

Town of Boonville
September 6, 2016 Regular Meeting Minutes
Harvey E. Smith Municipal Building

The following were in attendance at the 9/6/16 regular meeting: Mayor Rusty Hunter, Commissioners Devin Carter, Bonnie Lasky, William Paul Baity, and Tony Reece. Also in attendance were Interim Town Administrator Sarah Harris, Police Chief Farron Jester, Finance Officer/Town Clerk Kim Wells, and Public Works Director Jeff Jones.

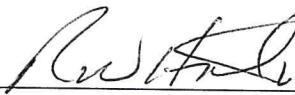
- I. Call to Order and Welcome:** Mayor Hunter called the 9/6/16 meeting to order at 7:00 p.m.
- II. Conflict of Interest Issues and Approval of Agenda:** Commissioner Lasky motioned to adopt the agenda. Commissioner Baity seconded, and the motion passed unanimously.
- III. Adoption of minutes – 8/2 regular session and 8/2 closed session:** Commissioner Lasky motioned to adopt the minutes of the 8/2 regular session and 8/2 closed session. Commissioner Reece seconded, and the motion passed unanimously.
- IV. Public Comments:** Dennis Shaw, 249 Williams St., addressed the Board members and expressed concern about ongoing teenage pranks on his property. He discussed the calls he had made to the Boonville Police Department. Police Chief Jester explained the actions the Police Department had taken to increase patrol on Williams St.
- V. Old Town Business:**
 - A. Sand bed quote:** Public Works Director Jones reviewed a quote he had received for the sand bed, and one he had received for the delivery of the sand. He informed the Board members that the total cost would be \$4,350. Commissioner Baity motioned to approve the purchase in the amount of \$4,350. Commissioner Reece seconded, and the motion passed unanimously.
 - B. Library Bids:** Public Works Director Jones reviewed the two quotes he had received for the window repair at the library. After discussion, it was the consensus of the Board members to table the item until Mr. Jones had received another quote.
 - C. Approval of invoice to fix library lights:** Public Works Director explained the bill received from the electrician for the lights. Although the amount of the bill was within the threshold for a commissioner to approve, there is not a commissioner with library oversight. Mr. Jones thought it would be prudent to bring the bill to the full Board for approval. Commissioner Lasky motioned to approve paying Gilmer Cox in the amount of \$827.55. Commissioner Carter seconded, and the motion passed unanimously.
 - D. Agreement with Boonville Baptist Church:** Interim Town Administrator Harris reviewed the agreement Attorney Freeman had prepared between the Town of Boonville and the Boonville Baptist Church for maintenance of the Baptist Church property on the corner of US 601 South and NC 67 West. This agreement pertains only to the Town of Boonville. Any other organization that would like to utilize the property for banners, etc. would need to a separate agreement with the Baptist Church.
 - E. Sidewalk on 67 East:** Interim Town Administrator Harris reviewed the issue of the power pole owned by Duke Energy located in the middle of the business parking lot at 106 W. Main St. To have a wider entrance to the property, the pole would have to be moved and the power line installed behind the building. The Board members discussed the need for the parking lot to be paved before the sidewalk was updated. Ms. Harris will contact the property owner. It was the consensus of the Board members that if the property owner paved the parking lot, the Town of Boonville would pay the \$1,500 for Duke Energy to move and bury the line. Discussion followed on other properties in the town that have Duke Energy poles that could be moved.
- VI. New Town Business:**
 - A. New Ordinances:** Interim Town Administrator Harris reviewed proposed Ordinances for a Solar Farm; Mobilite' Poles; and the Parks and Recreation Advisory Committee. It was the consensus of the Board members was to hold a public hearing on 10/4 at 6:30 p.m.
 - B. Loan Update:** The Board members discussed the loan. It was the consensus of the Board members to table further discussion until the recessed meeting.
- VII. Reports and announcements:**
 - A. Mayor's report:** Mayor Hunter had no items to report.
 - B. Interim Town Administrator's report:** Interim Town Administrator Harris reported on upcoming events in town. She is working with Boonville Elementary School to get pumpkins

decorated for a fall scene at Town Hall. The streetscape draft is being finalized. Ms. Harris reviewed several available grant opportunities. She reported that the local Boy Scout Troop wanted to sell items for a fundraiser at Town Hall. It was the consensus of the Board members to allow only non-profit organizations to sell items on Town property. Ms. Harris reviewed the business permit renewals and the Budget vs Actual report.

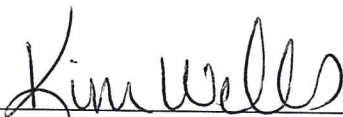
- A. **Finance Officer's report:** Finance Officer Wells had no additional items to report.
- B. **Public Works Director's report:** Public Works Director Jones reported on the power upgrade at the sewer plant. He will be meet with Ms. Taylor, DENR, to review the proposed new well site. He informed the Board members of a meeting he and Ms. Harris had with a consultant who could potentially help with grant funding and an asset management plan. Mr. Jones informed the Board members about a potential complaint from a property owner on Sunset Dr. questioning the Town's easement for the sewer line that is across his property. Mr. Jones stated documents were available with the easement being marked on that property. He then reviewed his upcoming training schedule.
- C. **Police Chief's report:** Police Chief Jester reported that the Police Department was participating in the Governor's Crime Campaign. He reported that the Police Officers are being more stringent in enforcing the no passing on the right on Main Street at the stoplight. Chief Jester stated he had increased patrol during busier times. He then reported on a truck that had been stolen in front of a convenience store.
- D. **Departmental Commissioner's Reports:** Commissioner Lasky stated that she would be attending the Rural Assembly in September.
- E. **Committee reports as needed:** None were voiced.
- F. **Closed Session per G.S. 143-318.11 (a)(3&5):** Commissioner Lasky motioned to go into Closed Session per G.S. 143-318.11 (a)(3&5). Commissioner Baity seconded, and the motion passed unanimously at 7:47pm.

The consensus of the Board was to go back into closed session at the 9/14 recessed meeting so Attorney Freeman could be available.

- G. **VIII. Recess/Adjourn:** Commissioner Baity motioned to recess until 9/14 at 6:00. Commissioner Carter seconded, and the motion passed unanimously. The meeting ended at 8:24 p.m.



Russell (Rusty) Hunter, IV, Mayor



Kim Wells, Finance Officer/Town Clerk



FOR ALL YOUR ELECTRICAL NEEDS

GILMER COX ELECTRIC CO.
2605 DOBBINS RD.
BOONVILLE, NC 27011

Invoice

DATE	INVOICE #
7/29/2016	6562

BILL TO

P.O. NO.

BOONVILLE PUBLIC LIBRARY
P O BOX 786
BOONVILLE NC 27011

TERMS
Net 30

ITEM	DESCRIPTION	QTY	RATE	AMOUNT
LABOR 1	PER HR 1 MAN REPAIR LIGHTS	7	60.00	420.00
CF1300-841	13W 4-PIN COMPACT FLOURESCENT LAMP	2	10.20	20.40
CF26W/41/ALTO	26W 4 PIN COMPACT FLOURESCENT LAMP	10	13.50	135.00
MAGC213UNVM...	BALLAST FOR 1-2 13W 4-PIN CFL LAMP	1	31.50	31.50
MAGC2642UNV...	ELECTRONIC 120V BALLAST FOR 1-2 PF26 LAMPS	4	48.00	192.00
UN-232-120	BALLAST FOR 2-32W T8 LAMPS	1	26.85	26.85
30-72-IDEAL	#72 WIRE NUT	12	0.15	1.80

Thank you for your business.	Total	\$827.55
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Town of Boonville
PO Box 326
110 N. Carolina Avenue
Boonville, North Carolina 27011

July 13, 2016

Rev. John Brown, Senior Pastor
Mr. Rick Foster, Chairman, Board of Deacons
Boonville Baptist Church
P.O. Box 429
Boonville, NC 27011

Re: Memorandum of Understanding with the Town of Boonville regarding upkeep and use of Yadkin County parcel number 126753; corner of NC Hwy 67 & US Hwy 601 in downtown Boonville

Dear Rev. Brown and Mr. Foster:

Confirming our conversations over the past few weeks, I have prepared a Memorandum of Understanding ("MOU") between Boonville Baptist Church and the Town of Boonville ("Town"). This MOU details the obligations and responsibilities of each party on the use and upkeep of the above referenced parcel of undeveloped land containing approximately 0.115 acres, more or less, and being located at the corner of NC Hwy 67 and US Hwy 601 in downtown Boonville (hereinafter "the Property"); the Property being owned by the Boonville Baptist Church, Inc., (hereinafter "the Church").

In order to clearly set out the obligations and responsibilities with regards to the Property, the Town agrees to do the following:

- a. Mow the grass, provide weed control, and trim bushes and trees as necessary to maintain the appearance of the Property at no cost to the Church; and
- b. Maintain any bench, monument, seasonal display, or sign the Town places on the Property.

Correspondingly, the Church, in return for the above agreements by the Town, agrees to the following:

- a. Maintain any banners or signage the Church decides to place on the property; and
- b. Maintain liability insurance on the property at levels deemed appropriate by the Church;
- c. Allow the Town to place and maintain any bench, monument, seasonal display, or sign on the Property.

Both parties agree that no political signage or commercial signage, such as for yard sales, will be placed on the Property.

If you are in agreement with the terms and conditions as detailed in the above MOU, I ask that you signify by signing in the appropriate space below. Enclosed are two original copies of this letter. Please return one fully executed letter to me while keeping the other for your records. If you have any questions, please feel free to contact me on 336-367-7941.

Sincerely,



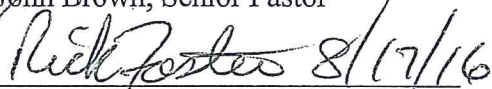
Sarah Harris
Interim Town Administrator

Enclosures

I CONSENT TO THE TERMS OF THE MOU ABOVE:



John Brown, Senior Pastor



Rick Foster, Chairman, Board of Deacons

Sarah Harris

From: Sarah Harris
Sent: Wednesday, August 17, 2016 2:35 PM
To: Jeff Jones
Subject: FW: POLE RELOCATION
Attachments: DOWNTOWN BOONVILLE LIGHT.pdf

From: Johnson, Brandon [<mailto:Brandon.Johnson5@duke-energy.com>]
Sent: Wednesday, August 17, 2016 2:18 PM
To: townadmin@boonvillenc.com
Subject: POLE RELOCATION

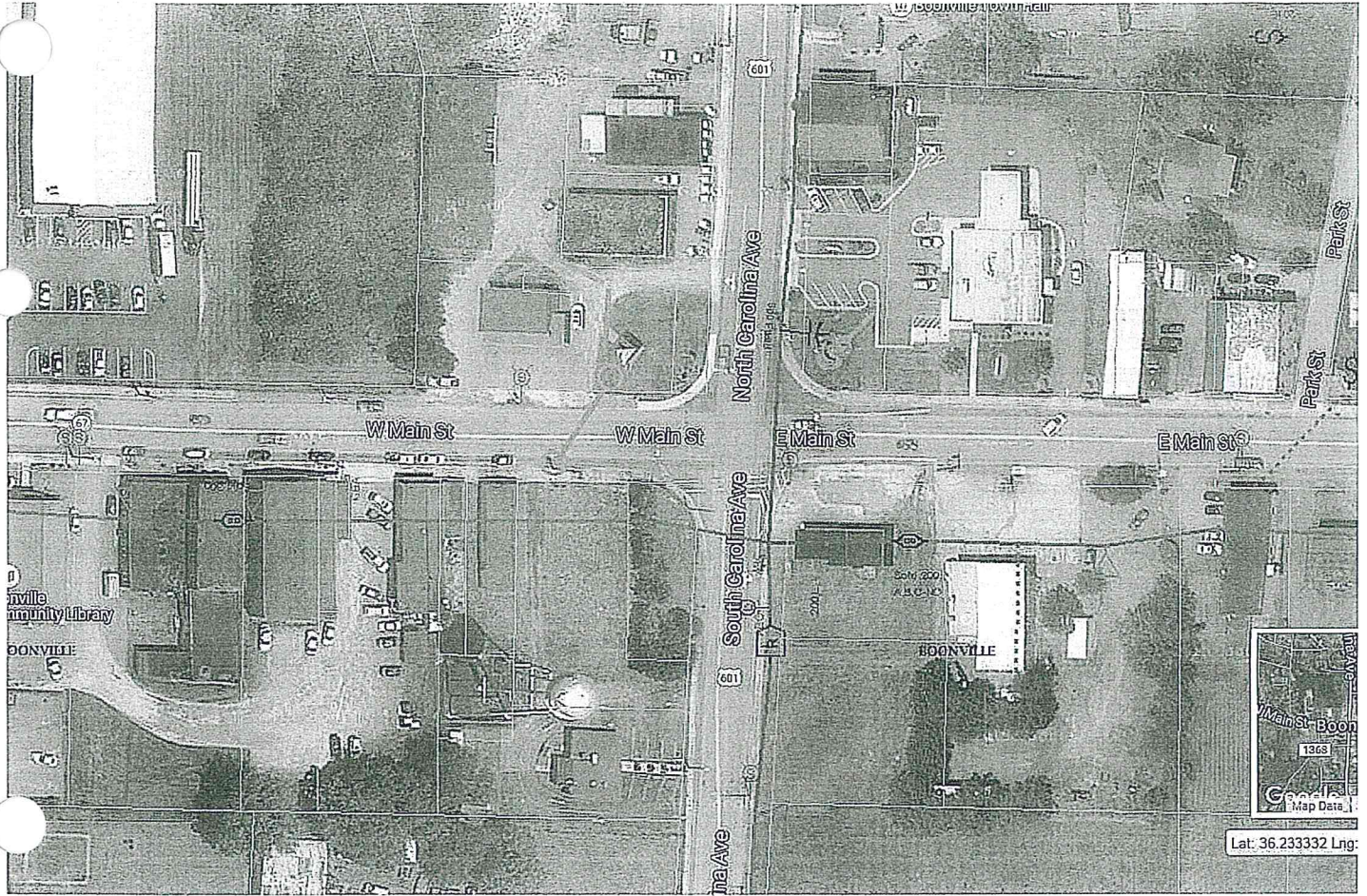
SARAH,

This is Brandon Johnson with Duke Energy, attached is simple proposed print of what can be done as far as relocating the existing light pole on the property of Downtown boonville. The green circles represent the poles, the blue represents OH CABLE across the street and the red lines represents the proposed UG cables.

The layout overall explains that we will have to relocate the existing light pole to the right of the flower shop and install 3 svc from the light pole to the Flower shop. The flower shop is right now feeding overhead so there will have to be an conversion from overhead to ug. Which means the flower shop will have to Update from an 100 AMP Meter base to and 200 AMP meter base. After that process has been complete we can then continue.

The cost to relocate this pole with light is \$1502.67..

Brandon Johnson
Brandon.Johnson5@duke-energy.com
336-242-3117



Sand bed quote

\$3,200	Materials from South Products
\$1,150	Delivery charge from Tar Heel Sand and Gravel
<u>\$4,350</u>	TOTAL

PCM Construction, Inc.

2633 NC Highway 67
 Jonesville, NC 28642
 Office 336-527-4536 Fax 336-835-1167

PROPOSAL

Proposal

Customer
 Name Town of Booneville
 Address P.O. Box 326
 City Boonville State NC ZIP 27011
 Phone 336-367-7941

Date 5/2/16
 Order No. 1
 Job Supervisor Juan Pena
 JOB # Concrete Repairs

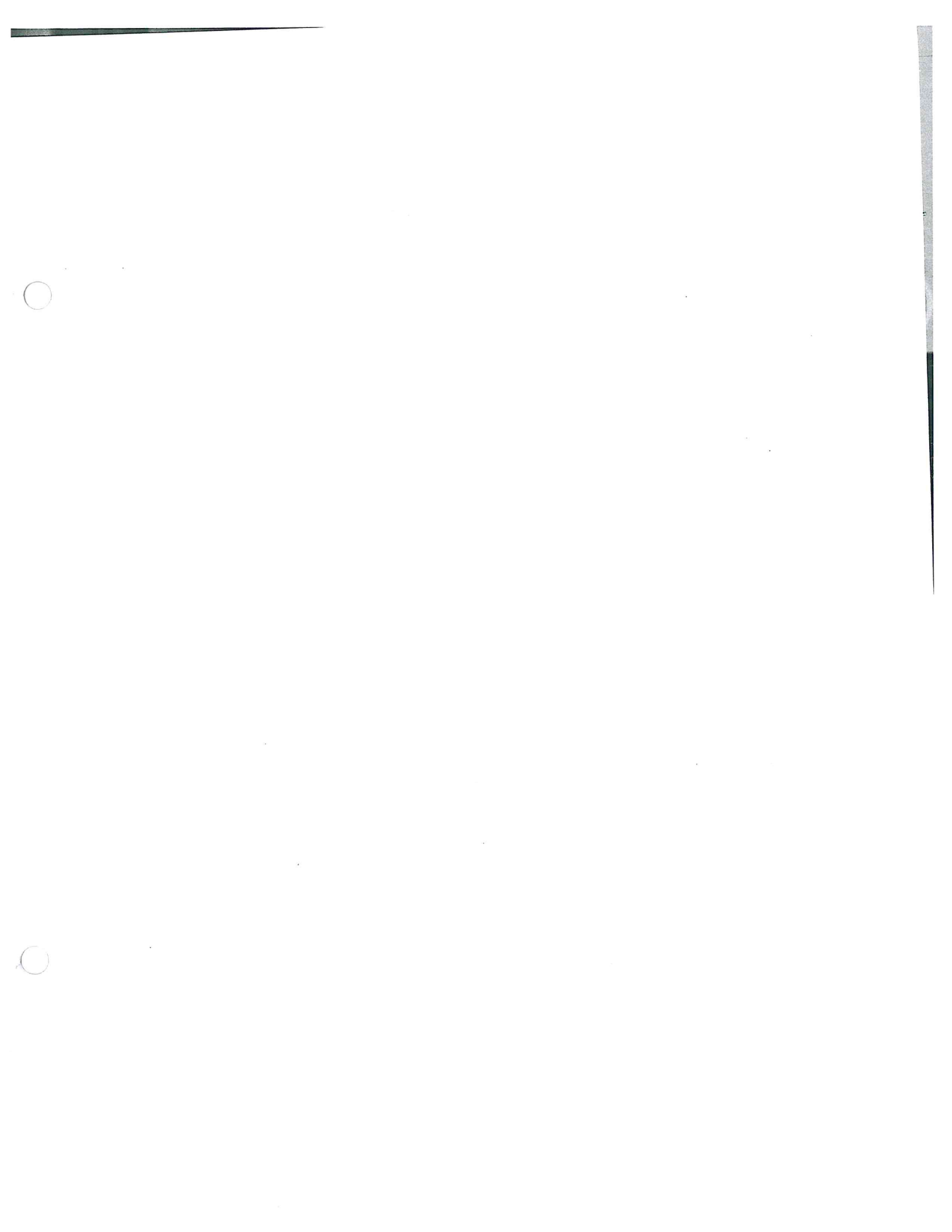
Qty	Description	Equ./Unit	Labor Rate	Labor Total	TOTAL
1	to provide all materials, and tools for the repairs of the concrete walks and curbs	\$8,500.00			\$8,500.00
1	to provide all labor to form and pour concrete walks curb and gutter and apron			\$8,000.00	
1	to provide a second concrete apron entrance	\$1,300.00		\$0.00	\$1,300.00

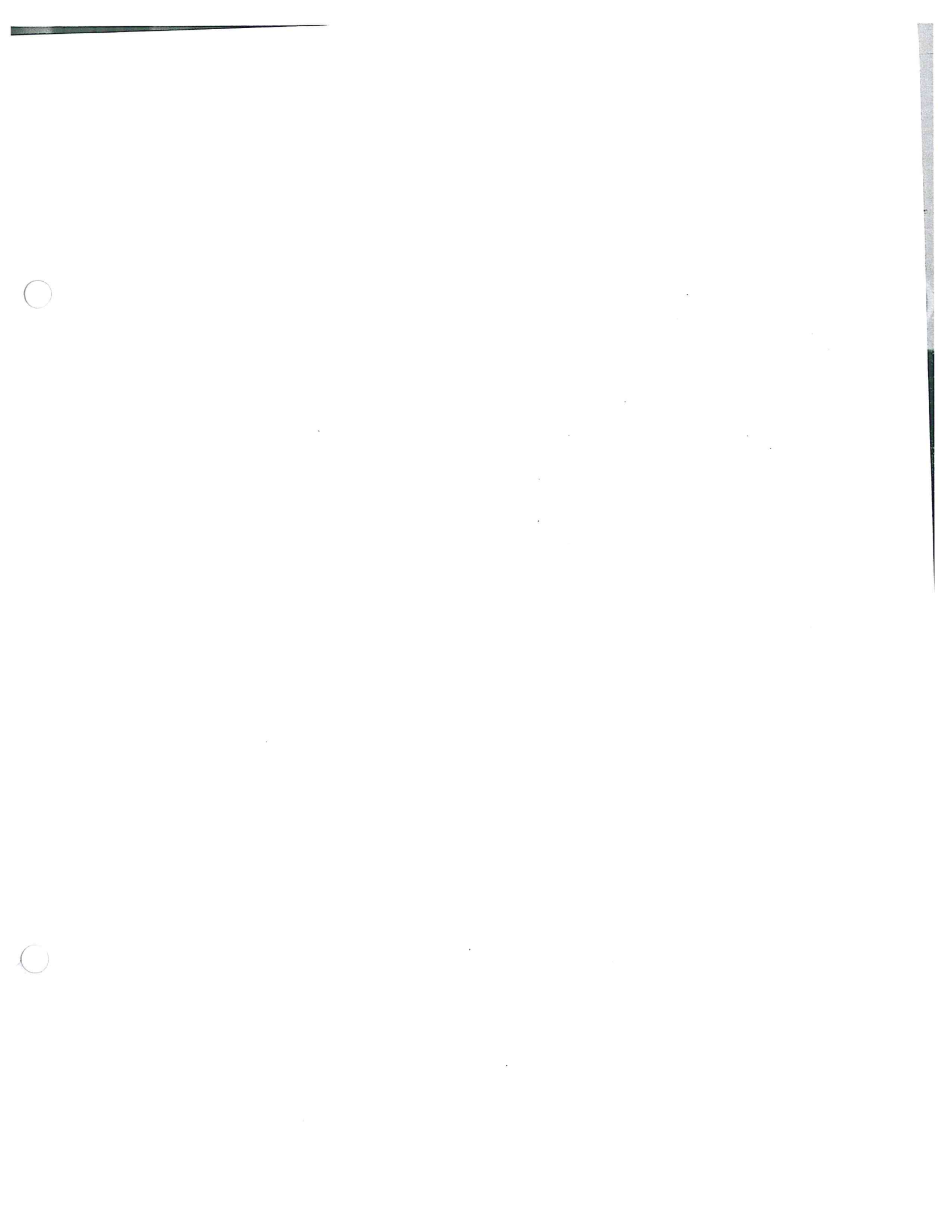
SubTotal	\$9,800.00
Labor SubTotal	\$8,000.00
10% Mark UP	
CREDIT	
TAX	\$0.00
TOTAL	\$17,800.00

Payment Details
 Cash
 Check
 Other

NET 15 DAYS
 DUE UPON RECEIVING
 TAX I.D. # 26-2038616

Office Use Only





RECOMMENDATION TO COUNCIL REGARDING SOLAR FACILITIES

Definitions:

Add the following definition to Appendix A—ZONING, Article XIII

Solar generation facility, utility scale-- An installation, sometimes called a solar farm, principally designed and used to capture and convert solar energy into electric or thermal energy primarily for use off-site, such as transmission to the power grid. The area of the system includes all the land inside the perimeter of the system, which extends to any fencing. The term applies, but is not limited to, solar photovoltaic (PV) systems, solar thermal systems, and solar hot water systems.

Zoning Districts

Section ___ RA—Residential and Agricultural

Section ___ *Uses Permitted With Conditions*

Amend this section to add the following use:

Q. Solar generation facility, utility scale

Regulations and Development Standards for Permitted Conditional Uses

Add the following section Article VIII USES PERMITTED WITH CONDTIONS

Sec _____ Solar generation facility, utility scale.

This use requires action by the Planning and Zoning Board and Town Council. Upon receipt in proper form of the written recommendations from the Planning and Zoning Board, the Town Council shall hold at least one public hearing on the proposed use.

Solar generation facilities on a utility scale are permitted in those districts specified, with additional conditions which may be imposed by the Town Council, provided that the use and/or structure(s) shall conform to the minimum standards of the district and the following:

A. Setbacks. The perimeter (fencing) of the area containing the solar generation facility shall be located at least 100 feet from any residences located on adjoining properties.

B. Security fencing. The solar generation facility shall be enclosed by a chain-link security fence, a maximum of six feet in height with barbed wire.

C. Poles and lines. Except for poles and lines necessary to connect the facility to the electrical utility grid, the height of structures and arrays associated with the facility shall not exceed 20 feet, and structures and arrays shall be set back at least 50 feet from every public road right-of-way.

D. Vegetative screening and buffers. The screening or buffer yard shall be ten feet wide and consist of nine evergreen trees or shrubs per 100 linear feet or fraction thereof. The evergreen buffer must be capable of reaching a height of 6 feet within three years of planting, with at least 75% opacity at the time of planting. The screening or buffer shall be provided where the property on which the solar generation facility is located adjoins residential uses or public right of ways, unless the Zoning Administrator finds that equivalent natural vegetation exists sufficient to satisfy the screening requirement, or that the distance between the use and residences or public rights of ways renders all or certain portions of screening unnecessary.

E. Streets and roads. Prior to construction, the developer of the site shall consult with NCDOT regarding necessary driveway location and improvements to ensure safety and to protect the public road or street from damage during construction, and shall comply with such requirements.

F. The site shall conform to applicable storm water regulations, including water supply watershed protection regulations and river basin rules, to prevent erosion and protect water quality in adjacent surface waters. Prior to development of the site, the applicant or developer shall consult with the NC Division of Water Quality concerning compliance with applicable storm water management requirements.

G. Building and electrical code. All active large scale solar energy systems shall comply with the requirements of the North Carolina State Building Code and the National Electrical Code, current edition.

H. Site plan requirements.

1. The location of the solar generation facility (including the arrangement of any existing or proposed buildings, structures, or panels);
2. The distance from any proposed solar generation facility, structure, or use area to the surrounding property lines;
3. Any existing or proposed signs, fencing, lighting, parking areas, driveways, landscaping, vegetative screening or required buffers;
4. Horizontal and vertical (elevation) scaled drawings with dimensions of proposed solar collector structures and lighting facilities;
5. Noted limitations on built-upon area as required for compliance with storm water, watershed, and/or riparian buffer regulations;
6. The electrical disconnect switch shall be clearly identified and unobstructed, and shall be noted clearly on the site plan; and
7. Location where wiring is brought together for inter-connection to system components and/or the local utility power grid.

I. Noise level. Inverter noise shall not exceed 40dBA, measured at the property line.

J. Outdoor lighting. All outdoor lighting shall be shielded to direct light and glare onto the system premises. Any glare by the system or outdoor lighting must be mitigated or directed away from adjoining property or adjacent roads when it creates a nuisance or safety hazard.

K. Decommissioning.

1. A decommissioning plan signed by the party responsible for decommissioning that addresses the following shall be submitted with permit application.

- a. Defined conditions upon which decommissioning will be initiated (i.e. end of land lease, no power production for 12 months, etc.)
- b. Removal of all non-utility owned equipment, conduit, structures, fencing, roads, and foundations
- c. Restoration of property to condition prior to development of the solar generation facility.
- d. The timeframe for completion of decommissioning activities.
- e. Description of any agreement (e.g. lease) with landowner regarding decommissioning.
- f. The party currently responsible for decommissioning.
- g. Plans for updating this decommissioning plan.

2. A recorded copy of the decommissioning plan shall be submitted to the Zoning Administrator prior to commencement of construction of the solar generation facility.

L. Decommissioning Period. Decommissioning shall be completed within 12 months of determination by the Zoning Administrator that the facility is no longer being maintained in an operable state of good repair, unless the current responsible party with ownership interest in the facility provides substantial evidence to the Town Administrator of the intent to maintain and reinstate operation of the facility.