

**TROY BOARD OF COMMISSIONERS
COMBINED REGULAR & MID-MONTH MEETING
MONDAY, JANUARY 12, 2015, 5:00 PM
RECESSED MEETING, FRIDAY, JANUARY 16, 2015, 2:00 PM**

The Town of Troy Board of Commissioners met in the Board Room of the Troy Town Hall with Mayor Roy Maness presiding.

BOARD MEMBERS PRESENT: Mayor Protem James Hurley, Commissioners Angela A. Elkins, Bruce Hamilton, Wallace Jones, Damon Prince and Mayor Maness.

BOARD MEMBERS ABSENT: None

TOWN STAFF PRESENT: Manager Greg Zephir, Clerk/Finance Officer Cathy Maness, Police Chief Kenny Allen

MEDIA PRESENT: Tammy Dunn with the Montgomery Herald

OTHERS PRESENT: Max Garner, Attorney for Winfred Lemonds, Steve Hackett, CPA with Maxton McDowell, CPA.

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE: Mayor Maness called the meeting to order and Comm. Hamilton gave the invocation. Mayor Maness led the Pledge of Allegiance to the flag.

WELCOME AND SPECIAL RECOGNITIONS: Mayor Maness welcomed everyone to the meeting.

PUBLIC FORUM: No one was present.

MINUTES of the December meetings were approved as written on motion by Mayor Protem Hurley and second by Comm. Elkins. All voted approval.

DECISION REGARDING ROAD CLOSURE: Mayor Roy Maness made the following statement on the town's position as it pertains to the request for the closure of Grace Avenue. Mayor Maness stated he had made an executive decision not to close the street – Grace Avenue due to denying access to property and that he is asking if Attorney Garner can talk with his client about getting together for a meeting with neighbors of Grace Avenue to see if some of the issues can be resolved. Mayor Maness stated that what is going on in that neighborhood is unacceptable. Atty. Garner stated they will be happy to work with the Town on this.

PRESENTATION OF FY 13/14 AUDIT: Mayor Maness stated we have Steve Hackett, of Maxton McDowell, CPA in attendance to present the fiscal year 13/14 audit. Mr. Hackett stated the Town's audit for FY 2013/2014 is unmodified – clean audit. There was an increase in tax collection overall and in vehicle tax in particular due to the state collection of those taxes. Total assets increased by 2% while total liabilities decreased by 12%. Total fund balance increased by 5% (\$90,000+) with a total of 25% unassigned fund balance which exceeds the state requirement of 8%. In the Water & Sewer Fund, total assets increases .8%, revenues increased 5.4% and expenses increased 9%. No one had any questions and the Board thanked Mr. Hackett for the report.

CERTIFICATION OF FIRE FIGHTERS: Mayor Maness stated we have the annual firemen certification. Mgr. Zephir stated the town is required to certify these names. Staff is putting before you these individuals and request the board approve the list as official for the 2015 year. On motion by Comm. Jones and second by Comm. Elkins, the Board unanimously approved the annual firemen certification.

Jeff Atkins, Riley Beaman, Michael Byrd, David Cregar, Efen Gonzalez, Bryant Hampton, Andrew Harris, Joe W. Huntley, III, Joseph Wallace Huntley, IV, Joe W. Huntley, Jr., David Aaron Hurley, Austin T. Ingold, James Lewis Ingold, Christopher R. Jones, Jeffrey Lynn Lassiter, James T. Leake, Jr., Jim F. McIntyre, III, James C. Parsons, Jr., Gregory C. Parsons, Benny D. Pigford, Victor Manuel Sanchez-Rodriguez, Brandon Saunders, Chris M. Teague, Steven E. Tedder, Anthony B. Thompson, Michael L. Thompson, Jeffrey Cemon Webb

MEDIAN IMPROVEMENTS: Mayor Maness stated we have median improvements. Mgr. Zephir asked for approval to remove this item from the agenda due to need to finalize the sidewalk project. The Board agreed to remove the median improvements at the intersection of Okeewemee Road and NC Hwy 134 from the agenda.

COUNTY EASEMENT REQUEST: Mgr. Zephir stated the County is requesting an easement to construct a one way street from South Main Street through the parking lot of the Health Department (which they own) across the drainage ditch along the back edge of the Southside Cemetery on Pearl Street (owned by the Town). Mgr. Zephir stated the easement will be contingent on checking for deeds there, etc. Comm. Jones made the motion, seconded by Comm. Elkins to approve the easement to the County contingent on all deeds and property be clear and that no issues should arise with the cemetery. All voted approval.

REQUEST FOR PUBLIC HEARING REGARDING CDBG: Mayor Maness stated we have the request for a public hearing to consider. Mgr. Zephir presented the quarterly report regarding the town's CDBG

Catalyst Grant, numbered 08-D-2478. The town is proceeding with its program, having completed two of the renovation, and in the construction phase on two of the homes. Currently a request for bids as pertains to the third home renovation is underway. There is a need to hold a public hearing as it pertains to the property of Frank Brady, who was listed as the first, approved applicant. Staff and the Wooten Company is working to construct a new home, however, due to the environmental report the project is not allowed to reconstruct on the existing lot as it is too close to the railroad. Since there will be need to do a "land swap" there will need to be an amendment done on the project, hence the need for the hearing. Staff is requesting the hearing to be scheduled for February 2nd. On motion by Comm. Elkins and second by Mayor Protem Hurley, the Board set February 2, 2015 as the public hearing for comments on the proposed change to the CDBG Catalyst Housing Grant. All voted approval.

MANAGER UPDATES:

- A project that was previously approved by the board, the SCADA project, is currently underway with equipment and software being installed. It is hoped that this project will be completed by the end of January.
- The town's attorney involved in the NC DOT issue has received word from the presiding judge that he encourages the two sides to meet and come up with a resolution to the issue as it pertains to the bypass. NC DOT officials and the Attorney General's office were meeting on Friday, January 9, to discuss the issue and has informed the town they will let us know the first of the upcoming week, week of January 12th, about a scheduled meeting. If a resolution cannot be obtained then the judge will deliver his verdict by Friday January 16th.
- Staff has submitted to the Department of Commerce a grant request as it relates to the town's economic endeavors. If approved this funding will provide the town funding for which to assist the town in its economic development activities. The town's application was for \$25,000 and the town should hear something by the end of January.
- Enclosed in your packets you will see design mock ups of the signage that had been requested by the board as well as signage that had to be replaced due to vandalism and other accidents. Staff realizes that this has been some time in getting the signs made, however these signs should be in place no later than January 25th, if not before. We have also added "Home of Lowe Warner" signs to be installed.
- On December 25th the town hosted its Friends of Troy Annual Christmas dinner. As always the town was fortunate to have so many partners assisting with this event as well as volunteers. This assistance insures that the event is very successful and for that the town is grateful. Staff has already begun preparing for the upcoming events in 2015 as these dates will surely be here before we know it.
- **Dates to Remember:** January 19, 2015 – Town Offices closed in observance of Dr. Martin Luther King Jr Day

Mayor Maness updated the Board on the upcoming meeting, Friday, January 16, 2015 with Senator Bingham, Representative Burr and the NC Dept. of Transportation. The NCDPT Chief Engineer will be here as well as attorneys, theirs and ours. Comm. Hamilton asked what the judge's position is right now. Mayor Maness stated his position if for both sides to meet. If we can't make a decision, then he will. Comm. Jones stated it is a positive that we are meeting to discuss this. Mayor Maness stated he thinks it is pretty important. He also received a call from Representative Burr and he thinks things will work out.

RCATS RELOCATION: Mgr. Zephir stated Roger King w/RCATS has to move out of old Town Hall and we are discussing the possibility of moving them to the Senior Center into the old conference room. They will look at the possibility.

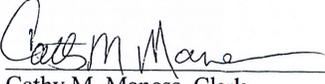
BUSINESS MEETING: The Board reviewed the gasoline report, budget report, cash and investment report and the water use report.

The meeting was recessed at 5:31 PM until 2:00 PM Friday, January 16, 2015.



Roy Maness, Mayor

Respectively submitted,



Cathy M. Maness, Clerk

**TROY BOARD OF COMMISSIONERS
RECESSED MEETING, FRIDAY, JANUARY 16, 2015, 2:00 PM**

The Town of Troy Board of Commissioners met in the Board Room of the Troy Town Hall with Mayor Roy Maness presiding.

BOARD MEMBERS PRESENT: Mayor Protem James Hurley, Commissioners Bruce Hamilton, Wallace Jones, Damon Prince and Mayor Maness.

BOARD MEMBERS ABSENT: Commissioner Elkins

TOWN ECONOMIC DEVELOPMENT BOARD: Deke Abbot, Chairman, Winn Dozier, Billy Maness, Kayren Brantley

TOWN STAFF PRESENT: Manager Greg Zephir, Clerk/Finance Officer Cathy Maness, Fire Chief Joe Huntley, Jr., Special Town Attorney Robert Hornik

MEDIA PRESENT: Tammy Dunn with the Montgomery Herald

OTHERS PRESENT: NC Senator Stan Bingham, NC Representative Justin Burr, Michael L. Holder, PE Chief Engineer for the NCDOT, Division of Highways, Kevin Lacey, State Traffic Engineer, Rob Stone, Division 8 Engineer, Scott Slusser, attorney with the Attorney General's Office, Montgomery County Commission Chairman Jim Matheny and Montgomery County Manager Matthew Woodard

CALL TO ORDER: Mayor Maness reconvened the meeting from January 12th, 2015.

WELCOME AND SPECIAL RECOGNITIONS: Mayor Maness welcomed everyone to the meeting and recognized Senator Stan Bingham and Representative Justin Burr.

Mayor Maness stated we are meeting to determine the solutions necessary to minimize the damage to Troy as a result of the by-pass project. He asked Senator Bingham to speak to the group. Senator Bingham stated several people had come to him with concerns about the by-pass. The first meeting was held at the courthouse where the DOT was made aware of these concerns. Senator Bingham stated he arranged this meeting to try to work out the issues for everyone involved. Mayor Maness stated we want to try to minimize the damage to Troy due to the by-pass. Mayor Maness asked Representative Burr to speak. Representative Burr stated he was hopeful that we can find some resolution with this meeting.

Mayor Maness stated we need some relief with the by-pass. The County and Town adopted a resolution requesting three items to be addressed. Montgomery County Commission Chairman Matheny agreed that the County adopted this resolution. Mayor Maness stated the resolution requests direct access to the by-pass with no fence to restrict development, and two stoplights/traditional intersections, one at Troy-Candor Road and one at Dogwood Lane. The stoplights will give direct access to Troy. Mayor Maness added that in addition to this the Town Board also has concerns about the Business Center access to the by-pass. Delivery trucks will have problems making u-turns there. The last issue is safety vehicles and log trucks on Pekin Road. This is a logging town and there will be issues with log trucks turning.

Mr. Holder, Chief Engineer with NCDOT Division of Highways, along with Mr. Lacey and Mr. Stone began by explaining some of what the superstreet concept is. He then explained that each parcel of land already has an option for driveway access. This by-pass is partially restricted. Any driveway permit is approved by NCDOT Division 8. The fence delineates access. They do not feel the intersections warrant stoplights and gave the following possibilities. 1. At Dogwood Lane, they can provide full movement with the exception of going directly across. They would look at this site in the future to see if it warrants a signal. They would install a right turn lane but there would be no access directly across. 2. Troy Candor Road access, they could build a 4-way loop with ramps. As for safety issues, the emergency vehicles can drive across the medians which are only 2" in height. They also have a left turn off of the by-pass that will work for the log trucks on the Page Street exit.

The Board requested the NCDOT to send plans for the two proposed intersections to review. They also asked for the NCDOT to assure us that growth will not be hampered along this by-pass. Mayor Maness stated we will send a letter to NCDOT addressing our discussion here today. He told Mr. Holder that we need DOT's help and we want to work together.

(Everyone left except the Town Board and staff at 3:30 PM) Mayor Protem Hurley left at 3:30 PM

Mayor Maness stated we have not heard from the judge on the injunction. Mr. Bob Hornick stated if he rules against us, we can still go ahead with the lawsuit.

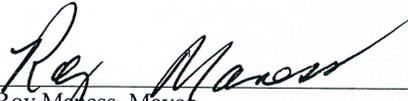
Mayor Maness stated we can write them a letter summing up what our request is. Comm. Jones suggested waiting to get the response from Judge Long before we go further. Mr. Hornick suggested

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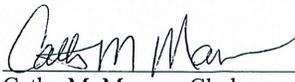
writing a summary of the meeting to the state to keep the momentum going. We send it when we hear from the judge. Mr. Hornick stated he feels we will get something. Comm. Prince stated we should get the letter out summarizing what we are doing. Mr. Hornick stated we control the agenda. Comm. Hamilton asked if we can push for signs. Mayor Maness stated we can ask. Mgr. Zephir stated he feels they will remove the fences. Comm. Prince stated they can either put in a 4-way or safe way for citizens to go east and west, not just through traffic. Mayor Maness stated we will get the letter ready for when we get the answer from the judge.

The meeting adjourned at 3:45 PM on motion by Comm. Hamilton and second by Comm. Prince. All voted approval.

Respectively submitted,



Roy Maness, Mayor



Cathy M. Maness, Clerk