



**Stanley Town Council Meeting
Official Minutes
Monday, April 9, 2018**

The regular monthly meeting of the Stanley Town Council was held on Monday, April 9, 2018 at Stanley Middle School. The following elected officials and staff were present:

Steven Denton, Mayor
Cathy Kirkland, Council Member
Rob McMinn, Council Member
Kerry Hart, Council Member
Bud Pate, Council Member
Danny Sparrow, Mayor Pro-Tem

Jim Windham, Town Attorney
Heath Jenkins, Town Manager
Catherine Greder, Town Clerk
Olivia Smith, Finance Director
Will Keller, Fire Chief
Derek Summey, Police Chief

Call to Order:

Mayor Denton called the meeting to order at 6:00 p.m.

Invocation:

Council Member Bud Pate gave the invocation.

Pledge of Allegiance:

All citizens present recited the Pledge of Allegiance.

Approval of Agenda:

Mayor Denton asked for a motion to approve the agenda. Council Member Cathy Kirkland made a motion to accept the agenda and Council Member Bud Pate seconded the motion. A vote was held and the motion passed unanimously.

Approval of Minutes:

Mayor Denton asked for a motion to accept the March 5, 2018 Regular Meeting Minutes. Mayor Pro-Tem Sparrow stated that he found some typos he would ask the Clerk to correct, but nothing that changed the context of the minutes. Council Member Kerry Hart made a motion to

accept the minutes and Council Member Rob McMinn seconded the motion. A vote was held the motion passed unanimously.

Citizen Comments & Presentations: Mayor Denton asked if there were any citizen comments related to the agenda items, other than the items to be discussed in a public hearing. There were none.

Old Business:

A. Adoption of Council Procedures

Mayor Denton explained that a few changes were made to the Council Procedures presented last month. Those changes were made as a result of Council request. No other changes were made.

Mayor Denton asked if there was a motion to adopt the Council Procedures. Mayor Pro-Tem Danny Sparrow made the motion to adopt the Council Procedures. Council Member Kerry Hart seconded the motion. A vote was held and the motion passed unanimously.

B. Resolution to Support the Gaston County School Bond and Sales Tax Increase

Catherine Greder, the Town Clerk, explained that a draft sample had been sent by Chairman Brown via Clerk to the Commissioners, Donna Buff. The Clerk revised the draft sample to remove support for a property tax increase, as the City of Gastonia had done before adopting the resolution.

Mayor Denton asked if there was a motion to approve the Resolution. Council Member Cathy Kirkland made the motion. Council Member Kerry Hart seconded the motion. A vote was held and the motion passed unanimously.

C. Public Hearing

Mayor Denton asked Manager Jenkins to explain the process for each application. Manager Jenkins stated that each request will require a motion and second to open and close the hearing and after each hearing is closed, the Mayor may entertain a motion to approve or deny each request. Mayor Denton reminded the audience of the meeting rules.

a. Consideration of a Zoning Change from General Business (GB) to Residential (R-8) for parcels 134301, 134313, 134304, 134300.

Manager Jenkins explained that the request is to zone parcels that are currently GB to R8. He stated the Planning Board made a recommendation to approve the request.

Mayor Denton asked for a motion to open the public hearing. Mayor Pro-Tem Danny Sparrow made the motion. Council Member Rob McMinn seconded the motion. A vote was held and the motion passed unanimously.

Mayor Denton asked if there were any comments from the public. There were none. Mayor Denton asked if there were any Council comments. There were none. Mayor Denton asked the applicant if she would like to address the Council. She did not.

Mayor Denton asked if there was a motion to close the public hearing. Council Member Rob McMinn made the motion. Mayor Pro-Tem Sparrow seconded the motion. A vote was held and the motion passed unanimously.

Mayor Denton asked if there was a motion. Council Member Rob McMinn made a motion to deny the application and leave the parcels as GB. Mayor Pro-Tem Danny Sparrow seconded the motion. A vote was held. Councilmember Kirkland was opposed. The motion passed.

- b. Consideration of a Subdivision at 102 Mariposa Road – Parcel # 174316**
Mayor Denton asked for a motion to open the public hearing. Council Member Cathy Kirkland made the motion. Council Member Bud Pate seconded the motion. A vote was held and the motion passed unanimously.

Mayor Denton asked if there were any public comments. There were none. Mayor Denton asked if there were any comments from the Council. There were none.

Mayor Denton asked for a motion to close the public hearing. Council Member Bud Pate made the motion. Council Member Cathy Kirkland seconded the motion. A vote was held and the motion passed unanimously.

Mayor Denton asked if there was a motion. Council Member Kerry Hart made a motion to approve the subdivision as presented. Council Member Rob McMinn seconded the motion. A vote was held and the motion passed unanimously.

- c. Consideration of a Subdivision at 317 W. Plum Street – Parcel # 133988**
Mayor Denton asked if there was a motion to open the public hearing. Council Member Rob McMinn made the motion. Council Member Cathy Kirkland seconded the motion. A vote was held and the motion passed unanimously.

Mayor Denton asked if there were any public comments. There were none. Mayor Denton asked if there were any comments from the Council. There were none.

Mayor Denton asked if there was a motion to close the public hearing. Council Member Kerry Hart made the motion. Council Member Rob McMinn seconded the motion. A vote was held and the motion passed unanimously.

Mayor Denton asked if there was a motion. Council Member Rob McMinn made a motion to approve the subdivision. Council Member Bud Pate seconded the motion. A vote was held and the motion passed unanimously.

d. Consideration of a Subdivision at 112 Parsons Road, Mount Holly, NC 28120 – Parcel #224465

Mayor Denton asked if there was a motion to open the public hearing. Mayor Pro-Tem Sparrow made the motion. Council Member Kerry Hart seconded the motion. A vote was held and the motion passed unanimously.

Mayor Denton asked if there were any public comments. There were none. Mayor Denton asked if there were any comments from the Council. There were none.

Mayor Denton asked if there was a motion to close the public hearing. Mayor Pro-Tem Danny Sparrow made the motion. Council Member Rob McMinn seconded the motion. A vote was held and the motion passed unanimously.

Mayor Denton asked if there was a motion. Council Member Kerry Hart made a motion to approve the subdivision. Council Member Bud Pate seconded the motion. A vote was held and the motion passed unanimously.

Mayor Denton stated that anyone with a desire to stay for the remaining public hearings may and asked that anyone that would like to leave do so at this time to prevent disruption during the remainder of the meeting.

e. Consideration of Approval to Construct a Biodiesel Plant on Parcel # 175766

Mayor Denton asked if there was a motion to open the public hearing. Mayor Pro-Tem Danny Sparrow made the motion. Council Member Rob McMinn seconded the motion. A vote was held and the motion passed unanimously.

Tom Corriher with Walyak Energy began his presentation to the Town Council. Mr. Corriher introduced John Ward, CEO; Angelo Morales, Executive Director; Danny Nelson, Engagement Director.

Mr. Corriher stated that he met with the Planning Board a few weeks ago. He believes that he has developed a PowerPoint that will address the concerns shared at that meeting which will show their commitment to being a positive

benefit to Stanley. Mr. Corriher stated that after the presentation, they would be glad to answer any questions.

Mr. Corriher explained biodiesel as a clean, burning alternative fuel produced from renewable sources such as soy beans, sunflowers, waste cooking oil. He stated that biodiesel contains no petroleum but can be blended at any level with petroleum diesel. He stated that biodiesel is simple to use, is biodegradable and non-toxic. Mr. Corriher explained that he has a background in biology which is one reason that he wants to start a biodiesel company. He explained that Cherryville approved a site for them several years ago, but the site does not fit what they want to do. Mr. Corriher explained that biodiesel is made with 1/10 methanol and a catalyst to make the reaction go fast. He said in traditional plants the catalyst is a strong acid. He states that their technology is new, enzyme technology and acts as the catalyst. This produces biodiesel and glycerin. They can resell both products. Glycerin is used in soaps, animal feed and lots of other products. Mr. Corriher stated that North Carolina does not have a mandate for biodiesel, but other states do. He stated that in other states, you may see biodiesel at a gas station, showing "may contain 10%". He stated that biodiesel is blending between 5-20% and depending on state mandates, they may require a specific percentage blend. At Mr. Corriher's site, they will only do B100. Mr. Corriher stated that they will not have diesel at their site.

Mr. Corriher explained the difference between biodiesel and petroleum diesel. He explained that biodiesel contains no petroleum but can be combined to create a biodiesel-petroleum blend.

Mr. Corriher stated that biodiesel is made from renewable resources. He stated it is a way for businesses to reduce their carbon footprint and biodiesel is biodegradable. He stated that should there be a spill, the EPA states they do not have to clean it up, because it is biodegradable. He states that the bacteria in the soil will eat the spilled biodiesel.

Mr. Corriher states that biodiesel gets absorbed by biodiesel when put in water. He stated biodiesel is the only alternative to have completed health testing. He stated that the Clean Air Act sees what is in each alternative and biodiesel is the only fuel that is not harmful and passes the Clean Air Act.

Mr. Corriher stated that every safeguard will be applied to the facility. Walyak will have a nitrogen blanket technology to prevent fire and explosion. Mr. Corriher stated that raw materials and chemicals will be handled in a closed system to reduce spills and odors. He stated that an automatic shutoff

will be built into the project. He stated that ambient noise will not significantly increase.

Mr. Corriher spoke about nitrogen technology. He stated that methanol is their most dangerous product, in a 30,000 tank. He stated that nitrogen replaces air. As methanol goes out, nitrogen goes in. He stated that they take the utmost care. Mr. Corriher explained that there was an explosion at a plant where an employee began welding in an unsafe area. He stated that this will not happen at his plant, no one will be allowed to weld without purging the entire system.

Mr. Corriher stated that Walyak will provide thirty direct operational jobs, from \$25-45 per hour. He stated there would be 100 direct and indirect jobs during construction and an investment of \$45 million. He stated that it makes efficient use of existing industrial land and provides an additional industrial investment. Mr. Corriher stated that the process recycles product that would otherwise end up in a landfill. Mr. Corriher stated that Stanley would be the largest facility producing this fuel in North Carolina and in the top twenty in the United States.

Mr. Corriher stated that the process Walyak uses will not generate much noise during production. He stated that any noise will probably not be heard as it will be lost in general background traffic noise. He stated that their planning will aim to eliminate noise nuisance. Mr. Corriher addressed concerns about disconnecting and reconnecting train cars. Mr. Corriher stated that there will only be one connection, not each of the nine cars, on each rail spur, three times per week. Mr. Corriher stated that he has watched many YouTube videos and he does not believe there is much noise associated with disconnection. He stated the noise lasts for 5-10 seconds and is no worse than the train horn as the train passes which is already happening.

Mr. Corriher explained that all incoming and outgoing will be done via spur and therefore the existing roadways will handle any additional traffic, which will be limited. Mr. Corriher stated that CSX will make mid-morning transports to the site. Mr. Corriher stated that he investigated and spoke with CSX and that all feedstock will come from Charlotte. He stated that it is done three times a week and only in the mornings. He stated that it is rare that CSX do afternoon stops. He stated that the representative he spoke with does not have the staffing to do night stops.

Mr. Corriher stated that residential sites will not experience loss of value as they have already sustained market depreciation as they have already been located next to an industrial site and railroad tracks and that area landowners should have been informed by qualified real estate professionals that their property borders an industrial site that will always be subject to potential development.

Mr. Corriher stated that the odors admitted from the facility will be minor and will not be noticeable. The facility will be required to maintain an air quality operation permit. Given the technology the proprietary processes used will have minimal impact on the air. Walyak will mitigate potential odor with an air suppression system, a vapor-controlled system. Mr. Corriher stated that after the last meeting and the concern of odor, he would explain the odor source to the Council. He explained that there is no odor with biodiesel, the odor is with the feedstock. He explained that the yellow grease and brown grease come in on rail cars, the lid is lifted, a container is dropped, a sample is collected from the middle of the rail car, the sample is taken to the lab and tested, if it passes they are ready to load the feedstock into the facility. He stated that the technology they use is used in the chemical industry. He stated that the smell will be contained in an activated carbon barrel.

Mr. Corriher stated this was the conclusion of his presentation and he would take questions.

Mayor Pro-Tem Sparrow asked if trucks that are already on the road could take Walyak's product and what percentage they could take. Mr. Corriher stated that up to 20% without modification and that with modification to fuel lines the vehicles could take up to 80%. Mayor Pro-Tem Sparrow asked who monitors the acid kept on site. Mr. Corriher said they will not keep acid on site because that is the catalyst in a different process. They will use the enzyme technology. Mr. Corriher said the benefit of enzyme is that the process runs at 100 degrees. He said that the acid runs at 200 degrees. He said that temperature rising on biodiesel is a hazard. He also said that at 200-300 degrees, the biodiesel would ignite, but they will keep at 100 or less and use chillers to do so. He stated that with enzyme if you go over 100 degrees, you will ruin the product.

Mr. Corriher showed a clip of what the plant may look like. This clip is available by contacting the Town Clerk.

Mr. Corriher stated that the W in the fountain was his wife's idea and they would make a donation once a year to Make-A-Wish.

Mayor Denton asked if the individuals that would like to make public comment would please state their name and address before speaking.

Sally Davis – 108 General Braxton Bragg Street

Ms. Davis explained that her home is adjacent to the property in question. She stated that she is a fourth-generation resident of Stanley. She stated that despite the potential economic development, from the introduction of the industry to our area, she has concerns about this being so close to a residential area. Ms. Davis stated that during her research, she found many concerns. Ms. Davis stated that methanol is a flammable liquid that burns and can explode in air. Ms. Davis stated that methanol may collect in confined spaces. Ms. Davis stated that methanol is a toxin and ingestion of a small amount may cause death. She stated that methanol absorbs through the skin and into the bloodstream. Ms. Davis stated that she would quote statistics: Of 92 incidents involving methanol from 1998-2013, fires and explosions account for 83% and spills represent 12% of the total. The industrial sector, which includes biodiesel production, was the top category responsible for most methanol incidents. Ms. Davis stated that these statistics were published by Alliance Consulting International. Ms. Davis read stories of fires that have happened in Utah, Georgia, and other states. Ms. Davis stated that there were fires in Tennessee covered in the news. Ms. Davis stated the news article explained that nearby residents were evacuated in the Tennessee situation.

Mayor Denton stated that Ms. Davis had exceeded her three minutes. Ms. Davis stated that she was going to speak for her neighbor. Mayor Denton asked that the applicant address concerns after each comment.

Ms. Davis continued with her comments. Ms. Davis stated that researchers say that it is not if an incident will happen but when it will happen. Ms. Davis questioned if enough emergency staff were employed to handle this. Ms. Davis questioned if there would be adequate training for these responders. She stated that the plant would be located right across the road from the Welcome sign and she would like Stanley to be remembered as the friendly place, not the dangerous place or the smelly place. She stated that she hopes Town leaders will take these concerns into consideration. She stated that she has additional information from her research available.

Mayor Denton asked Mr. Corriher to respond to Ms. Davis' concern.

Mr. Corriher stated that the information Ms. Davis was reading from was repeatedly from 2007.

Mr. Davis interjected "2016, 2017".

Mr. Corriher stated that the majority of fires that have occurred in biodiesel plants occurred prior to 2007. He stated that the industry was not properly handled prior to 2007. Mr. Corriher stated that he visited a plant in Catawba County that has different technology. Mr. Corriher stated that methanol alarms will be placed around the facility. Mr. Corriher stated that if methanol gets out, they will be notified by the alarm. He stated that the alarms and the nitrogen will prevent fires. After the fires in 2007, the National Biodiesel Board put safety procedures and trainings in place. He stated that he also believed these fire locations were batch-processing locations. He stated batch-processing is not what they do at the proposed facility.

Mayor Pro-Tem Sparrow asked about the nitrogen system and asked if it would be without-a-doubt installed at the facility. Mr. Corriher said that it would be installed, without-a-doubt.

Council Member Rob McMinn asked if there would be alarms to ensure that they did not run out of nitrogen. Mr. Corriher stated that would be a maintenance process.

Council Member Cathy Kirkland asked if they had another plant? Mr. Corriher stated they do not have another plant.

Council Member Kerry Hart asked Mr. Corriher to address the concerns over emergency personnel. Mr. Corriher asked how many times the audience has seen someone smoking a cigarette when pumping gasoline. He stated this is just as dangerous as methanol, but service stations are approved to be built. Mr. Corriher stated that service stations have more gasoline than they will have methanol.

Mayor Pro-Tem Sparrow asked if Mr. Corriher could describe how much water will be used. Mr. Corriher stated that he does not have a number at this time regarding how many gallons will be used in the process at this time.

Mayor Denton asked the Council to refrain from further questions until after the public had finished commenting.

Frank Guida – 105 General Braxton Bragg

Mr. Guida stated that the public keeps getting changes, they heard something at the Planning Board and now they are hearing something else. Mr. Guida stated that he is speaking on behalf of his neighbors. He stated that he attended the Planning Board meeting on March 29th, and all requests except this one was approved. He stated that the only positive comments regarding this application came from the applicants. He stated that there were questions from the Planning Board and members of the audience. Mr. Guida stated that the only positive comment from the Planning Board was that they wish we could find a place for Walyak that is not so close to a residential area. Mr. Guida said he liked this statement. Mr. Guida stated he believed that there is another site on the other side of Pennsylvania Steel that would be close but not in his backyard. Mr. Guida stated that he ran into a board member several days later and was told that if they cannot agree, they do not vote. Mr. Guida said he feels confident that means the Planning Board did not approve the application. Mr. Guida stated that at the Planning Board meeting they were told there would be two buildings, one for an office and one for operations and the applicant's rendering shows four buildings. He stated that this is different than was given to him by the Town. He stated that the plant would have tanks, self-contained, according to the applicant. Mr. Guida said this looks like their own "tank town". Mr. Guida stated that the applicant changed from 8 railcars to 18-20 railcars. Mr. Guida stated that the rail spurs would run parallel to the residential properties, within 20 yards of the Davis' "give or take a few". He stated that the spurs would be closer to their property than the track is to the other side of their property. Mr. Guida stated that the technology they would use is one used by Piedmont Biofuels in Pittsboro, North Carolina. He stated that he went to their website before the Planning Board meeting and the website was not impressive, but he found statements that concerned him, "it houses our high-hazardous stuff and is the home of the refinery" and under frequently asked questions, one question states "if there is a spill, is it possible to damage the environment". Mr. Guida stated the answer to this question online is "probably, remedy don't spill keep it stored properly and handle it properly". Mr. Guida said we have all heard of Murphy's law. Mr. Guida stated that when he brought this up the applicant said they use a different process than Piedmont so "why give us this to go by" (Mr. Guida's words). Mr. Guida stated that there have been too many changes and he does not think there is a doubt in anyone's mind that their property values will go down if this site is approved. Mr. Guida stated that he does not believe anyone on the Council or any of the applicants would want to live next to this site if approved. Mr. Guida if they get approved, he will sell his house to the plant manager. Mr. Guida stated that several Council Members have visited the site. Mr. Guida said that he

last saw the property zoned as general business and had heard of a grocery store, he was not sure when it was zoned to manufacturing. Mr. Guida stated that Connie Craig and Sherry Huff have lived in their houses for many years. He stated that most of the houses that would be affected by this project are seniors. Mr. Guida said that he wants to finish out his life in piece, not dealing with an odor and noise. He said that there are properties down the street that can accommodate this company. He said that if it sounds too good to be true, it usually is. He stated that he and his wife, Sherry Huff, Connie Craig and Eleanor Craig are against this company coming next door. He said that if there is any doubt, the Council needs to vote this down and after hearing Ms. Davis' report, how could they do anything else.

Mr. Corriher stated that the artist concept was done after the application was submitted. The engineering plan is the reason for the change to the look. Mr. Corriher stated that the rail spur location is determined by CSX and Walyak has no control of that. Mr. Corriher stated that coming from Charlotte, he could see why they would need to come in that way. Mr. Corriher stated that he does not want to discount the public's comments. He stated that he believes the concerns have been addressed. He stated if the public has an issue with noise, they can come see him personally and they will work together to resolve the noise.

Mr. Guida interjected "what about our property values".

Mr. Corriher stated he was not too sure about that, because they already live beside property zoned industrial.

Scott Farmer – 2515 Pineville Road Gastonia

Mr. Farmer stated that he is no stranger to Stanley, he grew up here. He was baptized here, he attended school here and has worked in Stanley and Gaston County since 1985 and continues to do so. Mr. Farmer stated that changes are coming to our area and the closer to Charlotte, the more quickly the change occurs. He stated that small towns are businesses too. He stated that he bought the acreage on Hwy 27 as a great site for manufacturing, industrial and commercial use, as it has been zoned since the 1980's. He stated that neighbor, Pennsylvania Steel has continued to be a good industrial addition to Stanley. He stated that he has had lots of interest in the property, but none as promising as Walyak. He stated that if he googles "gas station explosions" he is going to find something, but there has been no gas station explosion in Stanley, and none of a \$45 million investment. He stated that the education alliances with local schools will also be exciting. He stated

that many of the allowable uses, which have been in place for 30 years, will not benefit Stanley in the way that Walyak Energy will. Walyak will bring jobs and tax dollars to Stanley. He stated that incidentally he grew up in Jackson Park. He stated that nonetheless, it has been zoned all of these years as manufacturing. He stated that this property is the last in that string. He stated that all of the safety concerns need to be addressed. He stated that this is an environmentally safe process and a safe process from his research. He stated that he will benefit from owning the property whether the Council says yes to Walyak or not, but that the type of infrastructure and precautions that Walyak will put in place need to be looked at long and hard. Mr. Farmer stated that Stanley must be strong as a municipality. He stated that positive progression does not come along for Stanley of the County often. He stated that Gaston County is the red-headed-stepchild of the Charlotte metro area, and this type of opportunity does not come along often. He stated that there are chemicals at Rubbermaid, there are chemicals at Gaston Dyeing Machine Company and there were chemicals at Talon. Mr. Farmer stated that he lives near Gaston Dyeing Machine.

Phil Davis – 108 General Braxton Bragg Street

Mr. Davis stated that the idea that his property has already experienced depreciation is not true. He stated that he and Ms. Davis bought their first house from Craig Realty & Development and that Ms. Davis worked for Mr. Craig at Gaston Dyeing Machine for 30 years. Mr. Davis stated that Connie Craig had already built a beautiful home and Eleanor Craig also built a beautiful home and if the neighborhood was safe enough for them it ought to be safe enough for him. Mr. Davis stated that methanol will burn and can explode and that there is no way to make any factory or plant idiot-proof. Mr. Davis told the Council “good luck with your decision” and wished them well.

No additional citizens came forward to give comment.

Mayor Denton asked for Council Comments.

Council Member Rob McMinn asked what made Walyak choose Stanley.

Mr. Corriher stated that his wife is a social worker for Lincoln County and some of the foster children live in Stanley, she saw the property. Mr. Corriher stated that he investigated and found the location to be perfect for a rail spur. He stated that spur locations are hard to come-by. He stated that there are other places throughout the state that they could go, but they are choosing to go here. Mr. Corriher stated that he grew up in Crouse. He lives

close to CSX and is familiar with what he hears going up and down the rail. He stated he is a Gaston County native and went to Cherryville High School. Mr. Corriher stated that he likes Stanley.

Council Member McMinn expressed concern that there was not a sharp answer about having alarms on the nitrogen. Mr. Corriher stated that there will be.

Council Member McMinn asked if there would be an intercom and if they would be paging people at all hours. Mr. Corriher stated that he had envisioned walkie talkies on each individual person.

Council Member McMinn asked how he could feel sure that the jobs and pay would happen as explained. He stated that contrary to popular belief, we are a small Town but not a broke Town. He stated that the plant was a want to have, but not a need to have. He asked what kind of guarantees there were that the jobs were going to happen and the spend will happen. Mr. Morales from Walyak stepped in to answer. He stated that a facility of this size will probably need more than thirty jobs. He stated that these are shift jobs and they will come from the vicinity to be available for the job. He stated that in order to move forward with the financials of the project, they have to meet certain parameters. He stated that they could set up a committee to address concerns and ensure they meet requirements. He stated that they believe the investment will be more. The base of the business will be 20-million gallons, and grow to 30, and 40 million. He stated that he could figure out a way to create a committee and have conditions. He stated that there are a lot of variables that they don't know off-hand. He said they are not interested in building something small. Mr. Corriher stated that if you look on websites for biodiesel workers that show \$25-30/hour.

Council Member McMinn stated that there are lots of incentives and that some of the things that he has been alerted to are a lot of government grants, low yields and bankruptcies. He said he is not sure where they are getting their funding but wants to be more comfortable that they won't find out this technology doesn't work and leave Town. Mr. Corriher stated that there are plants already built using the enzymatic technology so they already know that it works. Mr. Morales stated that the investment group wants to know that their money is guaranteed back. He stated that pretty much every gallon is already spoken-for the minute that they produce it. He stated that they are working with universities to address all of the concerns about waste. He said that the patents that they have will be able to be disclosed after

approvals. Mr. Corriher stated that biodiesel is distributed and every drop made here will be distributed all over the country.

Council Member Kirkland asked if everything would be built before they operate. Mr. Corriher said yes. Mr. Morales said the two additional buildings house batteries to provide better aesthetics. He stated that they could contain with one building, but engineers recommended it would be safer to have two buildings.

Council Member Kirkland asked if they take a sample with every railcar that comes in. Mr. Corriher said the vapor recovery system would be on, sample, close, take to lab, test, empty tank, move on.

Council Member Kirkland confirmed that this would be three times a week.

Council Member Kirkland asked for clarification on mid-morning. Mr. Morales said 11 am is what they were told.

Council Member Kirkland asked how tall the wall would be. Mr. Corriher stated sixteen feet.

Council Member Kirkland asked if there was any way to have the rail spur come in the other side. Mr. Morales explained that there would not be enough of an angle to get the railcars in on the other side.

Council Member Kirkland asked if they would plant trees on either side of the wall. Mr. Morales said that they would do the best they can, set it up in writing and have it approved. They would plant and do what is requested.

Council Member Kirkland asked how tall the tanks are. Mr. Corriher replied that the big tanks are thirty feet high, the small tanks are forty feet high and the stacks are sixty feet high. Mr. Corriher stated that with the slope of the lot, the tanks will actually get shorter than the fence at the back of the lot.

Council Member Kirkland asked why they could not pursue the parcel on the other side of Pennsylvania Steel. Mr. Corriher and Mr. Morales both stated that the parcel is too small.

Council Member Kirkland asked about the Husqvarna building. Mr. Morales stated that they would do what they can to clean up that corner.

Mayor Denton then asked as part of running the raw material from the railcars to the tanks and asked what kind of issues they see with spillage. Mr.

Corriher stated that if it spills, they will clean it up. Mr. Morales said that they will have plant operation procedures that will set the policies for cleaning up spills. Mr. Morales said that they have several organizations to answer to.

Council Member Kirkland asked what the smell is like. Mr. Corriher stated that it would smell like you left grease in a jar for several weeks. He explained that yellow grease is from McDonald's and other places that take their oil and put it out back. He said brown grease is higher in fatty-acid and is a harder material to process.

Council Member Bud Pate asked what qualifications are needed to get one of the jobs in production. Mr. Corriher said they would teach the people which they hire because there are no schools in the area. Council Member Pate asked what the starting pay is and Mr. Morales replied that starting pay is \$20-25. Council Member McMinn asked if that is a fully-loaded cost, including benefits. Mr. Morales said that the salary is \$20-25, not counting the benefits.

Council Member Pate stated that we seem to be concerned about the plant and the fifteen people that live in the area. He stated that he represents the whole Town and the Town needs jobs. He stated that there has been a lot of concern over the safety of the plant. He stated that he works for a plant no more than fifteen miles from here and we don't give a thought to what would happen if there was an accident or explosion there. He stated that he worked in the plant and was not scared because he was used to it and he believed that we could get used to this and allow people in the Town to get jobs and better themselves. He stated that he is for what is best for the Town of Stanley, not just a few, but all.

Mr. Davis interjected and asked if everyone Walyak hired would come from Stanley. Mr. Morales said that they "will be residing in Stanley".

Mr. Guida interjected that at the Planning Board meeting they said \$16, now they've said \$30. He stated that there are senior citizens here who have lived here for 58-59 years, when the parcel was agriculture. He said that they don't contact the Planning Board to see when zoning has been changed. He said that every company in the industrial park is front loaded, they come in and out off of Highway 27. He said this is the only company that will be twenty yards from a man's front door. He said the only company with a spur was Georgia Pacific and they never used it. He said he doesn't care what they say, if the rail is coming in, it will make noise and when you take in the human factor, there will be accidents. He said that his neighbors will tell you

that you will hear Pennsylvania Steel and that is part of living near industrial. He said that he has heard Walyak change their stories several times, including tonight.

John Ward – Walyak Energy

Mr. Ward thanked everyone for being here tonight. He stated that he understands and can imagine having something like this coming to his backyard after living here all of these years. He stated that the reason they decided to get into this business is because they care about the environment. He stated that he owns another business, natural skin care line, and his partner and he care about the environment. He stated that the valves that they will use, there has never been an industrial plant fire. He stated that there will be no need to weld a pipe that has methanol coming through it. He said they are interested in taking care of themselves, their employees and their neighbors. He said they have no intention in causing trouble. He said they plan to do good in the community.

Sonya Purser – 406 S Thompson

Ms. Purser expressed concern over having enough fire personnel to respond to an incident, should it occur. Chief Keller stated that there are currently 9 volunteers and 16 part-timers. Ms. Purser asked how many full-time employees there are. Chief Keller stated that there are none. The station is staffed from 7 am to 6 pm. After 6 pm, it is strictly volunteers. Council Member Pate stated that there are other agencies nearby to respond to an incident like this. Ms. Purser stated that the Council needs to think about this. Mayor Denton asked Chief Keller to speak to the concerns. Chief Keller stated that he could not speak to a methanol fire, but it would be a devastating incident. He stated that most of the facilities that he has experience with, the procedures put in place for protection are above and beyond. He stated that the federal government monitors these procedures well. He stated that if there were a fire here, he is not sure what kind of amounts of methane would be stored on-site, but it would be a catastrophic explosion for that immediate area, it would be a big boom and a fire would ensue. He stated that he could not speak to the radius of that, because he does not know the level of product on site. He stated that there are several variables. He also stated that it would be a multi-department response. He said that anything involving hazardous materials, Gastonia or Charlotte would respond with them.

Council Member McMinn asked how many other industries in Town have hazardous materials. Chief Keller said this was in some way a trick question because as had been mentioned before, a gas station has hazardous

material. He mentioned the former occupants of the DSM building and said that any manufacturing has some form of hazardous material. Chief Keller stated he could not speak specifically to how many businesses in the Town had hazardous material, but any manufacturing business would have some form of hazardous material.

Mayor Pro-Tem Sparrow asked about setbacks. The Clerk clarified that the setback information in the packet was just for reference, but no change is proposed today.

Mayor Denton asked if there were any other comments. Council Member Kirkland asked for more time to consider the application, do more research and get back. Mayor Denton asked if we could close the public hearing and then discuss.

Mayor Denton asked for a motion to close the public hearing. Council Member Cathy Kirkland made the motion. Council Member Rob McMinn seconded the motion. A vote was held and the motion passed unanimously.

Mayor Denton asked if the Council was comfortable making a decision this evening. Several council members shook their head 'no'. Mayor Denton recommended recessing the Council meeting for two weeks to allow Council time to make a decision, but not prolong the process for Walyak. Council Members Kirkland, Hart and McMinn verbally stated they agreed to the recess. Council Member McMinn stated that he would like answers to the questions that had been asked, prior to making a decision. Mayor Denton recommended recessing the meeting until Tuesday, April 24, 2018 at 6:00 PM at Stanley Middle School, 317 Hovis Road.

Mayor Denton asked for a motion to recess the meeting until Tuesday, April 24, 2018 at 6:00 PM at Stanley Middle School, 317 Hovis Road. Council Member Kerry Hart made the motion. Council Member Bud Pate seconded the motion. A vote was held and the motion passed unanimously.

Mayor Denton, again, asked that anyone that wishes to leave before the meeting proceeds, please do so at this time to prevent disruption during the meeting and anyone wishing to stay may do so.

f. Consideration of Updated Permitted Use Table for Town of Stanley Zoning

Mayor Denton asked for a motion to open the public hearing. Mayor Pro-Tem Sparrow made the motion. Council Member Kirkland made the motion. A vote was held and the motion passed unanimously.

Mayor Denton asked if there were any public comments. There were none.

Mayor Denton asked for Council comments.

Council Member Rob McMinn requested changes for Mobile Home Class A, Modular Homes and duplexes.

Mayor Denton asked Manager Jenkins to speak to the matter. Manager Jenkins explained that there may be an issue with trying to disallow the classes altogether. Manager Jenkins stated that we could place a special use on the items until further research can be done.

Mayor Pro-Tem Sparrow asked for clarification on the chart. Manager Jenkins stated that the 'X' on the chart was for a permitted use.

Council Member Rob McMinn stated that we need to either do an overlay or change the table.

Manager Jenkins stated that the Town has entered into agreement with Centralina Council of Governments to gain assistance with the Zoning Ordinance.

There were no other Council comments.

Mayor Denton asked for a motion to close the public hearing. Council Member Kerry Hart made the motion. Council Member Rob McMinn seconded the motion. A vote was held and the motion passed unanimously.

Manager Jenkins stated that the staff would make the corrections to a special use and the table could be up for consideration with said changes.

Mayor Denton asked if there was a motion to approve the table with stated changes. Council Member Rob McMinn made the motion. Mayor Pro-Tem Danny Sparrow seconded the motion. A vote was held and the motion passed unanimously.

New Business:

A. Nomination of Cathy Kirkland to serve as Mayor Pro-Tem

Mayor Denton asked if Danny Sparrow would like to speak to the matter. Danny Sparrow stated that he would like to make a motion to nominate Cathy Kirkland to

serve as Mayor Pro-Tem. Council Member Kerry Hart seconded the motion. A vote was held and the motion passed unanimously.

Citizen Comments:

Mayor Denton asked if there were any citizen comments. There were none.

Department Reports:

Finance Department: Mayor Denton explained that the financials were provided. He asked if the Council had any questions. There were none.

Public Works: Mr. Roseberry had no further report.

Recreation: Mr. Deason had no further report.

Fire: Chief Keller stated that the department had five people show up from our department and fifteen from others to a training they hosted at Gaston College. Chief Keller stated that one volunteer is more available at night, now, and this will help night response time decrease, though the member is not available all the time and it is important to have someone respond quickly.

Police: Chief Summey had no report.

Manager's Report: Manager Jenkins had nothing further to report to the Council.

Council Comments: Mayor Pro-Tem Cathy Kirkland stated that the letter sent to the School Board about the fence at Kiser was successful, because they are already working on it. It looks much nicer and is much safer. She thanked the Council for working on the letter to the School Board to plead for this repair.

Mayor Denton asked when the next SABA meeting is. Mayor Pro-Tem Cathy Kirkland said that the meeting would be this Thursday.

Council Member Danny Sparrow spoke regarding MPO updates. He stated that counties all around us are growing at 30% +/- but Gaston is growing at significantly less. He stated that Gaston County may be the best kept secret, or it may be because of the trouble with infrastructure getting across the river and the rail. He stated that the roundtable discussion was good, they briefly discussed the Charlotte area not being selected to proceed in the pursuit of Amazon's next headquarters.

Adjournment of meeting, until recessed date and time of Tuesday, April 24, 2018 at 6:00 PM at Stanley Middle School.

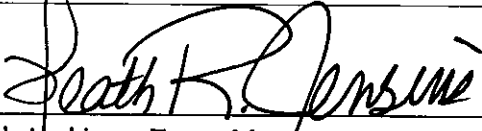
Mayor Denton asked for a motion. Council Member Rob McMinn made the motion. Council Member Kerry Hart seconded the motion. A vote was held and the motion passed unanimously.

Respectfully Submitted:

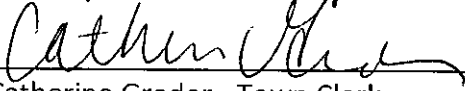


Steven Denton – Mayor

(OFFICIAL TOWN SEAL)



Heath Jenkins – Town Manager



Catherine Greder - Town Clerk

TOWN OF STANLEY

SEAL

GASTON COUNTY, N.C.