connected by surface flow to a stream).
- R. 'Shoreline stabilization' is the in-place stabilization of an eroding shoreline. Stabilization techniques which include "soft" methods or natural materials (such as root wads, or rock vanes) may be considered as part of a restoration design. However, stabilization techniques that consist primarily of "hard" engineering, such as concrete lined channels, riprap, or gabions, while providing bank stabilization, shall not be considered stream restoration.
- S. 'Stream restoration' is defined as the process of converting an unstable, altered or degraded stream corridor, including adjacent riparian zone and flood-prone areas to its natural or referenced, stable conditions considering recent and future watershed conditions. This process also includes restoring the geomorphic dimension, pattern, and profile as well as biological and chemical integrity, including transport of water and sediment produced by the stream's watershed in order to achieve dynamic equilibrium. 'Referenced' or 'referenced reach' means a stable stream that is in dynamic equilibrium with its valley and contributing watershed. A reference reach can be used to develop natural channel design criteria for stream restoration projects.
- T. Stream" means a body of concentrated flowing water in a natural low area or natural channel on the land surface.
- U. 'Stump diameter' means the diameter of a tree measured at six inches above the ground surface level.
- V. "Surface waters" means all waters of the state as defined in G.S. 143-212 except underground waters.
- W. "Tree" means a woody plant with a DBH equal to or exceeding five inches or a stump diameter exceeding six inches.
- X. 'Temporary road' means a road constructed temporarily for equipment access to build or replace hydraulic conveyance structures such as bridges, culverts, pipes or water dependent structures, or to maintain public traffic during construction.

APPENDIX A. HISTORIC DISTRICT DESIGN STANDARDS FOR SIGNS

These standards are to be used by the City of Graham Staff to approve sign permits within the Courthouse Square Historic District. The items listed below are additional standards to “Article X, Signs” in the City of Graham Development Ordinance. Issuance of a sign permit cannot be denied without first being considered by the City of Graham Historic Resources Commission.

- Signs should be compatible with the structure in size, scale, style, material, and graphics.
- The location of new signs on commercial buildings should conform to the appropriate placement of signs on historic buildings (see attached figure).
- Window signs are encouraged but shall be limited to one square foot per linear foot* of the first-floor facade to which the sign will be affixed, not to exceed a total of 12 square feet. Window signage is limited to a single pane of glass. However, the Historic Resources Commission may approve alternate window sign installations either in excess of 12 square feet, or across multiple panes if they meet the standard depicted in the image shown in Section 6. Signs of the Design Standards. *If a window sign is proposed on a multi-use building the linear feet will be measured per business frontage and not calculated based on the width of the entire building/facade. (HRC Approved 5/14/19)
- Storefront signs should be designed and located so that they do not obstruct architectural details of buildings.
- Storefront signs should be attached in a manner that does not cause damage or major alteration to the historic elements of a building.
- Translucent plastic signs, which have lighting within the sign (i.e. internally illuminated signs) are prohibited.
- Neon tubing and neon tubing signs are prohibited.
- Freestanding signs should be installed appropriately, such as on well landscaped ground bases or low standards.
- Flush mounted wall signs should be installed in appropriate locations that do not conceal architectural features or details.
- Signs for historic commercial buildings should be placed in locations originally intended for signage such as the top of the storefront or on windows, doors, or awnings.
- Fluorescent or Dayglow colors are prohibited.

Graham-Mebane Lake - Mebane, North Carolina
05.26.21
Things To Do at the Lake - Results

	0	1	2	3	4	5	#	#
	No	Dislike	Don't mind	It's ok	Like	Favorite	Average	Score
Recreation (Un-organized Events and Activities)								
Greenway Connections - Walking & Bicycle Trails			1		1	1	3.67	11
Cross Country Hiking and Running Trails			2		2	1	3.40	17
Playgrounds					3		4.00	12
Mountain Bike Trails			1		1		3.00	6
Nature Trail			1		4	3	4.13	33
Bird Watching					1		4.00	4
Dog Park					2		4.00	8
Horseshoe Pits					2	1	4.33	13
Cornhole			1		1	1	3.67	11
	0	1	2	3	4	5	#	#
	No	Dislike	Don't mind	It's ok	Like	Favorite	Average	Score
Children and Family Recreation (Managed Events and Activities for Children)								
Hammock Area				1		1	4.00	8
Tube Rides					4		4.00	16
Picnic Shelters and Pavilions for Social Events (Reunions, Receptions, and Gatherings)					2	2	4.50	18
Water Park - Water Slides, Kids and Family Friendly Water Play					2		4.00	8
Splash Pad/Sprayground					1		4.00	4
Model Boat Sailing			1		1		3.00	6
Paddle Boats		1	1		1	1	3.00	12

	0	1	2	3	4	5	#	#
	No	Dislike	Don't mind	It's ok	Like	Favorite	Average	Score
Marina Center (Managed Events and Activities for Youth and Adults)								
REI / Outward Bound / Bass Pro Shop Managed Events and Activities				2		1	3.67	11
Bait Shop					4	3	4.43	31
Pier Fishing					3	4	4.57	32
Bank Fishing					1	3	4.75	19
Fishing Tournaments				1	4	3	4.25	34
Adventure Trails			1	1	2	2	3.83	23
Boat Launch					7		4.00	28
Canoeing & Kayaking					3	4	4.57	32
Paddle Boarding				1	2		3.67	11
Jet Ski Area	4						0.00	0
Zipline					5	2	4.29	30
Climbing Wall/Boulders					2		4.00	8
Wedding Venue	1						0.00	0
	0	1	2	3	4	5	#	#
	No	Dislike	Don't mind	It's ok	Like	Favorite	Average	Score
Organized Public Events								
Art in the Park – Arts and Crafts, Local Artist and Art Guild Festival					3	2	4.40	22
Outdoor Amphitheater - Drama, Theater, Concerts, etc.			1		2	1	3.75	15
Floating Stage - Drama, Theater, Concerts, etc.						1	5.00	5
Outdoor Classroom			3		3	1	3.29	23
July 4th Fireworks	2				3	3	3.38	27
Outdoor Events, Charity Events (Charity Walk), Festivals, etc.					1	1	4.50	9

	0	1	2	3	4	5	#	#
	No	Dislike	Don't mind	It's ok	Like	Favorite	Average	Score
Educational & Historical Interest								
History of the Lake and Dam					2		4.00	8
Wildlife Education			1	1	3	2	3.86	27
Knot Tying (Nautical)				1	1	1	4.00	12
Tree Hikes				1	2		3.67	11
Environmental Education					2	2	4.50	18
Outdoor Story Telling - "Stories under the Stars"				2	2		3.50	14
Model Boat Building					1		4.00	4
Astronomy					3	3	4.50	27
Fishing Instruction				1	4	3	4.25	34
Canoe/Kayak Instruction					3		4.00	12
	0	1	2	3	4	5	#	#
	No	Dislike	Don't mind	It's ok	Like	Favorite	Average	Score
Food & Beverages								
Food, Snack and Beverages Concessions			3		1		2.50	10
Food Trucks	1				3	1	3.40	17
	0	1	2	3	4	5	#	#
	No	Dislike	Don't mind	It's ok	Like	Favorite	Average	Score
Camping and Lodging (Overnight Stay)								
Family Camp Grounds and Camp Sites (tents)	2	2				2	2.00	12
Group Camp Grounds and Camp Sites (Tents)	2						0.00	0
Rental Cabins and Cottages	3				2	3	2.88	23

	0	1	2	3	4	5	#	#
	No	Dislike	Don't mind	It's ok	Like	Favorite	Average	Score
Park Administration and Maintenance								
Additional Parking					4	1	4.20	21
Accessibility					2		4.00	8



End-of-Year Comparison, 2008 to 2023 Graham-Mebane Lake, Graham Recreation and Parks Department



LAKE USE:																15 Year	
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Average
# Days Open	218	227	226	225	226	227	223	227	225	222	223	227	232	230	230	230	226
# Boats	2,891	3,023	3,062	3,532	3,202	3,459	3,338	3,739	4,392	3,543	3,143	3,232	5,246	4,535	4,117	4,554	3,688
# Visitors	9,998	9,856	9,213	10,530	10,414	11,641	10,609	12,000	13,944	13,192	11,653	13,729	19,957	17,085	15,332	15,984	12,821
REVENUE:																	
User Fees	25,959.00	26,721.00	24,311.50	26,292.00	25,654.50	26,937.00	25,254.50	29,872.50	32,882.00	27,999.00	25,661.50	26,628.50	43,485.00	36,621.00	33,376.50	35,891.00	\$29,596.66
Bait	5,473.50	4,581.25	3,620.00	4,014.50	5,033.25	4,843.75	3,945.00	4,621.00	4,568.50	4,418.25	4,150.75	4,113.75	8,003.25	6,783.00	6,594.50	9,059.25	\$5,238.97
Fishing Supplies	1,181.05	1,099.30	654.80	959.00	1,277.75	1,605.75	1,481.25	1,294.75	1,339.50	1,006.00	1,179.00	1,234.00	2,367.50	1,624.25	1,954.25	1,911.75	\$1,385.62
Vessel Rental									575.00	1,972.00	1,721.00	2,153.00	203.00	6,097.00	7,589.00	7,734.00	\$3,505.50
Fishing Tourns.	1,300.00	1,790.00	1,905.00	1,258.00	1,785.00	2,575.00	2,435.00	2,850.00	3,100.00	4,385.00	4,085.00	4,290.00	1,075.00	6,130.00	7,130.00	8,478.50	\$3,410.72
Shelter Rental						175.00	100.00	375.00	150.00	575.00	400.00	325.00		250.00	450.00	475.00	\$327.50
Paddle Programs																731.00	\$731.00
Lake Cruises															1,890.00	1,080.00	\$1,485.00
Other	311.00	574.85	825.50	663.25	255.00	975.00	327.50	235.00	50.00	0.00	397.90	1,188.00	346.75	3,094.80	1,843.59	112.50	\$700.04
Total \$	\$34,224.55	\$34,766.40	\$31,316.80	\$33,186.75	\$34,005.50	\$37,111.50	\$33,543.25	\$39,248.25	\$42,665.00	\$40,355.25	\$37,595.15	\$39,932.25	\$55,480.50	\$60,600.05	\$60,827.84	\$65,473.00	\$42,520.75

Five-year Average (2018-2022): \$50,887.16

Three-Year Average (2020-2022): \$58,969.46

DAILY AVERAGES:																	
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Average
Boats	13.3	13.3	13.5	15.7	14.2	15.2	15.0	16.5	19.5	16.0	14.1	14.2	22.6	19.7	17.9	19.8	16.3
Visitors	45.9	43.4	40.8	46.8	46.1	51.3	47.6	52.9	62.0	59.4	52.3	60.5	86.0	74.3	66.7	69.5	56.7
Receipts	\$156.99	\$153.16	\$138.57	\$147.50	\$150.47	\$163.49	\$150.42	\$172.90	\$189.62	\$181.78	\$168.59	\$175.91	\$239.14	\$263.48	\$264.47	\$284.67	\$188.04



End-of-Year Comparison, 2008 to 2023

Graham-Mebane Lake, Graham Recreation and Parks Department



Year	# Days			REVENUE								DAILY AVERAGES				
	Open	# Boats	# Visitors	User Fees	Bait	Fishing Supplies	Vessel Rental	Fishing Tours.	Shelter Rental	Paddle Programs	Pontoon Programs	Other	Total \$	Boats	Visitors	Receipts
2008	218	2891	9,998	25,959.00	5,473.50	1,181.05		1,300.00				311.00	\$34,224.55	13.3	45.9	\$156.99
2009	227	3023	9,856	26,721.00	4,581.25	1,099.30		1,790.00				574.85	\$34,766.40	13.3	43.4	\$153.16
2010	226	3062	9,213	24,311.50	3,620.00	654.80		1,905.00				825.50	\$31,316.80	13.5	40.8	\$138.57
2011	225	3532	10,530	26,292.00	4,014.50	959.00		1,258.00				663.25	\$33,186.75	15.7	46.8	\$147.50
2012	226	3202	10,414	25,654.50	5,033.25	1,277.75		1,785.00				255.00	\$34,005.50	14.2	46.1	\$150.47
2013	227	3459	11,641	26,937.00	4,843.75	1,605.75		2,575.00	175.00			975.00	\$37,111.50	15.2	51.3	\$163.49
2014	223	3338	10,609	25,254.50	3,945.00	1,481.25		2,435.00	100.00			327.50	\$33,543.25	15.0	47.6	\$150.42
2015	227	3739	12,000	29,872.50	4,621.00	1,294.75		2,850.00	375.00			235.00	\$39,248.25	16.5	52.9	\$172.90
2016	225	4392	13,944	32,882.00	4,568.50	1,339.50	575.00	3,100.00	150.00			50.00	\$42,665.00	19.5	62.0	\$189.62
2017	222	3543	13,192	27,999.00	4,418.25	1,006.00	1,972.00	4,385.00	575.00			0.00	\$40,355.25	16.0	59.4	\$181.78
2018	223	3143	11,653	25,661.50	4,150.75	1,179.00	1,721.00	4,085.00	400.00			397.90	\$37,595.15	14.1	52.3	\$168.59
2019	227	3232	13,729	26,628.50	4,113.75	1,234.00	2,153.00	4,290.00	325.00			1,188.00	\$39,932.25	14.2	60.5	\$175.91
2020	232	5246	19,957	43,485.00	8,003.25	2,367.50	203.00	1,075.00				346.75	\$55,480.50	22.6	86.0	\$239.14
2021	230	4535	17,085	36,621.00	6,783.00	1,624.25	6,097.00	6,130.00	250.00			3,094.80	\$60,600.05	19.7	74.3	\$263.48
2022	230	4117	15,332	33,376.50	6,594.50	1,954.25	7,589.00	7,130.00	450.00		1,890.00	1,843.59	\$60,827.84	17.9	66.7	\$264.47
2023	230	4554	15,984	35,891.00	9,059.25	1,911.75	7,734.00	8,478.50	475.00	731.00	1,080.00	112.50	\$65,473.00	19.8	69.5	\$284.67
Average	226	3,688	12,821	\$29,596.66	\$5,238.97	\$1,385.62	\$3,505.50	\$3,410.72	\$327.50	\$731.00	\$1,485.00	\$700.04	\$42,520.75	16.3	56.7	\$188.04



End-of-Year Comparison, 2008 to 2023

Graham-Mebane Lake, Graham Recreation and Parks Department

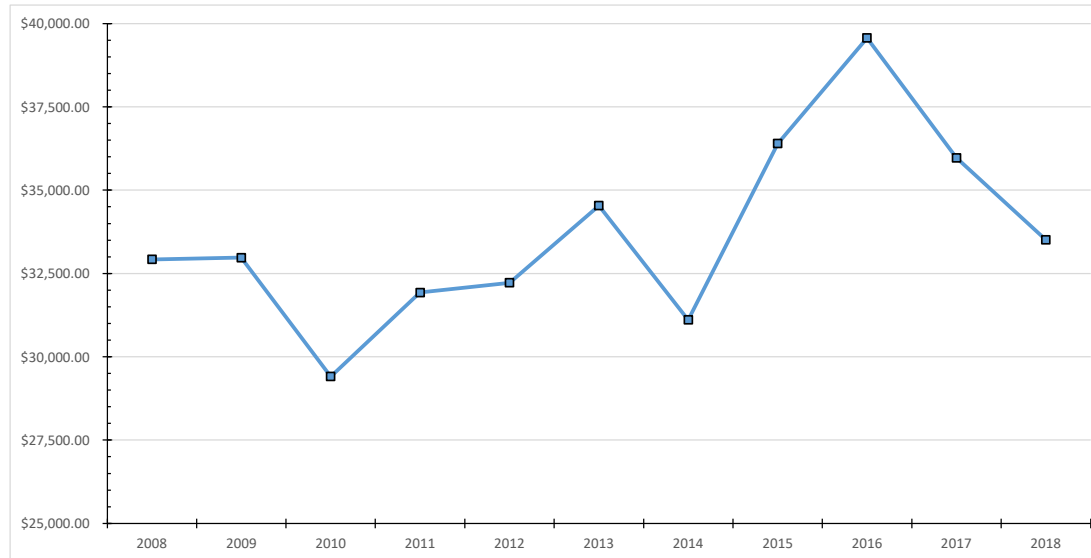


Minus 2070 Programs

LAKE USE:	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	15 Year Average	
# Days Open	218	227	226	225	226	227	223	227	225	222	223	227	232	230	230	230	230	226
# Boats	2891	3023	3062	3532	3202	3459	3338	3739	4392	3543	3143	3232	5246	4535	4117	4554	3,688	
# Visitors	9,998	9,856	9,213	10,530	10,414	11,641	10,609	12,000	13,944	13,192	11,653	13,729	19,957	17,085	15,332	15,984	12,821	
REVENUE:																		
User Fees	25,959.00	26,721.00	24,311.50	26,292.00	25,654.50	26,937.00	25,254.50	29,872.50	32,882.00	27,999.00	25,661.50	26,628.50	43,485.00	36,621.00	33,376.50	35,891.00	\$29,596.66	
Bait	5,473.50	4,581.25	3,620.00	4,014.50	5,033.25	4,843.75	3,945.00	4,621.00	4,568.50	4,418.25	4,150.75	4,113.75	8,003.25	6,783.00	6,594.50	9,059.25	\$5,238.97	
Fishing Supplies	1,181.05	1,099.30	654.80	959.00	1,277.75	1,605.75	1,481.25	1,294.75	1,339.50	1,006.00	1,179.00	1,234.00	2,367.50	1,624.25	1,954.25	1,911.75	\$1,385.62	
Vessel Rental									575.00	1,972.00	1,721.00	2,153.00	203.00	6,097.00	7,589.00	7,734.00	\$3,505.50	
Fishing Tours.																	#DIV/0!	
Shelter Rental						175.00	100.00	375.00	150.00	575.00	400.00	325.00		250.00	450.00	475.00	\$327.50	
Paddle Programs																731.00	\$731.00	
Pontoon Programs															1,890.00	1,080.00	\$1,485.00	
Other	311.00	574.85	825.50	663.25	255.00	975.00	327.50	235.00	50.00	0.00	397.90	1,188.00	346.75	3,094.80	1,843.59	112.50	\$700.04	
Total \$	\$32,924.55	\$32,976.40	\$29,411.80	\$31,928.75	\$32,220.50	\$34,536.50	\$31,108.25	\$36,398.25	\$39,565.00	\$35,970.25	\$33,510.15	\$35,642.25	\$54,405.50	\$54,470.05	\$53,697.84	\$56,994.50	\$39,110.03	

Five-year Average (2017-2021): \$42,799.64
 Three-Year Average (2019-2021): \$48,172.60

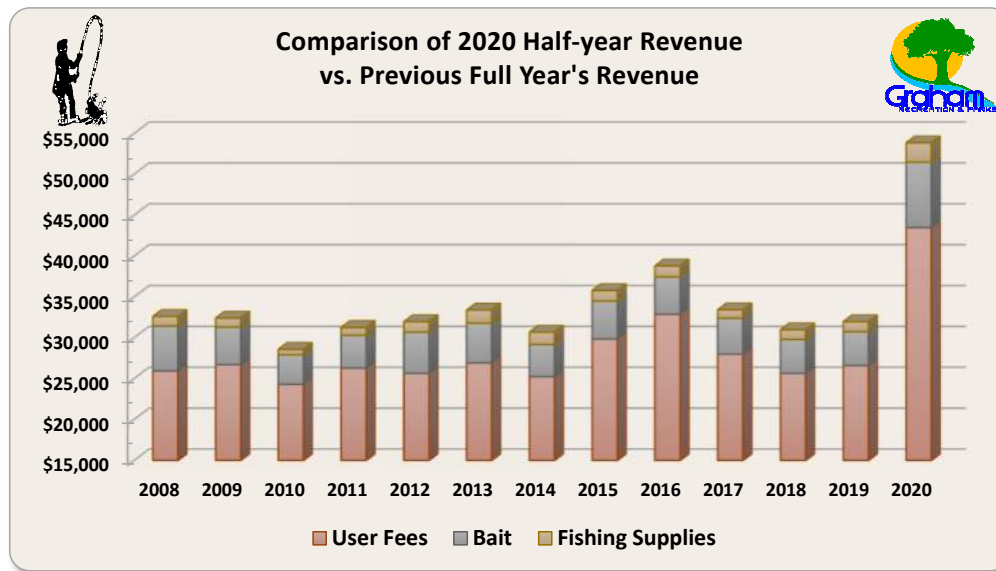
DAILY AVERAGES:	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Average
Boats	13.3	13.3	13.5	15.7	14.2	15.2	15.0	16.5	19.5	16.0	14.1	14.2	22.6	19.7	17.9	19.8	16.3
Visitors	45.9	43.4	40.8	46.8	46.1	51.3	47.6	52.9	62.0	59.4	52.3	60.5	86.0	74.3	66.7	69.5	56.7
Receipts	\$151.03	\$145.27	\$130.14	\$141.91	\$142.57	\$152.14	\$139.50	\$160.34	\$175.84	\$162.03	\$150.27	\$157.01	\$234.51	\$236.83	\$233.47	\$247.80	\$172.96



Graham-Mebane Lake Graham Recreation and Parks Department

End-of-Year Comparison, 2008 to 2020

LAKE USE:	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	Year-to-date 2020	12 Year Average
	# Days Open	218	227	226	225	226	227	223	227	225	222	223	227	232
# Boats	2891	3023	3062	3532	3202	3459	3338	3739	4392	3543	3143	3232	5246	3,380
# Visitors	9998	9856	9213	10530	10414	11641	10609	12000	13944	13192	11653	13729	19957	11,398
REVENUE:														
User Fees	25,959.00	26,721.00	24,311.50	26,292.00	25,654.50	26,937.00	25,254.50	29,872.50	32,882.00	27,999.00	25,661.50	26,628.50	43,485.00	\$27,014.42
Bait	5,473.50	4,581.25	3,620.00	4,014.50	5,033.25	4,843.75	3,945.00	4,621.00	4,568.50	4,418.25	4,150.75	4,113.75	8,003.25	\$4,448.63
Fishing Supplies	1,181.05	1,099.30	654.80	959.00	1,277.75	1,605.75	1,481.25	1,294.75	1,339.50	1,006.00	1,179.00	1,234.00	2,367.50	\$1,192.68
Total \$	\$32,613.55	\$32,401.55	\$28,586.30	\$31,265.50	\$31,965.50	\$33,386.50	\$30,680.75	\$35,788.25	\$38,790.00	\$33,423.25	\$30,991.25	\$31,976.25	\$53,855.75	\$32,655.72
DAILY AVERAGES:														
Boats	13.3	13.3	13.5	15.7	14.2	15.2	15.0	16.5	19.5	16.0	14.1	14.2	22.6	15.0
Visitors	45.9	43.4	40.8	46.8	46.1	51.3	47.6	52.9	62.0	59.4	52.3	60.5	86.0	50.7
Receipts	\$149.60	\$142.74	\$126.49	\$138.96	\$141.44	\$147.08	\$137.58	\$157.66	\$172.40	\$150.56	\$138.97	\$140.86	\$232.14	\$145.35



2024-2025 Boards and Commissions Appointments Terms Expire June 30, 2024 | Current Vacancies June 11, 2024 | City Council Agenda

Appearance Commission/Tree Board	
Bernadette Konzelmann	Requests Reappointment
Zipporah Clark Baldwin	Requests Reappointment
Vacancies – 2	
Applicant: Ally Villiard	
Graham Historical Museum Board	
John Harrington	Requests Reappointment
Vacancies – 1	
<i>No Applications</i>	
Graham Housing Authority	
Robert Sykes	Requests Reappointment
Applicant: Chris Howe	
Historic Resources Commission	
Karen Chin	Requests Reappointment
Vacancies – 4	
Applicants: Ally Villiard	
Planning Board/Board of Adjustment	
Vacancies - 1	
Applicant: Chris Howe	
Recreation Commission	
Vacancies - 2	
Applicant: Ally Villiard	

Current Board Members:

ABC Board Graham Appointee	Robert Parrish
ABC Board Graham Appointee	Robert F. Sykes, Member
ABC Board Burlington Appointee	Frank Longest, Esq., Member
ABC Board Burlington Appointee	Lisa Kirkpatrick, Board Member
ABC Board Mebane Appointee - Chair	Chip Foushee

Ala. Co. Library Committee (Appointed by Ala. Co. Commissioners)	Bonnie Whitaker
Ala. Co. Library Committee (Appointed by Ala. Co. Commissioners)	Kimberly DiMuro
Appearance Commission/Tree Board	VACANT
Appearance Commission/Tree Board	Noelle Purcell - Resigned 5-21-24
Appearance Commission/Tree Board	Bernadette Konzelmann - yes reappoint
Appearance Commission/Tree Board - Chair	Zipporah Clark Baldwin - yes reappoint
Appearance Commission/Tree Board	Cheryl Ray
Appearance Commission/Tree Board - Staff Liaison	Cameron West - Tim Covington
Appearance Commission/Tree Board - Council Liaison	Council Member Bonnie Whitaker
Graham Historical Museum Advisory Board - Chair	Russell Compton - No for reappointment
Graham Historical Museum Advisory Board	John Harrington - yes, reappointment
Graham Historical Museum Advisory Board	Karen Chin
Graham Historical Museum Advisory Board	Chuck Talley
Graham Historical Museum Advisory Board	Gail Walker
Graham Historical Museum Advisory Board	James Mullen
Graham Historical Museum Advisory Board	Noelle Purcell - Secretary
Graham Historical Museum Advisory Board - Staff Liaison	Brian Faucette
Graham Historical Museum Advisory Board - Council Liaison	Council Member Joey Parsons
Graham Housing Authority	Lisa Kyle Moser
Graham Housing Authority	Thomas Foust
Graham Housing Authority	Larry Brooks
Graham Housing Authority - Chair	Robert Sykes, Chair - yes reappointment
Graham Housing Authority	Suzanne Moser-Retiring Jan 1 2024
Historic Resources Commission	Terry Correira-Resigned 12/1/23
Historic Resources Commission	Jim Young
Historic Resources Commission	Karen Chin - yes for reappointment
Historic Resources Commission - Chair	Zipporah Clark-Baldwin
Historic Resources Commission	Vacant
Historic Resources Commission	Vacant
Historic Resources Commission	Matthew Haley - no reappointment
Historic Resources Commission - Staff Liaison	Cameron West
Historic Resources Commission - Council Liaison	Council Member Joey Parsons
Local Firefighter's Relief Fund - Staff Liaison	Tommy Cole, Fire Chief
Local Firefighter's Relief Fund	Alan Stacey
Local Firefighter's Relief Fund	Billy Braxton
Local Firefighter's Relief Fund	Dennis Bullis
Local Firefighter's Relief Fund	Larry Brooks
Planning Board/Board of Adjustment	Jerome Bias - no reappointment
Planning Board/Board of Adjustment - Chair	Dean Ward
Planning Board/Board of Adjustment	John Wooten (Alternate)
Planning Board/Board of Adjustment	Tony Bailey
Planning Board/Board of Adjustment	James Stockert
Planning Board/Board of Adjustment Extra Territorial	Charles (Chad) Huffine (ETJ)

Planning Board/Board of Adjustment Extra Territorial	Mike Benesch (ETJ Member)
Planning Board/Board of Adjustment - Staff Liaison	Cameron West
Recreation Commission	Nicki Grafos Smith
Recreation Commission	Casey Johnson
Recreation Commission - Chair	Jay Cook, Jr.
Recreation Commission	Brian Cutlip
Recreation Commission	Carmen Larimore
Recreation Commission	Laurie Pickard - No reappointment
Recreation Commission	Dr. Tim Beshel - No reappointment
Recreation Commission - Council Liaison	Council Member Bonnie Whitaker
Recreation Commission - Staff Liaison	Brian Faucette



VOLUNTEER BOARD & COMMISSION APPLICATION

The following application is used by the Graham City Council to identify individuals interested in serving on a City board or commission. To ensure that your application will receive full consideration, please answer all questions completely. For more information and details about each board, please visit cityofgraham.com/boards-commissions

Reappointment

Name: Zipporah W. Clark Baldwin Email Address: queenrosez61@yahoo.com
Home Address: 219 W. Harden Street #211 Mailing Address: same
City, State, Zip: Graham, NC 27253 City, State, Zip: _____
Home Phone: N/A Alternate Phone: 743-244-5288

Please list the board(s) and/or commissions on which you are currently serving:

HRC, Appearance Commission / Tree Board

Please select up to, two (2) boards and/or commissions from the list below for which you would like to be considered and indicate your preference for each selection (1 = first choice and 2 = second choice):

- | | |
|--|---|
| <input type="checkbox"/> Alcohol Beverage Control Board | <input type="checkbox"/> Historical Museum Advisory Board |
| <input checked="" type="checkbox"/> Appearance/Tree Commission | <input checked="" type="checkbox"/> Historic Resources Commission |
| <input type="checkbox"/> Canine Review Board | <input type="checkbox"/> Planning Board/Board of Adjustment |
| <input type="checkbox"/> Graham Housing Authority | <input type="checkbox"/> Recreation Commission |
| <input type="checkbox"/> Library Committee (Alamance County) | <input type="checkbox"/> Economic Development & Marketing Committee |

Note: If you wish to change your selections for desired board(s) and/or commission(s) you will need to file a new application with the City Clerk. Only the most recent application on file will be presented to City Council.

RELEVANT EXPERIENCE

Current employer/retired: Retired

Employer address: N/A City, State, Zip: _____

Job title and description of responsibilities:

Which of the following relevant knowledge, skills, abilities, interest, and/or experiences would you bring to the board(s) or commission(s) to which you are applying (select all that apply):

- | | | |
|--|---|--|
| <input type="checkbox"/> History | <input type="checkbox"/> Legal | <input type="checkbox"/> Critical Thinking |
| <input type="checkbox"/> Architecture | <input type="checkbox"/> Graphic Design | <input type="checkbox"/> Data Analysis |
| <input type="checkbox"/> Research | <input type="checkbox"/> Creativity | <input type="checkbox"/> Active-Listening |
| <input type="checkbox"/> Program Development | <input type="checkbox"/> Marketing/Social Media | <input type="checkbox"/> Effective Communication |
| <input type="checkbox"/> Historical Preservation | <input type="checkbox"/> Economic Development | <input type="checkbox"/> Education & Outreach |
| <input type="checkbox"/> Event Planning | <input type="checkbox"/> Community Organizing | <input type="checkbox"/> Conflict Resolution |
| <input type="checkbox"/> Landscape Design | <input type="checkbox"/> Athletics/Sports | <input type="checkbox"/> Time Management |
| <input type="checkbox"/> Gardener/Arborist | <input type="checkbox"/> Problem Solving | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Adaptability | <input type="checkbox"/> Interpersonal Skills | |

Why do you believe you would be an asset to the board(s) and/or commission(s) to which you are applying?

I have currently served two terms for each Board of interest/Chosen. I am committed to each established Mission Statements which includes promoting, enhancing, and preserving the character of historic districts as well as landmarks, including Courthouse Square Historic District. It is my pledge to continue to encourage citizens of Graham to provide interest to appreciate its aesthetic values.

Have you attended a meeting of the board(s) and/or commission(s) for which you are applying?

Yes No

Have you met with the chairperson or Staff Liaison of the board(s) and/or commission(s) for which you are applying?

Yes No

Additional relevant information:

I have served two terms as Chair and Vice-Chair, and was voted as Chair due to abandonment of previous Chair and members. I pledge to uphold & build:

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CITY OF GRAHAM

Thank you for your interest in the City of Graham's boards and commissions. Submit this application by email to: Renee Ward at rward@cityofgraham.com or in person to: City Clerk's Office | 201 South Main Street | or mail to: City Clerk P.O. Drawer 357, Graham, NC, 27253

VOLUNTEER BOARD & COMMISSION APPLICATION



The following application is used by the Graham City Council to identify individuals interested in serving on a City board or commission. To ensure that your application will receive full consideration, please answer all questions completely. For more information and details about each board, please visit cityofgraham.com/boards-commissions

Name: Karen L. Chin Email Address: Karenc93@gmail.com *Reappointment*
 Home Address: 386 Carolina Circle ← Mailing Address: _____
 City, State, Zip: Graham, NC 27253 City, State, Zip: _____
 Home Phone: 571-235-8071 Alternate Phone: _____

Please list the board(s) and/or commissions on which you are currently serving:

Graham Historical Museum Advisory Board - AND - HRC

Please select up to, two (2) boards and/or commissions from the list below for which you would like to be considered and indicate your preference for each selection (1 = first choice and 2 = second choice):

- | | |
|--|---|
| <input type="checkbox"/> Alcohol Beverage Control Board | <input checked="" type="checkbox"/> <u>1</u> Historical Museum Advisory Board |
| <input type="checkbox"/> Appearance/Tree Commission | <input checked="" type="checkbox"/> <u>2</u> Historic Resources Commission |
| <input type="checkbox"/> Canine Review Board | <input type="checkbox"/> Planning Board/Board of Adjustment |
| <input type="checkbox"/> Graham Housing Authority | <input type="checkbox"/> Recreation Commission |
| <input type="checkbox"/> Library Committee (Alamance County) | <input type="checkbox"/> Economic Development & Marketing Committee |

Note: If you wish to change your selections for desired board(s) and/or commission(s) you will need to file a new application with the City Clerk. Only the most recent application on file will be presented to City Council.

RELEVANT EXPERIENCE

Current employer/retired: _____
 Employer address: _____ City, State, Zip: _____

Job title and description of responsibilities:

prior: Middle School Art Teacher → Army Officer → Substitute teacher → Fed Gov Transportation Specialist → College Administrator → Army Logistics Contractor

Which of the following relevant knowledge, skills, abilities, interest, and/or experiences would you bring to the board(s) or commission(s) to which you are applying (select all that apply):

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> History | <input type="checkbox"/> Legal | <input type="checkbox"/> Critical Thinking |
| <input checked="" type="checkbox"/> Architecture | <input checked="" type="checkbox"/> Graphic Design | <input type="checkbox"/> Data Analysis |
| <input type="checkbox"/> Research | <input checked="" type="checkbox"/> Creativity | <input checked="" type="checkbox"/> Active-Listening |
| <input checked="" type="checkbox"/> Program Development | <input type="checkbox"/> Marketing/Social Media | <input type="checkbox"/> Effective Communication |
| <input checked="" type="checkbox"/> Historical Preservation | <input type="checkbox"/> Economic Development | <input checked="" type="checkbox"/> Education & Outreach |
| <input type="checkbox"/> Event Planning | <input type="checkbox"/> Community Organizing | <input type="checkbox"/> Conflict Resolution |
| <input type="checkbox"/> Landscape Design | <input type="checkbox"/> Athletics/Sports | <input type="checkbox"/> Time Management |
| <input type="checkbox"/> Gardener/Arborist | <input type="checkbox"/> Problem Solving | <input type="checkbox"/> Other: <u>MA in Organizational Development</u> |
| <input checked="" type="checkbox"/> Adaptability | <input checked="" type="checkbox"/> Interpersonal Skills | |

Why do you believe you would be an asset to the board(s) and/or commission(s) to which you are applying?

Background skills, life experience, previous service terms on both requested City Commissions.
And: support for the City of GRAHAM

Have you attended a meeting of the board(s) and/or commission(s) for which you are applying?

Yes No

Have you met with the chairperson or Staff Liaison of the board(s) and/or commission(s) for which you are applying?

Yes No

Additional relevant information:

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VOLUNTEER BOARD & COMMISSION APPLICATION



The following application is used by the Graham City Council to identify individuals interested in serving on a City board or commission. To ensure that your application will receive full consideration, please answer all questions completely. For more information and details about each board, please visit cityofgraham.com/boards-commissions

Name: Chris Howe Email Address: chris.howe1014@gmail.com
Home Address: 3070 Mattie Florence Mailing Address: Same
City, State, Zip: Graham, NC 27253 City, State, Zip: _____
Home Phone: 336-214-4554 Alternate Phone: _____

Please list the board(s) and/or commissions on which you are currently serving:

Arms of Grace Pregnancy Resource Center (Pending)

Please select up to, two (2) boards and/or commissions from the list below for which you would like to be considered and indicate your preference for each selection (1 = first choice and 2 = second choice):

- | | |
|--|--|
| <input type="checkbox"/> Alcohol Beverage Control Board | <input type="checkbox"/> Historical Museum Advisory Board |
| <input type="checkbox"/> Appearance/Tree Commission | <input type="checkbox"/> Historic Resources Commission |
| <input type="checkbox"/> Canine Review Board | <input checked="" type="checkbox"/> Planning Board/Board of Adjustment |
| <input checked="" type="checkbox"/> Graham Housing Authority | <input type="checkbox"/> Recreation Commission |
| <input type="checkbox"/> Library Committee (Alamance County) | <input type="checkbox"/> Economic Development & Marketing Committee |

Note: If you wish to change your selections for desired board(s) and/or commission(s) you will need to file a new application with the City Clerk. Only the most recent application on file will be presented to City Council.

RELEVANT EXPERIENCE

Current employer/retired: First Baptist Church
Employer address: 224 N. Main City, State, Zip: Graham, NC 27253

Job title and description of responsibilities:

Senior Pastor
All aspects of the ministry of the church including outreach and missions to the community.

Which of the following relevant knowledge, skills, abilities, interest, and/or experiences would you bring to the board(s) or commission(s) to which you are applying (select all that apply):

- | | | |
|--|--|---|
| <input type="checkbox"/> History | <input type="checkbox"/> Legal | <input checked="" type="checkbox"/> Critical Thinking |
| <input type="checkbox"/> Architecture | <input type="checkbox"/> Graphic Design | <input type="checkbox"/> Data Analysis |
| <input type="checkbox"/> Research | <input type="checkbox"/> Creativity | <input checked="" type="checkbox"/> Active-Listening |
| <input type="checkbox"/> Program Development | <input type="checkbox"/> Marketing/Social Media | <input checked="" type="checkbox"/> Effective Communication |
| <input type="checkbox"/> Historical Preservation | <input type="checkbox"/> Economic Development | <input checked="" type="checkbox"/> Education & Outreach |
| <input type="checkbox"/> Event Planning | <input checked="" type="checkbox"/> Community Organizing | <input checked="" type="checkbox"/> Conflict Resolution |
| <input type="checkbox"/> Landscape Design | <input type="checkbox"/> Athletics/Sports | <input checked="" type="checkbox"/> Time Management |
| <input type="checkbox"/> Gardener/Arborist | <input checked="" type="checkbox"/> Problem Solving | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> Adaptability | <input checked="" type="checkbox"/> Interpersonal Skills | |

Why do you believe you would be an asset to the board(s) and/or commission(s) to which you are applying?

Served as pastor in the community for several years. I am very interested in how we can work to gether as churches and organizations to improve the quality of life in our community.

Have you attended a meeting of the board(s) and/or commission(s) for which you are applying?

- Yes No

Have you met with the chairperson or Staff Liaison of the board(s) and/or commission(s) for which you are applying?

- Yes No

Additional relevant information:

[Empty box for additional relevant information]

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 Date Received:
 FEB 13 2024
 CITY OF GRAHAM

Thank you for your interest in the City of Graham's boards and commissions. Submit this application by email to: Renee Ward at rward@cityofgraham.com or in person to: City Clerk's Office | 201 South Main Street | or mail to: City Clerk P.O. Drawer 357, Graham, NC, 27253



VOLUNTEER BOARD & COMMISSION APPLICATION

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Reappointment

Name: Bernadette Konzelmann Email Address: BERNADETTEKONZELMANN@
 Home Address: 508 POMEROY ST Mailing Address: _____ GMAIL
 City, State, Zip: GRAHAM City, State, Zip: _____
 Home Phone: 434 336 639 96 24 Alternate Phone: _____

Please list the board(s) and/or commissions on which you are currently serving:

APPEARANCE + TREE

Please select up to, two (2) boards and/or commissions from the list below for which you would like to be considered and indicate your preference for each selection (1 = first choice and 2 = second choice):

- | | |
|--|---|
| <input type="checkbox"/> Alcohol Beverage Control Board | <input type="checkbox"/> Historical Museum Advisory Board |
| <input type="checkbox"/> Appearance/Tree Commission | <input type="checkbox"/> Historic Resources Commission |
| <input type="checkbox"/> Canine Review Board | <input type="checkbox"/> Planning Board/Board of Adjustment |
| <input type="checkbox"/> Graham Housing Authority | <input type="checkbox"/> Recreation Commission |
| <input type="checkbox"/> Library Committee (Alamance County) | <input type="checkbox"/> Economic Development & Marketing Committee |

Note: If you wish to change your selections for desired board(s) and/or commission(s) you will need to file a new application with the City Clerk. Only the most recent application on file will be presented to City Council.

RELEVANT EXPERIENCE

Current employer/retired: HOME DEPOT
 Employer address: BURLINGTON City, State, Zip: _____

Job title and description of responsibilities:

SUPERVISOR - 2 DEPARTMENTS

Which of the following relevant knowledge, skills, abilities, interest, and/or experiences would you bring to the board(s) or commission(s) to which you are applying (select all that apply):

- | | | |
|--|---|---|
| <input type="checkbox"/> History | <input type="checkbox"/> Legal | <input checked="" type="checkbox"/> Critical Thinking |
| <input type="checkbox"/> Architecture | <input type="checkbox"/> Graphic Design | <input type="checkbox"/> Data Analysis |
| <input type="checkbox"/> Research | <input type="checkbox"/> Creativity | <input checked="" type="checkbox"/> Active-Listening |
| <input type="checkbox"/> Program Development | <input type="checkbox"/> Marketing/Social Media | <input checked="" type="checkbox"/> Effective Communication |
| <input type="checkbox"/> Historical Preservation | <input type="checkbox"/> Economic Development | <input type="checkbox"/> Education & Outreach |
| <input type="checkbox"/> Event Planning | <input type="checkbox"/> Community Organizing | <input type="checkbox"/> Conflict Resolution |
| <input type="checkbox"/> Landscape Design | <input type="checkbox"/> Athletics/Sports | <input checked="" type="checkbox"/> Time Management |
| <input type="checkbox"/> Gardener/Arborist | <input checked="" type="checkbox"/> Problem Solving | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Adaptability | <input type="checkbox"/> Interpersonal Skills | |

Why do you believe you would be an asset to the board(s) and/or commission(s) to which you are applying?

HAVE BEEN ON BOARD FOR 2 YRS.
LOOK FORWARD TO SEE IT GROW

Have you attended a meeting of the board(s) and/or commission(s) for which you are applying?

- Yes No

Have you met with the chairperson or Staff Liaison of the board(s) and/or commission(s) for which you are applying?

- Yes No

Additional relevant information:

[Empty box for additional information]

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CITY OF GRAHAM

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VOLUNTEER BOARD & COMMISSION APPLICATION



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Reappointment

Name: *Robert Sykes* Email Address: _____

Home Address: *1516 Stone Gate* Mailing Address: _____

City, State, Zip: *GRAHAM* City, State, Zip: *GRAHAM*

Home Phone: *336 228 6128* Alternate Phone: *336 263 1130*

Please list the board(s) and/or commissions on which you are currently serving:

GRAHAM HOUSING 20 plus years ABC Board 20 plus years

Please select up to, two (2) boards and/or commissions from the list below for which you would like to be considered and indicate your preference for each selection (1 = first choice and 2 = second choice):

- | | |
|--|---|
| <input checked="" type="checkbox"/> Alcohol Beverage Control Board
<i>20 plus years</i> | <input type="checkbox"/> Historical Museum Advisory Board |
| <input type="checkbox"/> Appearance/Tree Commission | <input type="checkbox"/> Historic Resources Commission |
| <input type="checkbox"/> Canine Review Board | <input type="checkbox"/> Planning Board/Board of Adjustment |
| <input checked="" type="checkbox"/> Graham Housing Authority
<i>20 plus years</i> | <input type="checkbox"/> Recreation Commission |
| <input type="checkbox"/> Library Committee (Alamance County) | <input type="checkbox"/> Economic Development & Marketing Committee |

Re-appointment

Note: If you wish to change your selections for desired board(s) and/or commission(s) you will need to file a new application with the City Clerk. Only the most recent application on file will be presented to City Council.

RELEVANT EXPERIENCE

Current employer/retired: *Retired*

Employer address: _____ City, State, Zip: _____

Job title and description of responsibilities:

Which of the following relevant knowledge, skills, abilities, interest, and/or experiences would you bring to the board(s) or commission(s) to which you are applying (select all that apply):

- | | | |
|--|---|--|
| <input type="checkbox"/> History | <input type="checkbox"/> Legal | <input type="checkbox"/> Critical Thinking |
| <input type="checkbox"/> Architecture | <input type="checkbox"/> Graphic Design | <input type="checkbox"/> Data Analysis |
| <input type="checkbox"/> Research | <input type="checkbox"/> Creativity | <input type="checkbox"/> Active-Listening |
| <input type="checkbox"/> Program Development | <input type="checkbox"/> Marketing/Social Media | <input type="checkbox"/> Effective Communication |
| <input type="checkbox"/> Historical Preservation | <input type="checkbox"/> Economic Development | <input type="checkbox"/> Education & Outreach |
| <input type="checkbox"/> Event Planning | <input type="checkbox"/> Community Organizing | <input type="checkbox"/> Conflict Resolution |
| <input type="checkbox"/> Landscape Design | <input type="checkbox"/> Athletics/Sports | <input type="checkbox"/> Time Management |
| <input type="checkbox"/> Gardener/Arborist | <input type="checkbox"/> Problem Solving | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Adaptability | <input type="checkbox"/> Interpersonal Skills | |

Why do you believe you would be an asset to the board(s) and/or commission(s) to which you are applying?

Have you attended a meeting of the board(s) and/or commission(s) for which you are applying?

Yes No

Have you met with the chairperson or Staff Liaison of the board(s) and/or commission(s) for which you are applying?

Yes No

Additional relevant information:

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Date Received:

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May 04, 2024

CITY OF GRAHAM

VOLUNTEER BOARD & COMMISSION APPLICATION



The following application is used by the Graham City Council to identify individuals interested in serving on a City board or commission. To ensure that your application will receive full consideration, please answer all questions completely. For more information and details about each board, please visit cityofgraham.com/boards-commissions

Name: Ally Villiard Email Address: allyvilliard@gmail.com
Home Address: 321 Albright Ave Mailing Address: _____
City, State, Zip: Graham, NC City, State, Zip: _____
Home Phone: 715-415-5504 Alternate Phone: _____

Please list the board(s) and/or commissions on which you are currently serving:

Please select up to, two (2) boards and/or commissions from the list below for which you would like to be considered and indicate your preference for each selection (1 = first choice and 2 = second choice):

- | | |
|---|---|
| <input type="checkbox"/> Alcohol Beverage Control Board | <input type="checkbox"/> Historical Museum Advisory Board |
| <input checked="" type="checkbox"/> Appearance/Tree Commission | <input checked="" type="checkbox"/> Historic Resources Commission |
| <input checked="" type="checkbox"/> Canine Review Board | <input type="checkbox"/> Planning Board/Board of Adjustment |
| <input type="checkbox"/> Graham Housing Authority | <input checked="" type="checkbox"/> Recreation Commission |
| <input checked="" type="checkbox"/> Library Committee (Alamance County) | <input type="checkbox"/> Economic Development & Marketing Committee |

Note: If you wish to change your selections for desired board(s) and/or commission(s) you will need to file a new application with the City Clerk. Only the most recent application on file will be presented to City Council.

RELEVANT EXPERIENCE

Current employer/retired: UNC Health
Employer address: 101 Manning Drive City, State, Zip: Chapel Hill, NC 27514

Job title and description of responsibilities:

Registered Nurse: I work behind the scenes for a Pediatric GI Team. I help with medication refills, coordination of procedures, answer patient questions, relay results to families, and assist with other patient needs that arise.

Which of the following relevant knowledge, skills, abilities, interest, and/or experiences would you bring to the board(s) or commission(s) to which you are applying (select all that apply):

- | | | |
|--|--|---|
| <input type="checkbox"/> History | <input type="checkbox"/> Legal | <input type="checkbox"/> Critical Thinking |
| <input type="checkbox"/> Architecture | <input type="checkbox"/> Graphic Design | <input type="checkbox"/> Data Analysis |
| <input type="checkbox"/> Research | <input type="checkbox"/> Creativity | <input checked="" type="checkbox"/> Active-Listening |
| <input type="checkbox"/> Program Development | <input type="checkbox"/> Marketing/Social Media | <input checked="" type="checkbox"/> Effective Communication |
| <input type="checkbox"/> Historical Preservation | <input type="checkbox"/> Economic Development | <input type="checkbox"/> Education & Outreach |
| <input type="checkbox"/> Event Planning | <input type="checkbox"/> Community Organizing | <input checked="" type="checkbox"/> Conflict Resolution |
| <input type="checkbox"/> Landscape Design | <input type="checkbox"/> Athletics/Sports | <input checked="" type="checkbox"/> Time Management |
| <input type="checkbox"/> Gardener/Arborist | <input checked="" type="checkbox"/> Problem Solving | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> Adaptability | <input checked="" type="checkbox"/> Interpersonal Skills | |

Why do you believe you would be an asset to the board(s) and/or commission(s) to which you are applying?

I have great interpersonal skills, excel at effective communication and active listening, and have great time management skills. I am newer to the area so I would bring a fresh set of eyes to the committee. I also work from home, 7-5, so work would not get in the way of the meetings. I love this community and have been looking for a way to give back, which this would allow me to do.

Have you attended a meeting of the board(s) and/or commission(s) for which you are applying?

- Yes No

Have you met with the chairperson or Staff Liaison of the board(s) and/or commission(s) for which you are applying?

- Yes No

Additional relevant information:

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Date Received:
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