

**Maiden Town Council Special Meeting  
Tuesday, September 27, 2022, 8:30 AM  
Council Chamber Maiden Town Hall**

The Maiden Town Council met on Tuesday, September 27, 2022, at 8:30 a.m. for a special called council meeting, held in the Council Chambers at the Maiden Town Hall.

Present for the meeting was, Mayor Max Bumgarner Jr., Mayor Pro Tem Beth Rudisill, Councilmembers Danny Hipps, Bob Sigmon, Cameron Ramseur, and Holly Crafton- Lay.

Absent from the meeting was Councilmember Holly Crafton-Lay.

Also, present was Town Manager Todd Herms, Attorney Scott Conrad, and Town Clerk HR Officer Wanda Barnes.

1. The meeting was called to order at 8:30 a.m. by Mayor Max Bumgarner Jr.

2. Presentation

A. EDC – Scott Millar & Mick Berry Discussion on Data Center Project

EDC Mr. Scott Millar states, this is to propose the opportunity for a new technology data center. This project will bring about continuous economic opportunity for the Town of Maiden. You must make sure the existing industries stay here and provide the opportunity for new tax-based growth. You must develop new ways to avoid raising the tax rate.

EDC Mick Berry states, why this property was selected by the company to pursue. The town has done a great job a putting water and sewer in and around the proximity of the town. It was the utilities and the natural gas that made this property rise to the top. This is to consider over 300 acres to be annexed into the town of Maiden and to be rezone. It is also unique to find that much acreage just controlled by two families. Typically, we deal with multiple families. The zoning request is from R-20 to M1. The proposal is for five buildings and that will be a phase development. They will start off with one building and it will take years before everything is final. For a site this big, there is very minimal traffic impact. They are talking about 50 jobs in the economic development agreement. If it was a manufacturing, there would be hundreds of cars coming in and out daily. As the Apple facility, these companies want them to be extremely secure. They prefer that people do not know that they are there and have no impact on the neighbors. It would be a high secure facility with fencing. There will be minimal noise, but there will be generators. For the most part they will try to use the existing vegetation. This isn't the final design, but there will be modification. The final design will go through federal, state and the Town of Maiden final reviews. There is 190 feet from the residents. We have existing treescape and plantings. There will be new planting and a retaining wall. The proposed building foundation is approximately 10 feet below the existing home grade. As we move to the top end of Zeb Haynes Road, the purple box is a substation structure. The engineer calls it a electrical facility. The main entrance to the facility with employee entrance and parking. At the top of Zeb Haynes will be the emergency entrance. That entrance will remain closed until they call police and fire. You have 285 feet existing from the homes to the proposed

electrical equipment area. The facility will have the appropriately permitted stormwater detention to take care of the runoff. The property does slope the course down to the creek. We do not anticipate any impact on the neighbors from the storm water. Councilmember Danny Hipps states, is there a weekly generator testing event and the timing? I think the time of the test will be very impactful. I would like to incorporate that the timing will not be impactful on the residents. Mr. Mick Berry states, I have not heard the schedule for that. The testing should be during the day monthly, quarterly and annually testing. There will also be enclosure sound walls.

### 3. Public Hearing

#### A. Annexation Boyd Farms Inc. & Cloninger Project – 8:50 AM – 8:56 AM

Attorney Scott Conrad states, we are getting ready to go into two public hearing. The first public hearing will be on the annexation. Whether the town brings this property in and makes it town property. The second will be the zoning hearing, which use the town will allow in that area. Director Blake Wright states, it is roughly 296 acres. (Audio issues). Councilmember Danny Hipps states, Blake basically said that the staff and the clerk have reviewed all the signatures. He also described what the utilities that the town has currently. Mike Deceso states, I several questions and I asked the first question with the utmost respect. Does any of this impact any of your residents? It is just a yes or no. I am not getting a lot of questions from the town, but it is concerning me. I think I can speak for several other people that is sitting in the room. Councilmember Danny Hipps states, my residents are the closest as anyone on here. I don't think there will be a noise or traffic issue, base off what we have heard today. Our review of this property did not just start today. We have been engaged in this prior to this. We had a lot a question to this at the first public hearing with the zoning and planning board. I am here today to listen to your concerns and react to them. The environment impact, he mentions water run off earlier. Are we positive that the water going into the creek is safe? Mr. Herms states, the first public hearing is just for the annexation and the second is for zoning and those type of questions. Those must stay separate. We have the public hearing first then they vote. Mr. Mike Deceso states, that it concerns me and people in here of the times of your meeting. Most people are at work when you are having the meetings. Respectfully, we ask that you consider the time of your public meetings. The time need to benefit the public.

#### B. Rezoning & Initial Zoning- Boyd Farms Inc. & Cloninger Properties ZMA 2-2022 -8:57 AM – 9:53 AM.

Mrs. Robertson states, where will they be parking. Mr. Mick Berry states, they will be parking inside the facility. The green area to the left on the map. Planning and Zoning Director Blake Wright states, Boyd Farms and Cloninger properties are the owner of the property. Most of this property is in the towns extra territorial jurisdiction. This mean that it is not inside the town limits, but we do exercise authority on it. There is one side of the property inside the Catawba County's zoning jurisdiction on the North of these properties. They are zone R-20, and the request is for the annexation zoning from R20 to M1. That is roughly our low density. The county's low medium density to M1 is our industrial manufacturing. Town Manager Mr. Todd Herms states, how many homes can they put on the property with no regards to any public body? Mr. Wright states, probably four hundred homes. The signs of the property have already been discussed. The location on Zeb Haynes Road and Old Maiden Road. To the north you have Catawba County R20, and the west is also Catawba County R-20. To the south is M-1 and C2. M-1 is industrial, and Manufacturing and C-2 is General Commercial. That M-1 is roughly 300 acres. To the east is the Town of Maiden R-20 and R-15 properties. The current use is temporary clear cut for timber. The North section and surrounding use are a mixture of vacant agricultural residential and rock quarry. The information that the board is required to consider from the UDO, whether it is consistent with the long-

range plans, whether it meets the intent of the unified development ordinance. It is not consistent with the major comprehensive plans. Is it consistent with federal and state law regulations. This resulting is consistent with those. We do have the utility capacities available in this area. Next is whether the amendment is in the benefit of the public health and safety and welfare and in the public interest. The planning and zoning board of adjustment did unanimously recommend the approval of this project. Councilmember Danny Hipps states, when was the zoning board meeting. Mr. Wright states, it was on the second Monday of this month at 5:30 PM. Mr. Wright states, we are a phase two stormwater community. Which means we have storm water control measures. Resident Mr. Bill Castdale states, my family owes ten residential apartments. What concerns you all have? How did you resolve your concerns? Councilmember Hipps states, the property owner has a lot of options on what they can put there. With recent decision we have made within the community. General public in my opinion would prefer and industry or something of this nature as opposed to a housing development. The housing development which Blake described, four hundred houses, just an estimate. Would have a much huger impact on several different things. It would still provide tax base for the county or for the town. For me which one would be a better fit for the community. This would put us in a position where we would not have to raise taxes for the citizens. We have a lot of population of senior adults. We try to look at things that will not cause a tax increase. Im proud to say we have not had a tax increase in 16 years. The last act we took, we reduced taxes. For me those were my primary concerns. Mayor Pro Tem Beth Rudisill states, I agree with Danny. I looked at the traffic impact and the number of employees that will be going in and out of there. Mr. Mike Deceso states that the map is very vague. Mr. John Mccouli states, Ms. Robertson and I bought property in 2006 and resided there since 2010. This little chunk on the map is literally like an island. The house we live on is 1.88 acres. It was built by a man name Booze McCaslin. A lot of the land was owned by the McCaslin's I am puzzled how he got that sweetheart deal. We moved here from Manhattan New York City. A lot of people in Maiden do not know that the house is even there. The house was built in 1952. We are afraid of any construction. A year ago, the McCaslin's had some people clear the lumber behind us. I begged the lumbering company to not bring these machines near our house. I have given you enough information. A substation on one side, parking lot and the data center. Someone told me they are like several stories underground. Our house can not stand that. The house will fall with significant construction. Councilmember Danny Hipps states, Mick or Blake have you heard of any construction concerns? I'm not aware of any currently. Residents Krik Wins states, will we be dealing with lighting 24 hours a day. Mr. Mick Berry states, there would be zero-foot candles set to the property boundaries. There will be down sloping lighting. Councilmember Hipps states, less be very transparent, we are not trying to imply that there will be no impact. It is a tremendous advantage for these companies to be as least impactful as possible. Resident Michelle Deceso states, I have a couple of questions about the back entrance. Are they going to clear cut all those trees. Mr. Herms states, yes. Mrs. Deceso states you said they will not do all the buildings at one time, but they will do all the fencing and berms. Mr. Herms states, they are going to leave as much as mature growth as possible. Mrs. Deceso states, I thought it was interesting, the substation now they are building that. Mr. Herms states, GKN was having power flickers. Scott and I worked with GKN and the utility commission on the substation. The Town of Maiden backfed Duke power for there years because GKN could not get enough power, so they built the substation. The substation was not built for this property.

#### 4. Ordinances

- A. Ordinance #6-2023 An Ordinance To Extend The Corporate Limits of the Town of Maiden, North Carolina for Boyd Farms Inc. & Cloninger Properties (Motion)

**MOTION WAS MADE BY COUNCILMEMBER DANNY HIPPS AND SECONDED BY COUNCILMEMBER BOB SIGMON TO APPROVE EXTENDING CORPORATE LIMITS OF THE TOWN OF MAIDEN, NC. MOTION CARRIED UNANIMOUSLY. 4-0**

B. Ordinance #7-2023 An Ordinance To Amend The Town of Maiden Zoning Maps For Boyd Farms Inc.& Cloninger Properties (Motion)

**MOTION WAS MADE BY MAYOR PRO TEM BETH RUDISILL AND SECONDED BY COUNCILMEMBER CAMERON RAMSEUR TO AMEND THE TOWN OF MAIDEN ZONING MAP. MOTION CARRIED UNANIMOUSLY. 4-0**

5. Adjourn

**MOTION WAS MADE BY COUNCILMEMBER BOB SIGMON AND SECONDED BY COUNCILMEMBER DANNY HIPPS TO ADJOURN AT 9:57 A.M. MOTION CARRIED UNANIMOUSLY. 4-0**

Respectfully Submitted:  
Wanda Barnes, Town Clerk

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**Max Bumgarner Jr., Mayor**

**ATTEST:**

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**Wanda Barnes, Town Clerk**