

TROY BOARD OF COMMISSIONERS
REGULAR MONTHLY MEETING
MONDAY, MARCH 1, 2021, 5:00 PM

The Town of Troy Board of Commissioners met in the Board Room of the Troy Town Hall with Mayor Craig Jones presiding.

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

BOARD MEMBERS ABSENT: Comm. Damon Prince was absent.

TOWN STAFF PRESENT: Manager Greg Zephir, Clerk/Finance Officer Cathy Maness and Police Chief James Atkins.

MEDIA PRESENT: Tammy Dunn with the Montgomery Herald.

OTHERS PRESENT: Richard Flowe with N-Focus, Steve Hackett, (Town's Auditor) with William Huneycutt, CPA, County Commissioners Dana Dawson and Dottie Robinson, Darren & Carrie Shopbell, Joyce & Randy Eisenhour, Morgan Bailey, Roy Maness, Jean Harrison, Tad & Claudette Russell, Terry Crews, Patricia Decker, Sherri Harris Allgood, Rick Harris, Tommy Lemons and Sarwarii Carpenter.

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

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

PUBLIC FORUM: No one was present with comments for the public forum.

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

PRESENTATION OF THE TOWN'S FY 019-2020 AUDIT: Manager Zephir introduced Steve Hackett, the Town's Auditor. Mr. Hackett presented the audit for FY 2019-2020. The General Fund Balance increased slightly. The Water & Sewer Fund Net Position increased and Liabilities decreased. Overall, the Town's Audit received a good report. Mayor Jones thanked Mr. Hackett for the report. Motion was made by Comm. Elkins and second by Comm. Brantley to accept the 2020-2021 Annual Audit as presented. All voted approval.

CONSENT AGENDA:

- A. **REQUEST APPROVAL OF CODE ENFORCEMENT CONTRACT:** The town manager is requesting the board's approval to enter into a contract with State Code Enforcement, Inc in order to assist the town with abating nuisance properties (abandoned housing, junk cars, overgrown lots) around the entire town. State Code Enforcement, Inc come highly recommended and is currently being used by the Town of Biscoe, with a high rate of success. This service would fulfill one of the board's collective goals of seeing dilapidated properties and properties that present public safety/health issues cleaned up. If approved, the town manager is requesting that the company not begin work until March 22nd in an effort to notify the town's citizens about the enforcement effort. This notification would be via Facebook, the town's website, the Montgomery Herald, and through an edition of the Troy Times, which is slated to be sent out the week of March 15th.
- B. **REQUEST APPROVAL OF RESOLUTION OPPOSING HB 35:** Mgr. Zephir stated there is a resolution for your consideration of adoption that pertains to House Bill 35 relating to electronic public notices. HB 35, in its simplest terms, would allow for units of local government through the state to advertise public notices via their local government websites or other electronic means instead of being required to advertise said notices in the local newspapers. The bill does not say local governments cannot advertise in the paper, only that the requirement would no longer be in effect. The town and county have a large number of seniors throughout the county who do not utilize the internet and thus depend on the newspaper for information. The pandemic that has been ongoing for the past year has placed a light on the vulnerability and reliability issues surrounding internet access. This resolution simply states an objection to HB 35, and thus maintains that the public notice requirements, as they currently are codified would remain law.
- C. **REQUEST FOR APPROVAL TO SET PUBLIC HEARINGS FOR CDBG-PROJECT NUMBERS 16-I-2929 AND 14-I-3067:** During the February regular meeting the town board held two (2) public hearings regarding the closeout of the two (2) CDBG projects. The projects have been completed in its entirety, however, and error was made on a closeout document for CDBG 16-I-2929, which should have been listed on the closeout document for CDBG 14-I-3067. Due to the errors having been corrected the town will need to hold another public hearing for both grant closeouts. It is requested that this public hearing be held on April 5th, 2021.

Motion was made by Mayor Pro Tem Hamilton with second by Comm. Elkins to approve the consent agenda as presented. All voted approval.

PUBLIC HEARING: Mayor Jones stated this is a properly advertised public hearing to receive public input on the proposed updates to the Town of Troy zoning codes. During this hearing the public is welcome to offer their opinions on any of the proposed zoning designations and uses. This document is subject to be changed and corrected in as much as this is a draft. After this hearing the town will take any comments and deliberate on if changes to the proposal needs to be made. The town board will not be making any decisions on this draft zoning proposal during this board meeting. Mayor Jones opened the public hearing for comments and introduced Mr. Rick Flowe with N-Focus who will be available to answer questions on the proposed zoning designations. Mr. Darren Shopbell, property owner on Biscoe Road questioned his property zoning designation that was previously zoned R-15 where the house is and no zoning on the portion out of town. Now his property is SFR-1 where the house is and the back of the property is zoned AG. Mr. Flowe stated during the re-zoning process, they look at open land as 5 acres or less as Residential. The rationale is not to zone in anticipation of what they might want, but what is there currently. Jean Harrison asked the definition of AG behind the residences. Mr. Flowe stated they cannot restrict a house from being rented or not per the General Assembly. If a regular traffic pattern is evident, then it becomes a business not residential. In the AG District, any district, owners can rent a room, however not use for short-term rental such as a Bed & Breakfast. While the AG district does have looser standards, there are safeguards to go through with the Zoning and Town Boards. Joyce Eisenhour stated she owns property on West Main Street that had for many years been a day care center. It had been closed for a couple years and she was told that the property reverted to residential and day care centers were not allowed there. She is trying to sell the property and would like to see the designation go back to allowing a day care center there. Mr. Flowe stated he would look at that. Sherri Harris Allgood asked if the zoning is based on what is currently located on the property particularly on Main Street. Mr. Flowe stated they looked at who owned the property, not necessarily what is located there at the time which can change. Mrs. Allgood stated she represents the owner of a property at the corner of Bruton and N. Main Street. Currently there is a church there and they want to know what will happen to them. Mr. Flowe stated that there are zones for civic (churches, etc.) and that restricts the owners from allowing anything else to go there if the church moves out. The church would be allowed to stay as long as they are operational. He recommended that the property owner not request the property be rezoned to civic since it would restrict them to only civic oriented groups that could use their property. The church would continue as a non-conforming use. Mr. Sarwarii Carpenter owns property off of Faduma Street that appears to be changing back to AG zone. Mr. Flowe stated there are a few more allowances in AG than in Residential. Mr. Carpenter asked if animals are allowed in the AG zone. Mr. Flowe stated that as it is, the zone allows crops only. Mr. Rick Harris stated he owns 100 acres outside the Extra Territorial Zone and wanted to make sure the zoning would have no affect on his property. Mr. Flowe stated if his property is currently outside the ETJ, the zoning would have no effect on it. Mgr. Zephir stated that is correct. Mayor Jones asked when we need to bring the zoning back for approval. Mr. Flowe stated we have a June 30, 2021 deadline for approval. Mgr. Zephir stated it will possibly be April or May. Mr. Rick Harris stated the map appears to be moving a lot of industrial zones to agriculture zones. He does not think that is a good idea, particularly in the northern portion of town. Mrs. Eisenhour asked if the citizens will be informed of the final outcome. Mgr. Zephir stated that everyone with requests will be notified. Hearing no further comments, the public hearing was closed.

TOWN MANAGER'S REPORT:

- During the past month the administration staff have been working on the completion and the submittal of applications for grants and fellowships in order to assist the town and its departments. Applications that have been submitted include the Department of Insurance Fire Grant and an application to the UNC School of Government as it pertains to its local government fellowship program. If awarded these grants and fellowship will provide the fire department with the resources and technology it needs to continue to provide protection to the town, and in addition will provide the town with a local government fellow whose task would include the creation of a more robust recreation department for the town. Over the course of the next few weeks staff will continue to work on the completion of several more granting opportunities, including ones for the police department and the recreation department.
- During the next couple of weeks, the public works department and one of the town's engineers will be conducting "smoke tests" within much of the town's utilities. Smoke testing is a procedure where smoke is pumped into utility lines to determine if there are water leaks or water inflow coming into the pipes. If there are leaks then smoke will come up from the ground indicating and area of concern. The town will typically do this procedure every so often to ensure integrity of its utility lines. The first area that the town will begin this procedure will be along the West Fairgrounds area and the town's outfall lines.
- Per the ordinance adopted last year by the town board, the public works' crews will begin installing "No Smoking" signs around all town properties. These signs will be placed at the town hall, all parks, the Troy-Montgomery Senior Center, as well all public operation centers. In addition to

these signs, new trail marking signage has been ordered along with new park signage. These signs are expected to be delivered during the month of March and will be immediately installed.

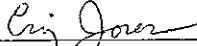
• **DATES TO REMEMBER:**

March 29th – 6:30 p.m. – The annual fireman's appreciation dinner


April 2nd – First concert of the year and the Grand Opening (tentative) of the new all-inclusive playground

The meeting adjourned at 6:10 PM on motion by Comm. Elkins and second by Mayor Pro Tem Hamilton. All voted approval.

Respectively submitted,



Craig Jones, Mayor



Cathy M. Maness, Clerk