

**TROY BOARD OF COMMISSIONERS
REGULAR MONTHLY MEETING
MONDAY, JANUARY 6, 2020, 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 and Lieutenant Robbie Penny.

MEDIA PRESENT: Tammy Dunn with the Montgomery Herald

OTHERS PRESENT: Ernest Webb with Rural Tobacco, Scott Dunn (candidate for Superior Court Judge), Terry Crews and son, David Allgood, Louise Bennett, Lee Proctor, Craig Jones, Cindy Flowers, Darren Shopbell, Glenn Shelton and Mr. & Mrs. Brian Helms. Also present, along with family members was a 2nd grade group of Troy Elementary School students that were present to lead the Pledge of Allegiance.

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 recognized the 2nd grade group from Troy Elementary School that were present to assist with leading the Pledge of Allegiance to the flag.

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

MINUTES of the December meeting were approved as amended on motion by Comm. Brantley and second by Comm. Elkins. All voted approval.

PUBLIC FORUM: Mayor Allgood opened the public forum for comments. Mr. Scott Dunn, candidate for Superior Court Judge introduced himself to the Board. Mr. Dunn stated he lives in Montgomery County, has practiced law in Asheboro for a number of years and is running for the Superior Court Judge position for Montgomery and Stanly counties.

I. CONSENT AGENDA:

A. BUDGET AMENDMENT FOR BYPASS SIGNAGE:

Mayor Allgood stated over the last few months town staff have been working on developing town directional signage that would be placed on the new bypass. During the last board meeting staff had reported to the board that it was hopeful that the signs would be installed prior to December 31st. After consideration, staff is requesting that the board approve a budget amendment request in the amount of \$26,000 to cover the costs of the manufacturing of the signs, the powder coated poles for each sign that would need to be ordered, and the installation of the signs. These costs would only cover the signs for the bypass. It is staff's intention that the new directional signs that would be placed throughout the town would be appropriated in the fiscal year 20-21 annual budget. Staff is requesting approval of the budget amendment in the amount of \$26,000. Comm. Prince asked how long before the signs will be up. Mgr. Zephir stated the signs will be ordered tonight if approved.

B. BUDGET AMENDMENT FOR COMPREHENSIVE LAND USE PLAN:

Mayor Allgood stated that over the last few months staff have been reporting to the board about the new legislative requirement that has each town that has planning and zoning must have a comprehensive land use plan. During the last few weeks staff has been negotiating the final cost for this plan, in addition to the updating of the town's zoning (also know as the Unified Development Ordinance), which has not seen any major updates since the 1990's. These two plans can be developed simultaneously, and if doing so would save the town approximately 14% of the costs. In addition, by doing the joint project in coordination with the town of Biscoe, additional savings would be realized. The total project cost for both plans, which will take approximately nine (9) – ten (10) months to complete would be \$87,000. Staff has negotiated with the firm to have payments for these plans appropriated over two (2) fiscal years. In this fiscal year (19/20) the cost would be \$30,000, with the remaining balance of \$57,000 budgeted in the fiscal year 20/21 budget. Staff is requesting approval to commence both plans and that the town's budget be amended by \$30,000 to cover the costs in this fiscal year.

C. BUDGET AMENDMENT FOR WATER & SEWER WORK AT AMERIQUAL:

Mayor Allgood stated that during November and December staff has been working with Ameriqua and their water needs, which is needed for their increased production capacity and is directly linked to their expansion and creation of nearly 74 new jobs. One of their infrastructure needs is a dedicated 6-inch water line made from the town's main on Wright Way. The town, assisting in this economic development effort, arranged for the required materials and installation of this dedicated water line at a cost of \$43,471.02. Ameriqua has agreed, in writing, to pay the entirety of this cost.

Staff is requesting the approval to amend the town's water budget expenditure and revenue line items by \$43,471.02.

D. ACCEPTANCE OF CDBG FUNDING FOR HOUSING REHABILITATION:

Mayor Allgood state the Town of Troy was recently informed that it's CDBG -Housing Revitalization grant that it applied for in July had been funded in the amount of \$750,000. This grant will assist in the construction of new homes and or repair of some housing. The grant that the town submitted and held public hearings on in July of 2019 proposed for the removal and reconstruction of four (4) homes and the temporary relocation of the tenants of those homes during construction. Staff believes that when all the costs come through there is the possibility of not only constructing the four (4) new homes but perhaps rehabbing an additional two (2) or three (3) homes. In other words, while the grant application calls for work on four (4) homes it is the town's goal to work on seven (7) homes. The project funding would assist with homes that are owner occupied and not rental, not mobile homes, and for applicants who met income thresholds as set by the federal and state government. Prior to submitting the grant application, the town received approximately ten (10) application for assistance. Staff requested assistance from a third-party construction company (who would not be bidding on any of the construction work) to go into each of the homes and perform assessments. Those applications and assessments were included in the application packet. After the town submitted its grant application packet it received a few more applications. While those applications were not part of the grant application packet initially, staff did hold onto those requests and would add to the project, if after the evaluation and prioritization completed by the TNRC, yielded the need for additional homes. If the town accepts this grant the next steps would include the following:

- i. Solicitation of a third-party grant's administrator and inspector
- ii. Evaluate the applications by the home owners to ensure the income thresholds are met and identify the initial homes to be included in the project
- iii. Procure for a third-party contractor to commence the construction project
- iv. Hold final public hearing once the project is completed
- v. Present final closeout documents to the state

Staff is requesting approval to accept the grant and submit the official contracts back to the state, and to also begin procuring for the third-party grant's administration firm. Mayor Pro Tem Hamilton asked if we will have an outside inspector for the rehab work. Mgr. Zephir stated we will and he/she would be paid out of grant funds.

E. SURPLUS DECLARATION OF CHRISTMAS POLE DECORATIONS:

Mayor Allgood stated that staff is requesting that all of the pole decorations that have been used during the holidays be declared surplus by the board in order to begin liquidating these apparatuses and begin planning for the replacement decorations, of which would be installed in the upcoming year. The outlined decorations (snowflake, star, Christmas tree, and reindeer) are the town's oldest pole decorations followed by the wreaths. Staff is recommending that the outlined decorations be sold for \$25 per fixture and that the wreaths be sold for \$50 per fixture. If any of the decorations are not sold by the end of January staff is recommending that these put on the governmental auction site for sale.

Comm. Elkins made the motion to approve the consent agenda as recommended by staff. Mayor Pro Tem Hamilton seconded the motion and all voted approval.

2. NO SMOKING POLICY: Mayor Allgood stated that over the last few months staff have reported to the board on a new initiative that would effectively ban smoking on and around town offices and grounds. During this time staff has been working with various health departments and advocacy agencies to develop a policy that would address this issue. It is staff's belief that the prohibition of smoking in and around town offices, town grounds, or in vehicles is a good policy to implement. Staff is proposing a phased in approach to this policy in order to ensure that the best possible outcome, with little issue, is the end result. Staff is proposing that a "NO Smoking" ordinance, which would include the use of cigarettes, E-cigarettes, and Vaping to be adopted by the town board and would go into effect as of February 1, 2020. The "NO Smoking" ordinance would be effective on the following Town of Troy properties:

1. Town hall (to include in and around the building, parking lot, or courtyard);
2. Blair Park and the Blair Parking lot located off of Bruton Street and North Pearl Street;
3. The Troy Fire Department, Police Department and the shared parking lot between both buildings;
4. The Troy - Montgomery Senior Center;
5. Lowe Warner Park (including the playground, bathroom facilities, sheltered areas, trails, and parking lots);
6. Troy Public Works facility;
7. Troy waste water treatment facility;
8. The Town of Troy pool, parking lot, maintenance garage, dining area & areas located in and around the pro-shop at Densons Creek Park;
9. Peabody Park and all related ballfields and parking areas;
10. Capel Centennial Park (including Selby Brown & Dozier Fields; parking areas & the Town Stage amphitheater);
11. All town vehicles.

As part of the ordinance the enforcement and penalty phase would consist of the following: Following oral or written notice by the person in charge of an area, or his or her designee, failure to cease smoking

cigarettes, E-cigarettes, or Vaping constitutes an infraction punishable by the removal of violator from the premises or a fine of not more than fifty dollars (\$50.00). A citation may be issued by a sworn law enforcement officer. Conviction of an infraction under this section has no consequence other than payment of a penalty, and no court costs may be assessed. The ordinance, if approved by the Troy Town Board, is allowed under North Carolina Session Law 2009-27 entitled "An Act To PROHIBIT SMOKING IN CERTAIN PUBLIC PLACES AND CERTAIN PLACES OF EMPLOYMENT" in addition to NCGS 160A-174(a). Mgr. Zephir stated we will start with restricting smoking and work up to dipping, etc. He added that the state is working on policies for public buildings. We are being proactive. Comm. Brantley made the motion to be proactive and approve the No Smoking Policy as presented. Comm. Elkins seconded the motion and all voted approval.

3. MAIN STREET PARKING POLICY CONSIDERATION: Mayor Allgood stated that during the last board meeting, staff had reported to the board that it had received correspondences by the downtown business owners and Montgomery County requesting that the town consider implementing parking restrictions within the downtown business district. After receiving those requests staff began to evaluate what exactly was happening in order to bring back to the board with a proposal. After evaluating the parking use, especially during the holiday season, staff is proposing to the board the following as a parking policy for the downtown business district.

- Designation of a two (2) hour parking limit in the downtown business district
- Initially, the district would comprise of the area between Byrd Street and Blair Street.
- The hours for the 2-hour parking limit would be from 8:00 a.m. until 5:00 p.m. Monday thru Friday.
- Letters would be sent to all of the business owners, Montgomery County Administration, and the Montgomery County Board of Elections to inform of this new policy and to direct staff and employees at each of these venues to utilize either the parking lots behind the former First Bank building or the Blair Parking lot.
- The policy would not officially take place until February 1st, which would allow for the letters to be sent and for new signs to be ordered and installed.
- The Troy Police Department would be responsible for monitoring the parking upon implementation, but without a dedicated police officer assigned to task.

Comm. Prince asked about enforcement of the 2-hour parking. Mgr. Zephir stated we will try to work with people to get them to comply. Mayor Pro Tem Hamilton asked what the penalty would be. Mgr. Zephir stated the penalty would be towing the vehicle at the owner's expense. Motion was made by Comm. Prince with second by Comm. Jones to approve the Main Street Parking Policy as presented. All voted approval.

4. LAND TRANSFER – BLUE STREET PROPERTY: Mayor Allgood read a letter from the Peabody Community Development, Inc. for a conditional acceptance of the 2.984-acre Blue Street property from the Town. (letter attached) Mgr. Zephir stated that if the Board decides to accept the agreement with the Peabody Community Development group, we have until February 15th, 2020 (45 days) to run the water line and fill in and level with dirt. On motion by Comm. Prince and second by Comm. Elkins, the Board agreed to declare the 2.984-acre Blue Street property surplus and to convey it to the Peabody Community Development, Inc. for a community garden. All voted approval.

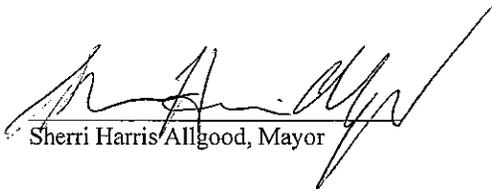
5. MANAGER'S REPORT:

- The month of December was extremely slow due to the holiday season. Staff will begin to remove the holiday decorations in the upcoming week, in addition to beginning scheduled maintenance projects.
- **DATES TO REMEMBER:** January 20th – Town offices will be closed in observance of Dr. Martin Luther King, Jr. Day

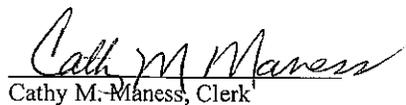
MAYOR/COUNCIL REPORTS:

Mayor Allgood stated the TTE Open House has been postponed. It had been scheduled for 1/16/20. Mayor Allgood read the Town's Mission Statement and stated she appreciates the Board adhering to it.

The meeting adjourned at 5:30 pm on motion by Comm. Elkins with second by Comm. Brantley. All voted approval


Sherri Harris Allgood, Mayor

Respectively submitted,


Cathy M. Maness, Clerk

January 6, 2020

Peabody Community Development Inc.

January 6, 2020

Re: Conditional Acceptance of Property

Greg Zephir
315 North Main St
Troy, NC

Mr. Zephir,

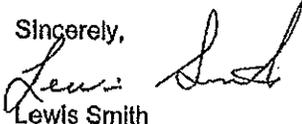
It is with great appreciation that we, the Peabody Community Development, Inc. conditionally accept the transfer of the 2.984 acres of land located on the corner of Blue Street and Smith Avenue (753814238727) under the following terms:

- The Town of Troy will be responsible for completely leveling off the 2.984 acres for a community garden space.
- The Town of Troy will be responsible for using cover dirt to prepare the land for community use.
- The Town of Troy will place a water line and access on the land at no cost to Peabody Community Development, Inc
- The Town of Troy will cover all transfer fees
- The Peabody Community Development Inc will use the property for community gardening space and activities.
- The Peabody Community Development Inc. understands fully, that because of its non-profit status, there will be no property taxes attached to the transfer of this land. .

-At a later when all parties agree, a formal document will be accepted for signature by all parties involved

If you have any questions, please contact Lewis Smith at (910) 806-0472.

Sincerely,



Lewis Smith
Peabody Community Development, Inc
President