



AGENDA

**Henderson City Council Special Called Meeting
Tuesday 19 May 2015, 6:00 p.m.
R. G. (Chick) Young, Jr. Council Chambers, Municipal Building
134 Rose Avenue
Henderson, North Carolina**

Mayor and City Council Members

Mayor James D. O'Geary, Presiding

Councilmember James C. Kearney, Sr.
Councilmember Sara M. Coffey
Councilmember Michael C. Inscoe
Councilmember D. Michael Rainey

Councilmember Brenda Peace-Jenkins
Councilmember Garry D. Daeke
Councilmember Fearldine A. Simmons
Councilmember George M. Daye

City Officials

Edward A. Wyatt, Interim City Manager
D. Rix Edwards, City Attorney
Esther J. McCrackin, City Clerk

I. CALL TO ORDER

II. ROLL CALL

III. OPENING REMARKS

In order to provide for the highest standards of ethical behavior and Transparency in Governance as well as provide for good and open government, the City Council has approved Core Values regarding Ethical Behavior¹ and Transparency in Governance². The Mayor now inquires as to whether any Council Member knows of any conflict of interest, or appearance of conflict, with respect to matters before the City Council. If any Council Members knows of a conflict of interest, or appearance of conflict, please state so at this time.

¹ **Core Value 4: Ethical Behavior:** We value the public trust and will perform our duties and responsibilities with the highest levels of integrity, honesty, trustworthiness and professionalism.

² **Core Value 10: Transparency in Governance:** We value transparency in the governance and operations of the City.

IV. OLD BUSINESS

a) Solar Farms Discussion.

V. CLOSED SESSION

a) Pursuant to G.S.§143-318.11 (a)(4) regarding Economic Development.

VI. ADJOURNMENT



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PRESENT

Mayor James D. O'Geary, Presiding; and Council Members James C. Kearney, Sr., Sara M. Coffey, Michael C. Inscoe, Brenda Peace-Jenkins, Garry D. Daeke, Fearldine A. Simmons and George M. Daye.

ABSENT

Council Member D. Michael Rainey

STAFF PRESENT

Interim City Manager Edward A. Wyatt, City Attorney D. Rix Edwards, City Clerk Esther J. McCrackin, Assistant City Manager Frank Frazier, Development Services Director Corey Williams and Planner Robert Harris.

CALL TO ORDER

The 19 May 2015 Special Called Meeting of the Henderson City Council was called to order by Mayor James D. O'Geary at 6:00 p.m. in the R. G. "Chick" Young, Jr. Council Chambers, Municipal Building, 134 Rose Avenue, Henderson, NC.

ROLL CALL

The City Clerk called the roll and advised Mayor O'Geary a quorum was present. The City Clerk also advised the format would change so the Closed Session could be held first.

With no discussion, Mayor O'Geary asked if Council was prepared to go into Closed Session and stated there would be no report following the session.

CLOSED SESSION

Council Member Inscoe moved for Council to convene in closed session pursuant to G.S. §143-318.11(a)(4) for an Economic Development matter. Motion seconded by Council Member Daeke and unanimously approved.

Council Member Kearney moved for Council to convene in open session. Motion seconded by Council Member Daye, and unanimously approved.

Mayor O'Geary asked the Clerk to proceed.

OLD BUSINESS

Solar Farms Discussion

Development Director Williams began the discussion by providing a brief timeline of the solar farm issue. This came before the Planning Board in January. Then in February it went before Council where the issue was remanded back to the Planning Board for further information. Since February there have been several Planning Board discussions, including a work session. Mr. Williams said on May 4th the Planning Board approved a Text Amendment to not allow solar farms in RA zoning districts.

Mr. Williams then reviewed the draft ordinance which incorporates many points from the North Carolina Solar Energy Development template. He pointed out the ordinance includes the following requirements: 1) site plan, 2) setbacks, 3) screening and fencing, 4) signage, 5) noise, 6) transmission lines, 7) annual inspection, 8) decommissioning, 9) security bond, and 10) definition (size of components).

Council Member Daeke felt the screening (live plants such as trees/hedges) should be at least 6 feet on the first day rather than allowing the screening to grow over a period of three years. Council Members Kearney and Coffey agreed.

Council Member Coffey has no problem with solar farms as long as they are screened and not in the middle of the City.

Council Member Kearney brought up the issue of unsightly, bare spots as trees/hedges do die but felt solar farms are acceptable if kept from view of the public.

Council Member Inscoe suggested a fee for the annual inspection and asked who would do the inspection. Mr. Williams said his department would be responsible and after a brief discussion, \$1,000 was suggested as the annual fee.

After further discussion, the following restrictions were requested by Council.

- 8 foot screening required in RA with a process in place to replace the trees/hedges by the City at the expense of the property owner with the ability to enforce civil penalties
- \$1,000 annual inspection fee
- Property owner responsible for upkeep

There was then a discussion regarding what should be approved first by Council during the upcoming public hearing. It was decided that the design standards would be approved first with the text amendment coming next.

Mr. Williams then distributed a list of solar farms in the area along with applications at the State Clearing House.

Council Member Coffey asked if the Clearing House list of solar farms indicates application has been made but no action has been taken. Mr. Williams said that was correct.

Mr. Williams asked for and received verification from Council regarding the sequence that they would like to consider these issues at the Public Hearing. The consensus was the sequence should be to continue the Public Hearing starting with the design regulations, then the rezoning and lastly the text amendment.

There were no further questions so Mayor O'Geary asked if Council was prepared to adjourn.

ADJOURNMENT

Council Member Coffey moved for adjournment. Motion seconded by Council Member Daye, and unanimously approved. The meeting adjourned at 6:57 p.m.

James D. O'Geary
Mayor

ATTEST:

Esther J. McCrackin
City Clerk