

Council

Ronnie Setzer, Mayor
Allen Stewart, Mayor Pro Tem
Jeff Bolick
Cheryl Pritchard
Lloyd Robbins



Town Manager

Logan Shook
townmgr@cajahmtn.com

TOWN OF CAJAH'S MOUNTAIN

1800 Connelly Springs Road
Lenoir, North Carolina 28645
Phone (828) 728-5053 • Fax (828) 728-4166

Cell phones are to be turned off or placed on vibrate during the meeting. Please exit the Council Chambers before using your cell phone. Thank you.

AGENDA

Town of Cahah's Mountain
Town Council - Regular Meeting
Tuesday, April 5th, 2016 - 6:00 P.M.

The following items of business are included on the agenda with the approval of the Town Council:

1. **Call to Order and Welcome** *Mayor Setzer*
2. **Invocation**
3. **Pledge of Allegiance**
4. **Discussion on Agenda Adjustments or Additions from Council Members, Staff and Public**
5. **Agenda Additions by Majority Vote**
6. **Adoption of the Agenda**
7. **Approval of the Minutes – March 3rd, 2016**
It is requested that the Council review and consider the minutes of the regular meeting held on March 3rd, 2016. –
Council action is required. (Attachment 1)
8. **Recognition of Persons to be Heard**
A. Mr. Jason Robbins, North Catawba Fire and Rescue Department – Monthly Update
9. **Public Hearings** (*none*)
10. **Board Review & Action**

Unfinished Business (*none*)

New Business
 1. Contract with Republic Services - Representative Tracy Nestor - **Council Action Requested** (*Attachment 2*)
 2. Placing US Motto on Town Hall and Town Seal – Audi Yancey - **Council Action Requested** (*Pamphlet*)
 3. Donation Request by Caldwell Arts Council – **Council Action Required** (*Attachment 3*)
 4. Donation Request by Project Graduation – **Council Action Required** (*Attachment 4*)
 5. Proclamation – Lineman Appreciation Day – **Council Action Required** (*Attachment 5*)
 6. Solar Farm Ordinance Proposal – **Council Action Requested** (*Attachment 6*) **Staff Recommends Approval**

11. **Committee Appointments & Reports** (*none*)

12. **Administrative Reports & Updates**
Lenoir Sewer Rates – Letter (*Attachment 7*)

13. **Any Other Business**

A. Public Comment Period

B. Town Council Comments & Reports

C. Next Meeting

The Council's next regularly scheduled meeting is scheduled for May 3rd, 2016, at 6:00 P.M.

14. **Adjournment**



**Town of Cajah's Mountain
Cajah's Mountain, North Carolina**

**Minutes of Town Council Meeting
March 3rd, 2016
6:00 P.M.**

Town Council

Ronnie Setzer, Mayor
Allen Stewart, Mayor Pro Tem
Jeff Bolick, Councilman
Cheryl Pritchard, Councilwoman
Lloyd Robbins, Councilman

Town Council Present:

Lloyd Robbins
Ronnie Setzer
Jeff Bolick

Town Council Absent:

Cheryl Pritchard
Allen Stewart

Staff Present:

Logan Shook

Media Present:

None

Visitors Present:

Barry Angley
Jason Robbins
Richard Andrews

Legal Counsel:

None

The Town Council of the Town of Cajah's Mountain met at 6:00 p.m. on Thursday, March 3rd, 2016, in the Meeting Room of the Cajah's Mountain Town Hall, 1800 Connelly Springs Road, Lenoir, NC 28645.

Call to Order & Welcome

Mayor Ronnie Setzer called the meeting to order and welcomed everyone.

Invocation/Pledge of Allegiance

Councilman Bolick gave the invocation, which was followed by the Pledge of Allegiance.

Attachment 1

Adoption of the Agenda

The agenda was unanimously approved on motion by Mayor Pro Tem Stewart, seconded by Councilman Jeff Bolick.

Approval of the Minutes

Councilman Bolick motioned to approve the minutes from December 1st, seconded by Councilman Robbins.

Recognition of Persons to be Heard

Barry Angley gave a monthly update on the status of North Catawba Fire Department.

Public Hearings

Review & Action

Unfinished Business

New Business

- A. The Town removed Republic representative Tracy Nestor from this month's agenda. Mrs. Nestor indicated she would attend the Council's April meeting.
- B. Town Clerk Shook updated the Council on four (4) properties applying for annexation. After a thorough review, the Clerk informed the Council all four properties are eligible for voluntary annexation. The Council voted to send the four properties to the planning board for a zoning recommendation.

Administrative Reports and Updates

Shook informed the Town Council that the Town is prepared to bring in the bookkeeping services from the Western Piedmont Council of Governments in April. The formal notice was given to the COG in late February.

Any Other Business

Public Comment Period

Next Meeting

Mayor Setzer informed everyone the next meeting would be on Tuesday, April 5th, 2016, at 6:00 p.m.

Adjournment

With there being no further business to come before the Council, the meeting was adjourned on a motion by Mayor Pro Tem Allen Stewart.

Respectfully submitted,

Logan Shook, Town Manager

Ronnie Setzer, Mayor



February 29th, 2016

Logan Shook
Town Manager
Town of Cajah's Mountain

Dear Logan and Council:

This letter outlines the updated terms discussed at our February 18th meeting with you and the Mayor. Republic Services would like to consolidate the current trash and recyclable agreements into one agreement with the following terms.

1. **Renewal Terms.** Five year term beginning on or before July 1, 2016.
 - a. The fee for the period 07/01/16 thru 06/30/2021 shall be \$7086/month for weekly trash collection and \$3291 every other week recycling collection. This is a 3% increase over current pricing. Contractor shall increase the rates for service effective on July 1, 2017 of this Agreement in an amount equal to the percentage increases in the Consumer Price Index for All Urban Consumers, Garbage and Trash Series ID CUUR0000SEHGo2, not seasonally adjusted U.S. City Average, as published by United States Department of Labor, Bureau of Statistics (the "CPI"). Rates will be adjusted using the month of February compared to the 12 months preceding.
 - b. Republic Services shall distribute two 95 gallon containers (carts), one for weekly trash collection and one for every other week recycling collection, to each residential unit and qualifying small business on or before July 1, 2016.
2. **Benefits.** The new proposal from Republic Services provides many benefits.
 - a. New carts for each service
 - b. Expanded recyclable items
 - c. Reliable customer service

The bottom line is that Republic Services can provide recycling and solid waste collection services in the most efficient, low cost and environmentally protective manner. Please let me know if there is any additional information we can provide the Town of Cajah's Mountain regarding our proposal. We look forward to continue our mutually-beneficial partnership with the Town, its residents and the environment. Together we can deliver strategic lasting solutions for the Town of Cajah's Mountain. .

Warm Regards,

Tracy Nestor
Area Municipal Services Manager
1220 Commerce ST SW
Suite A
Conover, NC 28613

IN GOD WE TRUST

USMAC Mission

To defend, promote and assist in the awareness and furtherance of our U. S. Motto, "In God We Trust," on public buildings, structures, monuments, the printed page, and to encourage our Godly Heritage in various other aspects.

USMAC Board

David White, Chair (336) 239-0473
davidmwhite7@aol.com

Rick Lanier, Vice Chair (336) 798-7700
7thheaven@windstream.net

Pastor Mark Smith, Secretary (336) 306-6476
MSDKSmith@icloud.com

Fred McClure, Treasurer (336) 249-9269
fred@fredmcculture.com

Dr. Ron Baity, Chaplain (336) 785-0529
rbaity4520@aol.com

Dr. Richard Callahan (336) 259-9113
richardd.callahan@gmail.com

What you can do!

Pray

- * For municipalities to vote "Yes" to display our National Motto-*In God We Trust*.
- * For pastors to catch our vision and motivate their members in our mission.
- * For patriotic individuals to get involved in their local community.

Promote

- * Contact your city or county commissioners to request the U.S. Motto be displayed.
- * Ask your pastor or civic organization to invite a member of the USMAC to share our mission.
- * Get involved! One active, energetic voice can make a tremendous difference.

Provide

- * USMAC incurs ALL costs to display the U.S. Motto on government buildings.
- * We depend on churches and patriotic individuals to meet these needs.
- * Costs range up to \$2,500 per location
- * Become a *USMAC Partner* with a **One Time Gift** to promote a permanent and public reminder of America's Godly Heritage.

*If the foundations be destroyed,
what can the righteous do?*

Psalm 11:3

Donations may be mailed to:

USMAC
P.O. Box 1351
Lexington, NC 27293
(336) 798-7700 usmotto02@gmail.com

The U. S. Motto Action Committee

*Promoting the public display of
the national motto of the United States*

*Hear me, O LORD, hear me, that this people
may know that thou art the LORD God, and
that thou hast turned their heart back again.*
1 Kings 18:37



We believe God gave birth to the
U.S. Motto Action Committee.

A BRIEF HISTORY

August 2002

With a desire to promote patriotism, David White petitioned Commissioner Rick Lanier to place the national motto, *In God We Trust*, on the Davidson County Governmental Center.

November 26, 2002

Commissioner Lanier led the Davidson County Commissioners to approve the display of our National Motto.

December 29, 2002

The US Motto was publicly displayed on the Davidson County Governmental Center.

December 30, 2002

In an effort to promote America's Godly Heritage, David White, Rick Lanier, Todd Clark, and Fred McClure formed the US Motto Action Committee. Shortly thereafter, Pastor Ron Bairy was added as Committee Chaplain.

June 24, 2003

Two ACLU-funded attorneys sued Davidson County citing the public display of the Motto violated the "separation of church and state."

August 12, 2003

Due to the proactive efforts of the USNAC, the Commissioners unanimously decided to fight the lawsuit

May 2004

U. S. District Court Judge William Ostren, Sr. dismissed the lawsuit, citing no church/state conflict

May 13, 2005

The U. S. Fourth Circuit Court of Appeals affirmed Judge Ostren's opinion.

November 14, 2005

The U. S. Supreme Court refused to hear the case. The decision of the Fourth Circuit Court of Appeals became case law. Ref: *Lambeth and Lea vs. Davidson County, NC # 04-1753*

The U.S. Motto Action Committee actively encourages local elected officials across NC and our nation to display the National Motto. Our purpose is to promote America's Christian heritage with the hope that hearts would turn back to Him.
II Chronicles 7:14

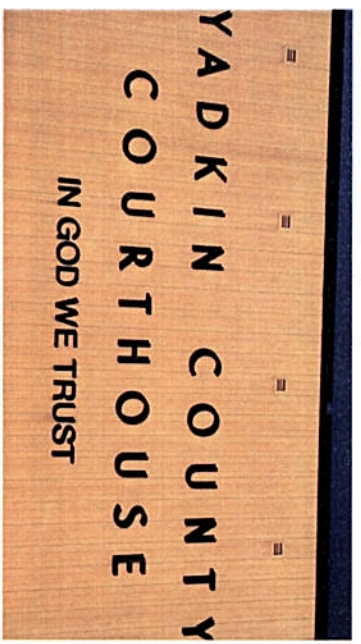


Approved on 2/10/2015

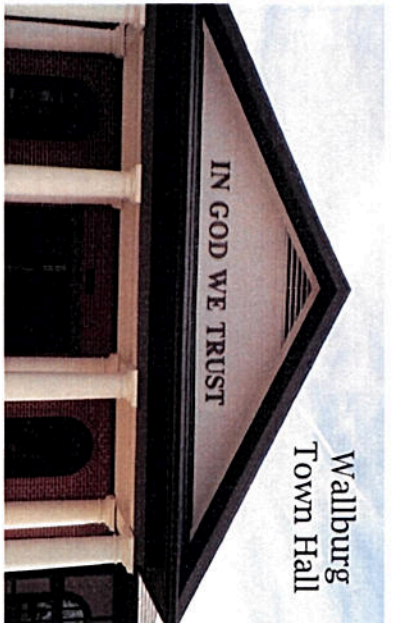


Approved on 3/02/2015

"If we ever forget that we are One Nation Under God, then we will be one nation gone under." Ronald Reagan



Approved on 3/02/2006



Approved on 12/09/2014

To join our effort to publicly display the U.S. Motto on your city or county building, contact us at (336) 798-7700 or usmotto02@gmail.com.

Attachment 3
Council

Ronnie Setzer, Mayor
Allen Stewart, Mayor Pro Tem
Jeff Bolick
Cheryl Pritchard
Lloyd Robbins



Town Manager
Logan Shook
townmgr@cajahmtn.com

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Donation Review Form

Date: _____ 3/3/15 _____

1. Requesting Organization

Organization's Name: _____ The Caldwell Arts Council _____

Address: P.O. Box 1613

Contact Person: Adrienne Roellgen

Telephone: 828-754-2486 Fax: 828-754-2440

E-mail: Adrienne@caldwellarts.com

Total Allocation Requested: \$ 300

2. Project Name: General Operating Support

3. Objective:

State the objective of the proposed project.

The purpose is for general operating support of the many programs of the Caldwell Arts Council

4. Alternative Funding Solutions:

List all possible funding alternatives.

5. Benefits:

State the potential effects that the project will have on the community.

To improve the quality of life, increase tourism and drive economic development through the arts and culture in Caldwell County

6. Implementation Strategy

List the actions that will be taken to implement and accomplish the project:

This will be implemented and accomplished through our many programs including Artists-in-Schools, Sculpture Celebration and other tourism based events, our Grassroots grant program and drawing businesses to the area by offering communities rich in the culture and the arts.

Council Use Only

Reviewed by the Town Council on: _____

Action Taken:

- Approved
- Disapproved
- Additional Information Needed
- Other _____

Signed: _____

Date: _____



Caldwell County Schools

Attachment 4

Project Graduation 2016
Caldwell celebrates its Graduates!

Dear Sponsor:

This year marks the 28th Anniversary of Project Graduation.

For 28 consecutive years, business leaders, church congregations, community advocates and parents in Caldwell County have supported Project Graduation, the only alcohol-free, drug-free celebration of its kind throughout the state of North Carolina and, to our knowledge, throughout the country.

As a valued supporter of youth in Caldwell County, we invite you to give to PROJECT GRADUATION 2016, the 28th Anniversary Celebration for all Caldwell County high school graduates.

Unfortunately, alcohol-related vehicle crashes are the number one cause of death for young people. However, since the inception of Project Graduation, we have not experienced a tragedy of this magnitude in Caldwell County with any of our graduates on graduation night. We trust that you understand the importance of PROJECT GRADUATION 2016, and we appeal to you for your support.

PROJECT GRADUATION 2016 will be held on Friday, June 10, 2016 at Bo's Entertainment in Lenoir from 10:00 p.m. until 3:00 a.m. This event will be well chaperoned by both parent volunteers and law enforcement in an atmosphere filled with games, door prizes, dancing, food, soft drinks, and lots of fun. Everything is absolutely free for all seniors attending.

You are a vital part of the success of PROJECT GRADUATION 2016. We hope you will participate in sponsoring this unforgettable milestone in our young people's lives by giving a tax-deductible contribution.

Please join us in honoring our Caldwell County graduates by providing a safe and memorable 28th Anniversary Celebration at Project Graduation 2016.

Clip and mail to: Project Graduation 2016
c/o Libby Brown
Caldwell County Education Center
1914 Hickory Blvd. SW
Lenoir, NC 28645

I/my business would like to donate the following to PROJECT GRADUATION 2016 {Please check all that apply and make checks payable to Project Graduation 2016.}

- Money Enclosed {list amount}:
I will donate the following items:
Date/Time to be picked up:
I will donate food {please list}:
Date/Time to be picked up:

Name of Donor/Business:
Business Contact Person:
Address {please include city}:
Phone Number: Email:

Attachment 5
Council

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Logan Shook
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Proclamation

WHEREAS, linemen are often first responders during storms and other catastrophic events, working to make the scene safe for other public safety heroes; and

WHEREAS, linemen work with thousands of volts of electricity high atop power lines 24 hours a day, 365 days a year, to keep electricity flowing; and

WHEREAS, linemen must often work under dangerous conditions far from their families to construct and maintain the energy infrastructure of the United States; and

WHEREAS, linemen put their lives on the line every day with little recognition from the community regarding the danger of their work.

NOW THEREFORE, I, Ronnie Setzer, on behalf of the Town of Cahaj's Mountain Town Council, do hereby proclaim, April 18, 2016, as

Lineman Appreciation Day

in the Town of Cahaj's Mountain and thank the linemen of Duke Energy, Lynch's River Electric Cooperative, and York Electric Cooperative for all they do for our citizens.

Town of Cajah's Mountain



Solar Farm Ordinance

Solar Farm

Background: Solar energy is a clean and renewable energy source. The purpose of this Ordinance is to provide for the regulation of the construction and operation of Solar Farms in the Town of Cahah's Mountain, subject to reasonable conditions that will protect the environment, public health, safety, and welfare. Zoning permits are required for all Solar Farms.

This Ordinance shall apply in M-1, B-1 and R-20 Districts where the property size is at least 25 acres or more in size.

Definitions.

“Solar Farm”-A solar photovoltaic facility whose primary purpose is to generate power to sell for commercial gain and is typically sold to energy companies rather than end users.

“Applicant”-The person or entity filing an application under this Ordinance.

“Facility Operator”-The entity responsible for the day-to-day operation and maintenance of the Solar Farm.

“Facility Owner”-The entity or entities having controlling or majority equity interest in the Energy Facility, including their respective successors and assigns.

Below are requirements for the pre-construction of, construction of, operation of and deconstruction of a Solar Farm in the Town of Cahah's Mountain:

(I)

All structures and security fencing shall meet a 100-foot front setback measured from the edge of the rights-of-way and 50-foot side and rear setbacks.

(II)

A landscape buffer or screen along all exterior sides of the security fence shall consist of:

- A. On-site mature vegetation exists at a minimum height of 10 feet and depth of 50 feet between the security fence and adjacent property including rights-of-way; or
- B. A single row of evergreens in combination with mature vegetation, installed at a height of 5 feet achieving opaqueness and a minimum height of 10 feet in 5 years; or
- C. A double row of off-set evergreens absent mature vegetation, installed at a height of 5 feet achieving opaqueness and a minimum height of 10 feet in 5 years; or
- D. A berm combined with evergreen vegetation installed at a height of 5 feet achieving opaqueness and a minimum height of 10 feet in 5 years.

(III)

Where visibility of the Solar Farm is increased due to topography, the landscape buffer or screen shall be planted on-site in an area that reduces the view of the Solar Farm. Where visibility of the Solar Farm is decreased due to topography, the landscape buffer or screen may be reduced. Both shall be determined by the town manager.

(IV)

All solar panels shall be constructed to minimize glare or reflection onto adjacent properties and adjacent roadways and shall not interfere with traffic or create a safety hazard.

(V)

The Applicant shall secure all necessary approvals and permits from North Carolina Department Of Transportation for the access points for project entrances prior to issuance of a zoning authorization permit.

(VI)

All construction parking shall be located outside of rights-of-way.

(VII)

Erosion control measures shall be installed at construction entrances in order to minimize off-site soil damage. Existing grass shall be reasonably maintained in perpetuity sufficient to prevent erosion.

(VIII)

The Applicant shall provide written authorization from the local utility company acknowledging and approving connection to the utility company's grid.

(IX)

A warning sign concerning voltage shall be placed at the main gate to include the name of the Facility Operator and a local phone number for the Facility Operator in case of an emergency.

(X)

Power transmission lines shall be located underground to the extent practical.

(XI)

A security fence equipped with a gate and a locking mechanism shall be installed at a minimum height of 8 feet along all exterior sides of the Solar Farm.

(XII)

Landscape buffer or screens, ground cover, security fences, gates, and warning signs shall be maintained in good condition until the Solar Farm is dismantled and removed from the site.

(XIII)

The zoning authorization permit is subject to revocation if the town manager or town clerk is not notified when the Solar Farm company holding the permit sells or otherwise transfers its interest to another entity or individual.

(XIV)

Removal of Solar Farm equipment and site restoration:

- A. The application shall include decommissioning plans that describe the anticipated life of the Solar Farm, the estimated decommissioning costs in current dollars, the method for ensuring that funds will be available for decommissioning and restoration, and the anticipated manner in which the Solar Farm project will be decommissioned and the site restored.
- B. Following a continuous 6-month period in which no electricity is generated, the permit holder will have 6 months to complete decommissioning of the Solar Farm. Decommissioning includes removal of solar panels, buildings, cabling, electrical components, and any other associated facilities below grade as described in the approved decommissioning plan.
- C. Prior to the issuance of a zoning permit, the Applicant shall provide the town with a performance guarantee as provided in subsection (4) below. The amount of the guarantee shall be one and a quarter times the estimated decommissioning cost minus the salvageable value, or \$50,000.00, whichever is greater. Estimates for decommissioning the site and salvage value shall be determined by a North Carolina licensed engineer or a licensed contractor. It is the responsibility of the Applicant to provide the town with the certified cost estimate.
- D. The following types of performance guarantees are permitted:
 1. A surety or performance bond that renews automatically, includes a minimum 60-day notice to the town prior to cancellation, is approved by the town manager, and is from a company on the U.S. Department of Treasury's Listing of Certified Companies. A bond certificate shall be submitted to the town manager each year verifying the bond has been properly renewed.
 2. A certified check deposited with the town manager, as escrow agent, who will deposit the check in an interest-bearing account of the town, with all interest

accruing to the Applicant. Funds deposited with the town manager will be returned when the Solar Farm is decommissioned and any necessary site restoration is completed.

(XV)

The full amount of the bond, certified check, or letter of credit shall remain in full force and effect until the Solar Farm is decommissioned and any necessary site restoration is completed.

(XVI)

The following are continuous appearance requirements that shall be met at all times:

- A. The solar energy system shall remain painted or finished the color or finish that was originally applied by the manufacturer.
- B. All signs, other than the manufacturer's identification, installer's identification, appropriate warning signs, or owner identification on a solar energy system shall be prohibited. Not more than 1 manufacturer label bonded to or painted upon the solar energy system shall be permitted.

(XVII)

Code Compliance: A Solar Farm shall comply with all applicable construction and electrical codes.

(XVIII)

All obsolete or unused systems shall be removed within 12 months of cessation of operations without cost to the town. Reusable components are to be recycled whenever possible.

(XIX)

Violations: Subsequent to the effective date of this Ordinance, it is unlawful for any person to construct, install, or operate a Solar Farm that is not in compliance with this Article or with any condition contained in a zoning permit issued pursuant to this Article.

(XX)

The Facility Owner shall notify the town when the site is abandoned.

End of Solar Farm Ordinance.

Attachment 7



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

CITY COUNCIL
K. P. EDMISTEN
T. H. PERDUE
J. I. PERKINS
T. J. ROHR
D. F. STEVENS
C. D. THOMAS
B. K. WILLIS

February 29, 2016

Mr. Logan Shook, Town Manager
Town of Cajahs Mountain
1800 Connelly Springs Road
Lenoir, NC 28645

Re: Proposed Sewer Rate Increase

Dear Mr. Shook:

The purpose of this letter is to notify you that the City of Lenoir is planning a sewer rate increase for the upcoming 2016-2017 fiscal year. Resale sewer rates are increasing by 3% and your resale sewer rate will be \$3.74 per 1,000 gallons which becomes effective July 1, 2016. Your current resale water rate of \$2.12 per 1,000 gallons will remain the same.

If you have any questions or need additional information, please feel free to give me a call.

Sincerely,

CITY OF LENOIR

Scott E. Hildebran
City Manager

cc: Mayor Gibbons
City Council Members
Radford Thomas, Public Utilities Director



