

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
JUNE 1, 2015**

COMMISSIONERS PRESENT:

Janet K. Lowder, Chairman
Tony Dennis, Vice Chairman
Peter Ascitutto
Joseph Burleson
T. Scott Efir
Bill Lawhon
Gene McIntyre

COMMISSIONERS ABSENT:

None

STAFF PRESENT:

Andy Lucas, County Manager
Jenny Furr, County Attorney
Tyler Brummitt, Clerk

CALL TO ORDER

The Stanly County Board of Commissioners (the "Board") met in regular session on Monday, June 1, 2015 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. Chairman Lowder called the meeting to order with Commissioner Lawhon giving the invocation and leading the pledge of allegiance.

APPROVAL / ADJUSTMENTS TO THE AGENDA

Chairman Lowder requested the following items be added to the agenda:

- Resolution by the Stanly County Board of County Commissioners Requesting the Reappointment of Mr. B. A. Smith, Dr. Gerald W. Poplin and Mrs. Lisa B. Burris to the Stanly County Board of Elections by the North Carolina Board of Elections as Item # 8
- Sheriff George Burris' Six (6) Month Activity Report as Item # 9
- Change the consent agenda to Item # 10

Vice Chairman Dennis moved to approve the amended agenda and was seconded by Commissioner Lawhon. Motion carried by a 5 – 2 vote.

Ayes: Chairman Lowder, Vice Chairman Dennis, Commissioner Ascitutto, Commissioner Efird, Commissioner Lawhon

Nos: Commissioner Burleson, Commissioner McIntyre

ITEM # 1- PUBLIC HEARING FOR THE FY 2015-16 RECOMMENDED BUDGET

Chairman Lowder declared the public hearing open. During this time, the following individuals came forward to address the Board:

- Terry Maiers stated his opposition to closing Badin Library as recommended in the budget.
- Debbie Maiers requested the county consider delaying the closing of Badin Library for a year in order to allow the community to take ownership of it and raise funds to keep it open.
- Jody Hopper, a Badin resident, spoke against closing the Badin library.
- Jim Harrison, a Badin resident, provided a brief history of the library and noted that it is an asset to youth and seniors in the town. He also requested the Board delay its decision in order to allow both communities the opportunity to raise funds to keep them open.
- Dale Ward, a Badin resident, also spoke against the closing of the Badin library noting the various programs it offers children in the community.
- Marie Lathan of Oakboro thanked the Board for their time and asked them to reconsider and not close the Oakboro library. She stressed its importance to the local community by providing computers and Wifi to those who would not have them otherwise, and as a meeting location for various groups (craft groups, book clubs, home schooled children) to meet. She then presented a petition with 1,162 signatures in opposition to the closing of Oakboro or Badin libraries.
- Jay Almond, Badin Town Manager, stated that libraries provide important resources to each community and that changes can be implemented to reduce costs such as allowing volunteers to help operate the libraries at no cost to the county. He requested the Board delay closing the libraries and partner with the communities to keep them open.
- Martha Garber, Badin resident, requested the Board consider reducing the hours of other branch libraries to keep Badin open.
- Vanessa Mullinix, a Badin resident, expressed her support of the Badin Library and her opposition to the County donating \$10,000 to Central Park NC as part of next year's budget.
- Marie Lathan, an Oakboro resident, addressed the Board a second time with concerns regarding the proposed sewer rate increase for the Town of Oakboro when the City of Locust's rates are proposed to be reduced.

With no one else coming forward, Chairman Lowder closed the public hearing. No Board action was required.

ITEM # 2 – PUBLIC HEARING FOR REZONING REQUEST ZA-15-02 FOR TCBT PROPERTIES, LLC

Presenter: Michael Sandy, Planning Director

TCBT Properties, LLC filed an application to request the remaining northwest corner of the property located at 37931 US Highway 52 North, Albemarle, NC (Tax Record 28324) be rezoned from RA (Residential Agriculture) to H-B (Highway Business). The purpose is to have the entire property rezoned for additional ministorage buildings with the majority of the parcel already zoned H-B. The Planning Board forwarded the case to the County Commissioners with a favorable recommendation due to the fact that the property is located in a primary growth area and complies with the Stanly County Land Use Plan.

Chairman Lowder declared the public hearing open. With no one coming forward, the hearing was closed.

After a brief period of questions, Vice Chairman Dennis moved to approve the rezoning request. His motion was seconded by Commissioner Ascitutto and carried by unanimous vote.

ITEM # 3 – AGRI-CIVIC CENTER – AUDITORIUM SEATING TO BANQUET SEATING ASSESSMENT

Presenter: Candice Moffitt, Agri-Civic Center Director

For Board consideration, Ms. Moffitt proposed that beginning July 1, 2015, all seats in the Agri-Civic Center auditorium be bolted down for fixed seating thus requiring all banquet events to take place in the lobby. With past events, a considerable number of rentable days have been lost due to the amount of time involved in setting up and taking down auditorium seating. Many of the seats are now worn, warped and topple easily due to moving them in and out over time. If banquets were moved to the lobby, there would be no loss of use for the auditorium due to setup, cleanup and tear down while events go on in the auditorium. Staff contacted several of these groups and found that this change would not cause them to relocate to another facility for their events.

By motion, Vice Chairman Dennis moved to approve the request as presented. The motion was seconded by Commissioner Ascitutto and carried with a 7 – 0 vote.

ITEM # 4 – SENIOR SERVICES

Presenter: Becky Weemhoff, Senior Services Director

A. Presentation of Stanly County's Aging Funding Plan for FY 2015-16

For approval, Ms. Weemhoff presented the County's Aging Funding Plan for next fiscal year. Although official notification of the actual funding amount for the Home and Community Care Block Grant (HCCBG) funds has not been received, it is estimated to be \$416,103. Based on this anticipated funding, the HCCBG Board met and voted to allocate the following amounts for each of the programs: In Home Services Level I (Home Management) for \$168,846, Level II (Personal Care) for \$44,947, Congregate Nutrition for \$56,684, Home Delivered Meals for \$60,088, Transportation for \$50,449 and Information and Options Counseling for \$35,089. Board approval of the County Aging Funding Plan was requested as well as acceptance of the funds into the County budget.

Commissioner McIntyre moved to approve the plan and funding as presented. His motion was seconded by Vice Chairman Dennis and passed by unanimous vote.

B. Award of the Nutrition Program's Catering Contract

Of the two (2) bids received, it was requested that Punchy's Diner of Concord be awarded the contract to cater meals for the Nutrition Program at a cost of \$4.45/ meal for the next two (2) years with the contract period running from July 1, 2015 – June 30, 2017. Ms. Weemhoff noted that the previous contract was also with Punchy's Diner and that they have been very pleased with the menus offered and service provided. The previous contract was also based on the same cost per meal of \$4.45 with no increase requested.

After a brief period of questions from the Board, Commissioner Ascitutto moved to approve the two (2) year contract with Punch's Diner of Concord as recommended. The motion was seconded by Vice Chairman Dennis and carried with a 7 – 0 vote.

ITEM # 5 – STANLY COMMUNITY COLLEGE COSMETOLOGY FACILITY BUDGET AMENDMENT # 2015-42

Presenter: Andy Lucas, County Manager

The County Manager presented budget amendment # 2015-42 to increase the current budget for the SCC Cosmetology facility by \$50,000 to cover the continued design, engineering, permitting and utility relocation. As noted previously, any expenses incurred will be credited against the \$1,957,000 maximum cost of the project and the County reimbursed from the debt proceeds upon approval and closing of the loan in July 2015.

Commissioner McIntyre moved to approve budget amendment # 2015-42 and was seconded by Commissioner Ascitutto. Motion passed unanimously.

ITEM # 6 – FEDERAL LAND & WATER CONSERVATION FUND (LWCF) SUPPORTING RESOLUTION

Presenter: Andy Lucas, County Manager

The NC Recreation & Parks Association has asked local governments to support the renewal of the Federal Land & Water Conservation Fund program which is a major funding source for the NC Parks & Recreation Trust Fund (PARTF) program. Numerous park facilities in the County have directly benefited from LWCF appropriations or indirectly benefited via grant support from the NC PARTF program.

See Exhibit A

**A Resolution to Maintain and Support the Reauthorization of the
Land Water Conservation Fund (LWCF) Equitable Treatment of the
State Assistance Program**

By motion, Vice Chairman Dennis moved to approve the resolution. His motion was seconded by Commissioner Ascuitto and carried by a 7 – 0 vote.

**ITEM # 7 – FY 2015-16 RECOMMENDED BY-WEEKLY HEALTH & DENTAL INSURANCE
PREMIUMS FOR EMPLOYEE DEPENDENT COVERAGE & RETIREES**

Presenter: Andy Lucas, County Manager

Below are the recommended biweekly health insurance rates beginning July 1, 2015 – June 30, 2016 which reflect a \$5.00 increase over the previous year:

	<u>Bi-weekly Rate</u>
Employee/Children	\$101.53
Employee/Spouse	\$139.00
Family	\$335.49

Below are the recommended biweekly dental insurance rates for employees through Guardian Insurance. Although the insurance carrier has changed from BCBS of NC, there was no increase in premiums from the previous year:

	<u>Biweekly Rate</u>
Employee/Children	\$ 19.70
Employee/Spouse	\$ 13.55
Family	\$ 33.36

Commissioner Lawhon moved to approve the biweekly health and dental insurance premiums for employees, dependents and retirees as recommended. His motion was seconded by Commissioner McIntyre and passed by unanimous vote.

ITEM # 8 – RESOLUTION BY THE STANLY COUNTY BOARD OF COMMISSIONERS REQUESTING THE REAPPOINTMENT OF MR. B. A. SMITH, DR. GERALD W. POPLIN AND MRS. LISA B. BURRIS TO THE STANLY COUNTY BOARD OF ELECTIONS BY THE NORTH CAROLINA BOARD OF ELECTIONS

Presenter: Chairman Lowder

Chairman Lowder presented the resolution for Board consideration. Vice Chairman Dennis moved to approve the resolution and was seconded by Commissioner Ascitutto.

Prior to the vote, Commissioner McIntyre stated his opposition to the resolution noting that this issue has nothing to do with the County Commissioners since the Board does not make appointments to the Board of Elections. As general statute dictates, each local party submits the names of potential candidates to the state party chairs who then make recommendations to the State Board of Elections. Commissioner McIntyre stated the resolution being presented requests the State Board of Elections not follow the law, and additionally, since the names of those recommended by each party have already been submitted, it's a moot point to approve the resolution. In order to abide by his oath of office to uphold the law, Commissioner McIntyre again stated his non-support of the resolution.

Commissioner Burleson agreed with Commissioner McIntyre's comments reiterating that the Commissioners have no authority to appoint or make recommendations to the Board of Elections, and that the resolution circumvents the process thus he cannot support its adoption.

Commissioner Ascitutto stated that when the Board of Elections issued the letter on April 9, 2015 pertaining to House Bills 111 and 112, they were acting in the best interest of the citizens/ taxpayers of Stanly County. In response, the local Republican Party chose to issue a resolution requesting that all Stanly County Board of Elections members be removed from the State Board as a means of intimidation. By not supporting the resolution, Commissioner Ascitutto also felt that Commissioners McIntyre and Burleson are supporting the Republican Party rather than the Board of County Commissioners.

With no further comments, Chairman Lowder called for a vote. The motion carried with a 5 – 2 vote.

Ayes: Chairman Lowder, Vice Chairman Dennis, Commissioner Ascitutto, Commissioner Efird, Commissioner Lawhon

Nos: Commissioner Burleson, Commissioner McIntyre

See Exhibit B

A Resolution by the Stanly County Board of County Commissioners

**Requesting the Reappointment of Mr. B. A. Smith, Dr. Gerald W. Poplin and
Mrs. Lisa B. Burris to the Stanly County Board of Elections
by the North Carolina Board of Elections**

ITEM # 9 – SHERIFF DEPARTMENT’S SIX (6) MONTH ACTIVITY REPORT

Presenter: Sheriff George Burris

Sheriff Burris provided a brief review of the activities and accomplishments of the Sheriff’s Office over the past six (6) months including the number of service calls, business checks, traffic stops, DWI, and drug arrests completed. He also noted the additional training received by personnel in the department and commended staff for all their hard work.

ITEM # 10 – CONSENT AGENDA

- A.** Minutes – Special meetings of May 12, 2015, May 18, 2015 and regular meeting of May 18, 2015
- B.** Finance – Request acceptance of the Monthly Financial Report for Ten Months Ended April 30, 2015
- C.** Finance – Request approval of budget amendment # 2015-41
- D.** Senior Services – Request approval of budget amendment # 2015-40

Vice Chairman Dennis moved to approve the above items as requested and was seconded by Commissioner McIntyre. Motion passed unanimously.

PUBLIC COMMENT

Phil Burr, Chairman of the local Republican Party and fourteen (14) members of the Republican Executive Committee were in attendance to state their opposition to the Board’s earlier action in adopting the resolution related to the Board of Elections. Members in attendance that addressed the Board included Melvin Poole, Mickey Furr, Kay Poole, Ryan McIntyre, Trish Lunsford, Susan Nance, Joyce Bisonette, Jim Phillips and Blake Underwood.

GENERAL COMMENTS, ANNOUNCEMENTS & COMMITTEE REPORTS

Commissioner Bureson noted several items including his recent visit to the Tarheel Challenge Academy in New London and the addition of the U S Motto “In God We Trust” to the front of the county courthouse building. He then addressed those who spoke during public comment stating that although the County Manager’s recommended budget includes the closing of Oakboro and Badin libraries, the Board will take their comments into consideration and discuss the issue further during the budget process.

In response to the resolution adopted earlier in support of the reappointment of the local Board of Elections members, Commissioner McIntyre stated that he was embarrassed because members of the general public knew about the resolution several days prior him being aware of it. He also reiterated Commissioner Burleson's comments related to the library closings stating that the Board will discuss it further during the budget workshops.

Commissioner Efird thanked Sheriff Burris and staff for all they do.

Commissioner Ascutto thanked Sheriff Burris for providing the activity report and thanked county staff for their work on the budget thus far.

Commissioner Lawhon stated he had recently attended the World War II Veterans luncheon. He thanked those who have served and continue to serve our country for the freedoms we are allowed.

Vice Chairman Dennis thanked Sheriff Burris for his report and noted the success of the Locust barbeque held the previous weekend.

CLOSED SESSION

Vice Chairman Dennis moved to recess the meeting into closed session to discuss a real estate transaction in accordance with G. S. 143-318.11(a)(5). The motion was seconded by Commissioner Lawhon and passed by unanimous vote at 8:17 p.m.

RECESS

With no further business presented for discussion, Vice Chairman Dennis moved to recess the meeting until Thursday, June 4, 2015 at 8:30 a.m. in the Manager's Conference Room for a budget workshop. Motion was seconded by Commissioner Ascutto and carried with a 7 – 0 vote at 8:46 p.m.

Janet K. Lowder, Chairman

Tyler Brummitt, Clerk