

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
OCTOBER 7, 2013**

COMMISSIONERS PRESENT:

Gene McIntyre, Chairman
Josh Morton, Vice Chairman
Peter Ascitutto
Tony Dennis
Lindsey Dunevant

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, October 7, 2013 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. Chairman McIntyre called the meeting to order. Commissioner Dunevant gave the invocation and noted the recent passing of Attorney Mike Taylor who had served previously as county attorney. The Board then participated in the pledge of allegiance.

APPROVAL/ADJUSTMENTS TO THE AGENDA

By motion, Commissioner Ascitutto moved to approve the agenda as presented. The motion was seconded by Commissioner Dennis and passed by unanimous vote.

ITEM # 1 – 4-H YOUTH SUMMITT

Presenters: Ashley Smith, 4-H Agent and Betsy Austin, 4-H Participant

4-H Agent Ashley Smith took a moment to introduce Betsy Austin, a student at North Stanly Middle School, who had recently attended the annual 4-H Youth Summit held in conjunction with the NCACC Annual Conference in Guilford County. Ms. Austin noted the events that took place during the youth summit and the sessions she participated in. Chairman McIntyre also stated that he and Ashley Smith are currently developing a program for Stanly County students which will teach them about the different aspects of government and how it works.

The presentation was for information only and required no action.

ITEM # 2 – SENIOR SERVICES

Presenter: Becky Weemhoff, Senior Services Director

A. Recognition of Dorothy Kendall

Senior Services Director Becky Weemhoff took a moment to recognize In-Home Aide Dorothy Kendall for her efforts in possibly saving the life of an In Home Services client who was in danger due to a gas leak in her home. Ms. Kendall ensured that emergency personnel were contacted and then worked to remove the client from the home. The Board commended her on her efforts and thanked her for her service to the county and its citizens.

B. Consideration of an Amendment to the Senior Services Advisory Board By-Laws

At its meeting on September 19, 2013, the Senior Services Advisory Board discussed members' terms of service as allowed for in the by-laws. The current by-laws allow a member to serve two consecutive three (3) year terms. The Advisory Board voted unanimously to amend the by-laws and allow members to serve an unlimited number of three (3) year terms. It was requested the Board approve an amendment to the by-laws and allow members to serve an unlimited number of three (3) year terms upon a majority vote of the Advisory Board with final approval by the Board of County Commissioners.

Commissioner Ascutto moved to approve the amendment and was seconded by Commissioner Dennis. The motion carried with a vote of 5 – 0.

C. Appointments to the Senior Services Advisory Board

The Advisory Board has four members whose terms expired September 30, 2013: Sylvia Lingerfelt, Deloris Chambers, Dewey Preslar and Anne Parry. All four (4) have agreed to serve again if reappointed.

By motion, Commissioner Dennis moved to reappoint all four (4) members to another three (3) year term until September 30, 2016. His motion was seconded by Commissioner Ascutto and passed by unanimous vote.

ITEM # 3 – PLANNING & ZONING

Presenter: Michael Sandy, Planning Director

A. ZA 13-03- County Planning Staff - Text Amendment to Add Community Centers to Article XIII Definitions of the Stanly County Ordinance

Board approval was requested to add the following definition to the Stanly County Ordinance to further clarify what a community center is and what is allowed: "A community center is

defined as a public or quasi-public facility, often a complex of buildings, that is the primary use of a parcel of land, designed for and used as a social, recreational, and agriculture related cultural center where a combination of social, recreational, welfare, health, habilitation, or rehabilitation services are provided for the public. As part of such community centers, there may be included craft rooms, music rooms, game rooms, meeting rooms and auditoriums. Community centers can include both indoor and outdoor activities. Outdoor activities may include but are not limited to field sports, gardening and agriculture related tourism.”

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

Commissioner Ascitutto moved to approve the text amendment and was seconded by Commissioner Dennis. The motion passed with a 5 – 0 vote.

B. ZA 13-04 – County Planning Staff – Text Amendment to Update Article X Board of Adjustment of the Stanly County Zoning Ordinance

Planning staff recommended that Article X of the Stanly County Zoning Ordinance be amended to conform to the new law regarding the Board of Adjustment. The new law provides clearer language, new headings and procedures to take steps in providing uniformity to all land use statutes. The amendment will remove current Sections 1001 - 1005 and replace them with revised Sections 1001 – 1009.

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

Commissioner Dennis moved to approve the text amendment and was seconded by Commissioner Ascitutto. The motion carried unanimously.

C. ZA-1305 – County Planning Staff – Text Amendment to Add Solar Energy Power Generation System (SEPGS) Overlay District to the Stanly County Zoning Ordinance

Due to recent inquiries regarding the placement of SEPGS in the county, Planning Staff proposed a text amendment be added to the zoning ordinance to ensure any adverse effects to existing and future developments are diminished.

Commissioner Dunevant applauded staff for bringing this before the Board, but stated his concerns with the language presented and its effects on current and potential users who want to establish a SEPGS.

Chairman McIntyre declared the public hearing open. With no one coming forward to speak for or against, the hearing was closed.

The Board then participated in a general discussion concerning the amendment. Commissioner Ascitutto, Commissioner Morton and Commissioner Dennis agreed with Commissioner Dunevant's concerns and felt that more information is needed before making a decision.

Based on the comments received, Commissioner Dunevant moved to table the item and was seconded by Commissioner Dennis. The motion carried by unanimous vote.

For clarification, the County Manager stated that staff's intent with the proposed text amendment is to also protect property owners' rights and provide buffers for residential areas near a SEPGS. The Board acknowledged the County Manager's comments and the need to find the right balance between commercial and residential properties.

ITEM # 4 – BOARD & COMMITTEE APPOINTMENTS

A. Library Board of Trustees

Current Library Board of Trustees members Larry Emerick and Wade McSwain's terms expired on June 30, 2013. Both have asked to be replaced due to other commitments and their length of service on the board.

By motion, Commissioner Ascitutto moved to appoint Ms. Elsa Mata to replace Larry Emerick to serve a six (6) year term until June 30, 2019. The motion was seconded by Commissioner Dennis and passed with a 5 – 0 vote. The remaining appointment was tabled due to there being no additional volunteer applications on file.

B. Technical Coordinating Committee (TCC) Appointments

Recently the Rocky River RPO Technical Advisory Committee was expanded to include General Aviation. It was requested the Board name a representative and alternate representative to the TCC to represent the General Aviation program in the county.

Commissioner Dennis moved to appoint Airport Director David Griffin as representative and Administrative Assistant Becky Broadway as the alternate representative. The motion was seconded by Commissioner Dunevant and carried by unanimous vote.

ITEM # 5 – PROCLAMATION DECLARING OCTOBER 23 – 31, 2013 AS “NATIONAL RED RIBBON WEEK”

Presenter: Andy Lucas, County Manager

Board approval was requested in approving the proclamation as a show of support in the fight against illegal drugs and those who promote their use.

Commissioner Dennis moved to approve the resolution and was seconded by Commissioner Ascutto. The motion passed with a 5 – 0 vote.

PROCLAMATION DECLARING OCTOBER 23 – 31, 2013 AS NATIONAL RED RIBBON WEEK

Whereas, communities across America have been plagued by the numerous problems associated with illicit drug use and those that traffic in them; and

Whereas, there is hope in winning the war on drugs, and that hope lies in education and drug demand reduction, coupled with the hard work and determination of organizations such as the Young Marines of the Marine Corps League to foster a healthy, drug-free lifestyle; and

Whereas, governments and community leaders know that citizen support is one of the most effective tools in the effort to reduce the use of illicit drugs in our communities; and

Whereas, the red ribbon week has been chosen as a symbol commemorating the work of Enrique “Kiki” Camarena, a Drug Enforcement Administration Agent who was murdered in the line of duty and represents the belief that one person can make a difference; and

Whereas, the Red Ribbon Campaign was established by Congress in 1988 to encourage a drug-free lifestyle and involvement in drug prevention and reduction efforts; and

Whereas, October 23 -31 has been designated National Red Ribbon Week, which encourages Americans to wear a red ribbon to show their support for a drug-free environment;

Therefore be it resolved, that the Stanly County Board of Commissioners do hereby proclaim October 23 – 31, 2013 as “**National Red Ribbon Week**” in Stanly County, North Carolina, and urge all citizens to join us in this special observance.

This the 7th day of October 2013.

Gene McIntyre, Chairman

ITEM # 6 – NCACC VIDEO PRESENTATION

Presenter: Andy Lucas, County Manager

At the request of the NCACC, the Board viewed a video presentation which included an introduction by NCACC President Ray Jeffers and other NCACC staff which outlined various opportunities for commissioners to serve on steering committees and other ways to participate in the association.

The video was provided for information only and required no action.

ITEM # 7 – CONSENT AGENDA

- A.** Minutes – Regular meeting of September 9th and recessed meeting of September 16th.
- B.** Finance – Request acceptance of the Monthly Financial Report for Two Months Ended August 31, 2013
- C.** County Management/ Register of Deeds/ Tax Administration – Request approval of the attached records retention schedule amendments
- D.** DSS – Request approval of budget amendment # 2014-05
- E.** CDBG – Request approval of the 2013 Urgent Repair Program project budget ordinance and associated budget amendment # 2014- 07
- F.** Locust – Request approval of a public fireworks display on Saturday, October 19th.
- G.** Sheriff's Office – Request approval of the enclosed medical plan for inmates of the Stanly County Jail
- H.** Sheriff's Office – Request approval of budget amendment # 2014-06
- I.** Library – Request approval of budget amendment # 2014-08

After a brief review of the items, Commissioner Dennis moved to approve the consent agenda as presented and was seconded by Vice Chairman Morton. The motion passed unanimously.

PUBLIC COMMENT

None

GENERAL COMMENTS & ANNOUNCEMENTS

Commissioner Dennis acknowledged Commissioner Dunevant's earlier comments regarding Attorney Mike Taylor stating he was a fine gentleman who made many contributions to the community over the years.

Commissioner Asciutto stated that he had spent a day with Senior Services where he helped deliver meals to clients of the Meals-On-Wheels program. He thanked Senior Services for all their hard work as well as the volunteers that participate as well.

CLOSED SESSION

By motion, Commissioner Dennis moved to recess the meeting into closed session to discuss a personnel issue in accordance with G. S. 143-318.11(a)(6) and economic development in accordance with G. S. 143-318.11(a)(4). The motion was seconded by Commissioner Asciutto and carried by unanimous vote at 7:41 p.m.

ANNOUNCEMENT

Chairman McIntyre stated that while in closed session the Board received updates on several projects and authorized staff to continue to move forward with them.

ADJOURN

There being no further discussion, Commissioner Dennis moved to adjourn the meeting. His motion was seconded by Commissioner Asciutto and carried with a 5 – 0 vote at 8:16 p.m.

Gene McIntyre, Chairman

Tyler Brummitt, Clerk