

**TROY BOARD OF COMMISSIONERS
REGULAR MONTHLY MEETING
MONDAY, JANUARY 7, 2019, 5:00 PM**

The Town of Troy Board of Commissioners met in the Board Room of the Troy Town Hall with Mayor Sherri Harris Allgood presiding.

BOARD MEMBERS PRESENT: Mayor Allgood, Mayor Pro Tem Bruce Hamilton, Commissioners Kayren Brantley, Angela Elkins, Wallace Jones and Damon Prince.

BOARD MEMBERS ABSENT: No one was absent.

TOWN STAFF PRESENT: Manager Greg Zephir, Clerk/Finance Officer Cathy Maness, Police Chief Kenny Allen and Town Attorney Russ Hollers.

MEDIA PRESENT: Tammy Dunn with the Montgomery Herald

OTHERS PRESENT: Ellen & Teddy Sedberry, Sally Morris, Sandra Phillips, David Allgood, Mario Marshall, Grace & Terry Crews, Rhonda & Richard Bristow, Sharon Harkins, Ray & Dana Dawson, Craig Jones, Pixie & Bill Skipper, Adam Skipper, Yulanda Simmons, Harold Sasser, Wayne Adams, James Spivey, Ruth & Steve Hair, Gloria Woodyear, Mark Scott, Kim Shepheard, Cindy Taylor, Becky Wallace, Matthew Delafield with Golden Road and Dorothy Solar, Mr. Erich Miarka with Pine Gate Renewables

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

WELCOME AND SPECIAL RECOGNITIONS: Mayor Allgood welcomed everyone to the meeting. Mayor Allgood presented a "Proclamation for National Day of Racial Healing" to be held on January 22, 2019.

**Mayoral Proclamation
"A National Day of Racial Healing"**

WHEREAS, we have all witnessed racial divisiveness rising in America's urban, rural, suburban, and tribal communities today that threatens the very core of this great country's unified front; and

WHEREAS, just like those who came before us, it is our duty to protect the children of this country and maintain communities in which they may all be given the opportunity to succeed; and

WHEREAS, we understand and recognize that there is a racial divide in our country and we must all work earnestly to heal the wounds created by racial, ethnic and religious bias and build an equitable and just society so that all children can thrive; and

WHEREAS, children have the right to be provided every opportunity to learn, grow, and thrive in nurturing environments that don't violate their safety, dignity, and humanity; and

WHEREAS, every single person has the capability to make a simple change within him or herself that can have a profound effect on an entire society; and

WHEREAS, if we all dedicate ourselves to the principles of truth, racial healing and transformation, we can all bring about the necessary changes in thinking and behavior that will propel this great country forward as a unified force where racial biases will become a thing of the past; and

WHEREAS, racial healing is a vital and crucial commitment to the education, social, mental and over all well-being of all our children; and

WHEREAS, the Town of Troy, NC in conjunction with others throughout the United States of America, acknowledges January 22, 2019 as the "National Day of Racial Healing," and urges all citizens to promote racial healing and transformation in the ways that are best suited for them individually, as a means to working together to ensure the best quality of life for every child.

NOW, THEREFORE, I, Mayor Sherri Allgood, Troy, NC do hereby proclaim that this city honors and recognizes January 22, 2019 as the "National Day of Racial Healing."

MINUTES of December meeting were approved as written on motion by Mayor Pro Tem Hamilton and second by Comm. Elkins. All voted approval.

PUBLIC FORUM: Becky Wallace appeared before the Board to 1. Complain about the recycling place being an eyesore and 2. Make a complaint about people parking on both sides of the road on Johnson Road. The parking has been a problem for a long time. Mayor Allgood thanked Mrs. Wallace for her comments.

PUBLIC HEARING REGARDING REQUEST FOR CONDITIONAL USE: Mayor Allgood stated this is a combined public hearing to receive public comment regarding conditional use permit request amendments from Golden

Road Solar, LLC (on behalf of the property owners of Parcel number 7538 18 42 0368) and Dorothy Solar, LLC (on behalf of the property owners of Parcel number 7538 15 52 1506). Mayor Allgood gave the history of the original request on the two solar requests. On January 8, 2018 the Troy Town board heard the petitioning request from Golden Road Solar, LLC and Dorothy Solar, LLC as it pertained to conditional use permits, which were needed to allow for construction of the solar farms. The properties are located on undeveloped residential lots located off South Main Street and Roslyn Road. The properties are currently zoned as Residential 8 (R8) and a "solar farm" is a conditional use in this zoning district. This request had gone before the Town of Troy's Planning and Zoning board, of which that board held a public hearing of its own. The Town of Troy's planning and zoning board has recommended approval of the conditional use permits, subject to the conditions recommended by staff. The Town of Troy board of commissioners, on January 8th, 2018, held a public hearing, and following that hearing granted the conditional use permit, subject to the following conditions: 1. 100-foot setbacks from property lines and wetlands; 2. A 50-foot vegetation buffer; 3. An 8-foot fence with a 50-foot space between the fence and the solar collectors; 4. Vegetation buffers around the entire project areas with 12-foot trees (with minimum trunk diameter of 2 inches) spaced 25 feet apart and vegetation planted between those trees; 5. The company must produce a bond, which will cover the cost of the decommissioning of the solar plant. The board, upon approval of the conditions and the conditional use directed staff to not issue the permit until proof of the bond was given to the town along with a copy of sealed engineering plans delineating the conditions as set forth by the board. Since the time of that meeting and the issuance of the conditional use permit the developers of the project have determine that the reduction in available land, due to the conditions, is financially undoable. Representatives of the developers have continued to meet with town staff, and on August 15th met again with the planning and zoning board requesting consideration to recommend to the town's board to amend the conditions in order to move the project along. The planning and zoning board, after that meeting voted to send this request to the town board. It needs to be noted that the planning and zoning board did not forward along any recommendations as to setbacks, only for the board to reconsider the setback conditions. This public hearing is to hear from the developers their requests for amending the setback conditions as well as to hear from any citizen who wishes to support or oppose the altering of the already approved setback requirements.

Mr. Matthew Delafield, representative for Golden Road, LLC and Dorothy Solar, LLC appeared before the Board and stated the original setbacks in the approval of the conditional use permits made the site unusable. The solar farms are required to sent a certain amount of power to Duke Energy Progress and the required setbacks would not allow that amount of power on a regular basis. Mr. Eric Miarka with Pine Gate Renewables stated the original plans were set on the original solar ordinance. The Planning and Zoning Board set additional conditions and changed the usable space for the proposed solar farms. The usable site for Dorothy Solar went from the original plan of 8.3 Acres to 3.9 Acres. Golden Road Solar went from 11.0 Acres usable to 5.8 Acres usable space. The new proposal for both sites will bring the usable space up to 7.1 Acre for Dorothy Solar and to 10.1 Acres for Golden Road Solar. The new proposal allows for the following setbacks: 25' setback on all property lines; 50' setback on the northern boundary line (that backs up to housing); no array 200'-250' along Roslyn Road; 25' undisturbed vegetative buffer around all wetlands. Mr. Miarka stated they want to be a good neighbor and an asset to the community. Comm. Jones asked if the Planning and Zoning Board recommended the changes to the conditional use permits. Mr. Lee Proctor, a member of the Planning and Zoning Board stated they only recommended that the Board hear the proposed changes. They did not make a recommendation on the changes themselves. Mr. Richard Bristow stated that at the last meeting, we were told that you would not be able to see the solar panels from Roslyn Road. Has that changed? Mr. Marika stated you would only see the panels from the access road. We could possibly put a curve in the access road to take out the site line. Mr. Delafield stated we will try to do everything to make the solar farm unseen from Roslyn Road. Hearing no further comments, the public hearing was closed. Comm. Prince stated we originally set these conditions as guidelines, not just for this project. He stated that once we set conditions, we should stay with them unless there are valid reasons to change. Mgr. Zephir stated the Board can amend the conditions set on the conditional use permit for the Golden Solar, LLC and the Dorothy Solar, LLC projects, both of which were granted conditional use permits on January 8, 2018. Both of these projects have been approved, and if the developers wished, they could develop the solar farms, subject to the conditions placed on the projects by the town board on January 8th, 2018. The board of commissioners have several options, including approving the amendments to the conditions as requested by the developers, modify any of the conditions as they deem necessary, keep the already approved setbacks in place, or table the request until another meeting after further study. Mgr. Zephir stated the solar farm ordinance we had was for non-residential areas. These residents already have homes here. Since the state has no issues with wetland boundaries, staff feels we could use 25' around the wetlands. Increasing the boundary to 50' behind the houses on the northern boundary seems to be ok. Mgr. Zephir stated the most southern tip appears close to the property line there and staff feels the panels should not be closer there than other areas. Mr. Miarka stated they probably would not use that small point due to size. He did not see a problem removing the point. Comm. Jones stated he feels we should table this request until we get the final request showing all changes including changes in the access road. Mayor Pro Tem Hamilton seconded the motion and all voted approval.

REQUEST FOR EXTENSION WITH WILLIAM R. HUNEYCUTT, CPA, PLLC: Mayor Allgood stated that staff is requesting the board's approval of a request for an extension with William R. Huneycutt, CPA, PLLC regarding the town's audit. The audit has been completed for the state, however, this extension pertains to the additional time needed to complete the CAFR report, which is a higher level of auditing than what the

state requires. The request is for the contract to be extended until January 31, 2019. On motion by Mayor Pro Tem Hamilton and second by Comm. Elkins, the board unanimously approved the audit contract extension with William R. Huneycutt, CPA, PLLC until January 31, 2019.

REQUEST TO APPROVE FIRE DEPARTMENT'S ANNUAL ROSTER: Mayor Allgood stated each year the town board must certify an annual roster and then submit to the North Carolina's State Firefighters Association. Staff is recommending approval of the roster of firemen as follows: Jeff Atkins; Riley Beaman; David Benitez Budillo; Michael S. Byrd; David R. Cregar; Roger Lee Freeman; Bryant C. Hampton; Andrew Harris; Matthew Lee Helms; Joe W. Huntley, III; Joseph Wallace Huntley, IV; Joe W. Huntley, Jr.; Megan Elizabeth Huntley; James Lewis Ingold; Jeffrey Lee Johnson, Jr.; Jeffrey Lynn Lassiter; James T. Leake, Jr.; James C. Parsons, Jr.; Gregory C. Parsons; Victor Manuel Sanchez-Rodriguez; Steven E. Tedder; Michael L. Thompson; Noah Alexander; Jeffrey Cemon Webb. Motion was made by Comm. Prince with second by Mayor Pro Tem Hamilton to approve the firemen as listed. All voted approval.

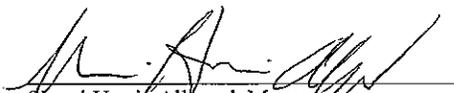
MANAGER'S REPORT:

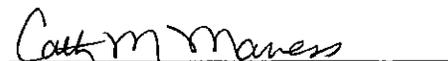
- The town is nearing completion of the water and sewer replacement project, as it relates to the town's CDBG grant, 15-I-2767. The project is nearly 75% complete, and is expected (weather permitting) that this project could be completed by the end of February. The town has already gone through its monitoring visits and as expected there were no deficiencies reported with regards to the construction or reporting of this project.
- The town has a second water and sewer replacement project that is nearing the bid portion of the project. This is in regards to the town's CDBG grant, 16-I-2929. The project will replace water and sewer lines in the Barnhill Street, Williams Street, and South Russell Street areas. It is anticipated that bidding for this project will commence at the end of January or beginning of February. It is conceivable, again weather permitting, that this project could be completed by the end of the calendar year.
- During Hurricane Florence the town received damage, just like other parts of the county. The town has been notified that it did receive an emergency loan from the Division of Water Quality to repair the damage at the town's water treatment plant. This emergency loan is for \$584,000. Due to the damage sustained in the county, Montgomery County has been declared a disaster area, which means FEMA funding is available. Town staff has been meeting with FEMA since December assessing damage and beginning the process to request the approved federal funding. Due to the disaster declaration the FEMA funding will allow for payback of that emergency loan that the town received. It is a very cumbersome and timely process to receive FEMA funds, however, this is great news for the town that it will be allowed to utilize these funds to payback this emergency loan.
- Staff is happy to announce that the grant application that the town submitted late last fall for Industrial Development Funds, has been approved. This grant relates to the expansion project that the town has been working with Wright Foods on since summer of 2018. The funding will allow for the upsizing of sewer collection lines and the upsizing of pump stations, which will allow for Wright Foods to expand their operations. The total project cost of this project is \$1.375 million. The town was awarded \$1.05 million in grant dollars. The town for its part will put in \$280,000 and Wright Foods has committed to hiring 40 new fulltime jobs. This project will not only allow for Wright Foods to expand, but will also allow for the town to open up the west side of town to development, know that the infrastructure will be sized to handle additional flows.
- **DATES TO REMEMBER:** January 21, 2019 – Town offices will be closed in observance of Dr. Martin Luther King, Jr Day

Comm. Elkins asked if the Board could address Mrs. Becky Wallace's concerns. Mgr. Zephir stated we are currently working to find the best possible solution to the parking concerns at the intersection of Johnson Road and North Main Streets. Hopefully we will have a proposal for the next meeting.

Meeting adjourned at 5:45 PM on motion by Comm. Jones with second by Comm. Brantley. All voted approval.

Respectively submitted,


Sherri Harris Allgood, Mayor


Cathy M. Maness, Clerk