

**Village of Misenheimer**  
**Council Meeting - Community Building**  
**Monday, October 12, 2020 6PM**

**Council Present:** Michael “Frizbee” Herron, Mayor  
Mike Burrage  
Micah Edquist, Finance Officer

**Staff:** Anita Blair, Administrator/Clerk  
Erik McGinnis, Chief of Police

**Visitors:** Mac McCarley, Village Legal Counsel  
Katherine Ross, Solar Legal Counsel  
John & Mandy Pickler, Land Owners

**Council Present via Zoom:** Peter Edquist  
Jeff Watson, Mayor Pro Tem

**Visitors Present Via Zoom:** Peter Moritzburke,  
Misenheimer Solar, LLC

**1. Call to Order:** Mayor Herron called the meeting to order at 6:00 pm.

**2. Moment of Silence:** Mayor Herron requested that a moment of silence be observed.

**3. Ethics Statement:** Anita Blair read the Ethics Statement asking if any Council members present may have any potential conflict(s) of interest or any known or perceived conflict(s) of interest related to the meeting Agenda presented. None were noted.

**4. Introduction of Visitors:** Mayor Herron introduced all visitors.

**5. Approval 10/12/20 Agenda:** Micah Edquist moved to approve the agenda as presented. Mike Burrage seconded the motion and it was approved by a 5/0 vote.

**6. Public Comment Period:** No public comments were offered.

**7. Special Use Permit Extension Request – Misenheimer Solar, LLC –** John Pickler, Solar Farm lessor, stated to the Village Council that he would be a good neighbor and asked for consideration of the Special Use Permit (SUP) extension.

Katherine Ross, Parker Poe attorney for Misenheimer Solar, LLC, thanked the Village Council and asked Peter Moritzburke to present the solar farm request to the Village Council.

Peter Moritzburke, Misenheimer Solar, LLC developer, gave an overview of the extension application, reviewed the studies that are ongoing and the progress made thus far. He also presented new conditions that were being offered to the Village and requested a two-year SUP extension. The proposed conditions were:

1. The vested rights extension will expire if (1) a final unappealable decision is entered in the Competitive Procurement of Renewable Energy (CPRE) Tranche 1 complaint action before the North Carolina Utilities Commission (NCUC) that does not result in a Power Purchase Agreement (PPA) being executed for the project, and (2) the CPRE Tranche 2 is fully closed and no PPA is executed for the project, but in any event on January 14, 2023.
2. The Solar Energy Power Generation System (SEPGS) will not be constructed on that portion of parcel 661302555834, owned by Gus Schad, that abuts Highway 52 (such portion designated “Excluded Area – 48.90 Ac” in the attached lease exhibit dated August 6, 2018).
3. There will be a minimum 400-foot setback, from fence line of the SEPGS to property line along Wesley Chapel Road, where parcel 661303426162, owned by John and Mandy Pickler, abuts Wesley Chapel Road.

Peter Moritzburke stated that development of the project was 90% complete and that only a few things remained in the development phase.

Katherine Ross reported the Tranche 2 PPA was in hand with final details and must be concluded by October 15, 2020. She pointed out that “Condition 1” (above) will only apply to the SUP in place through Tranche 2, or through litigation in

Tranche 1. There are 4 possible Tranches. A two-year extension will not allow enough time for additional tranches to be pursued; therefore, a new SUP application would need to be filed if Tranche 1 or 2 does not come to fruition.

Micah Edquist asked if the additional setback area will be left in its native state. Peter Mortizburke answered that the additional 200' may be affected during the construction, but the first 200' from the road front on Wesley Chapel will not be affected.

Mayor Herron questioned why the additional 200' was added. Mr. Mortizburke stated there are potential wetlands or wash to be avoided. It was determined that they did not need it for the full build-out.

Mayor Herron expressed concern regarding buffering for the areas in the Village where the solar farm is outside of the Village but adjacent. He would like to see protection for these areas too.

Micah Edquist commented that if the extension is approved, he would ask that construction traffic on Wesley Chapel be kept to a minimum. He stated that Glenmore Road is less developed than Wesley Chapel and access to Hwy 52 and the railroad is much easier via Glenmore Road. He also expressed that he would hope that construction is efficient and quick, and that buffers are fertilized.

Micah Edquist moved to adopt the SUP extension for Misenheimer Solar, LLC including the 3 additional conditions presented. Mike Burrage seconded the motion. Each Council member was polled and the results were as follows: Mike Burrage – yes, Jeff Watson – yes, Peter Edquist – no, Micah Edquist – yes, Mayor Herron – no

Katherine Ross, John Pickler and Mandy Pickler left at 6:43 pm. Peter Mortizburke left the virtual meeting at the same time.

## **8. Approval of Council Meeting Minutes – August, 2020 & September, 2020**

**August 10, 2020 Council Meeting Minutes:** Mike Burrage moved to approve the 08/10/20 Council Meeting minutes as presented. Mike Burrage seconded the motion and it was approved by a 5/0 vote.

**September 14, 2020 Council Meeting Minutes:** Micah Edquist moved to approve the 09/14/20 Council Meeting minutes as presented. Mike Burrage seconded the motion and it was approved by a 5/0 vote.

**9. Review Unaudited Financial Status at 09/30/20:** Micah Edquist reported the following reconciled bank balances at 09/30/20 as follows:

General Fund	\$560,711
Powell Bill Fund	\$109,328
Carolina Thread Trail	\$ 3,334 (Grant #2) Trail Acquisition Grant (Village, Richfield & New London)

All adjusting journal entries have been posted and revenues are current. The figures presented are an accurate reflection of the financial status to date.

**10. Health Insurance Renewal:** Anita Blair reported the Blue Cross Blue Shield (BCBS) Health Insurance Plan is again grandfathered in the upcoming plan year beginning 12/1/20. Health insurance is renewing at a .01% increase, dental at an 18.13% decrease and life insurance remains the same as last year. Peter Edquist moved to approve the BCBS Health Insurance renewal presented. Micah Edquist seconded the motion and it was approved 5/0.

**11. Police Report – September, 2020:** Chief McGinnis reported 95 traffic stops, 64 total charges, 7 warning citations and 2 arrests for the month of September, 2020. There were 7 written warning citations, 15 mutual aid requests from the Stanly County Sheriff's Office and State Highway Patrol, and 10 motorists were issued citations with multiple charges. There were 53 citations on US 52 and 35 on NC 49. The highest speed cited on Hwy 49 was 90 mph.

**12. Proclamation – Veterans “Thank You for Your Service Day”:** The proclamation was presented to the Council members. Micah Edquist moved to approve the Veterans “Thank You for Your Service Day” proclamation. Mike Burrage seconded the motion and it was approved 5/0.

**13. Other Business:** No other business was presented.

**14. Adjournment:** The meeting adjourned at 6:55 pm.

---

Mayor Michael “Frizbee” Herron

---

Date

---

Anita Blair, Administrator/Clerk

---

Date