

**STANLY COUNTY  
BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
NOVEMBER 2, 2015**

**COMMISSIONERS PRESENT:**

Janet K. Lowder, Chairman  
Tony M. Dennis, Vice Chairman  
Peter Ascitutto  
Joseph Burleson  
T. Scott Efird  
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, November 2, 2015 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. Chairman Lowder called the meeting to order and Commissioner Efird gave the invocation and led the pledge of allegiance.

**APPROVAL / ADJUSTMENTS TO THE AGENDA**

With no adjustments to the agenda, Vice Chairman Dennis moved to approve it as presented. The motion was seconded by Commissioner Burleson and passed by unanimous vote.

**ITEM # 1 – ECONOMIC DEVELOPMENT COMMISSION –AUTHORIZING RESOLUTION FOR NC COMMERCE BUILDING REUSE GRANT APPLICATION**

**Presenter: Paul Stratos, EDC Director**

Stanly County Economic Development is working with a new company, Project Hickory, to establish a new location in Stanly County. It is estimated the company will invest \$2.4 million and create forty (40) new jobs. To assist the company, the County plans to apply for a \$500,000 building reuse grant through the NC Department of Commerce to help offset the cost of building renovations. If received, a match of five percent (5%) or \$25,000 is required from the County. The County will arrange for this cash match to offset grant preparation and

administration associated with the project. It was requested the Board approve the authorizing resolution associated with the application and the match requirement of \$25,000.

Commissioner Lawhon moved to approve the resolution and required match as requested. The motion was seconded by Vice Chairman Dennis and carried by unanimous vote.

**See Exhibit A  
Authorizing Resolution**

**ITEM # 2 – PLANNING & ZONING**

**Presenter: Michael Sandy, Planning Director**

**A. ZA 15-04 – Text Amendments to the Zoning Ordinance**

Mr. Sandy stated that Planning Staff recommended the following text amendments be made to the zoning ordinance to provide clearer language, uniformity in the ordinance, and new procedures that take a step toward services to benefit the public. The amendment was forwarded to the County Commissioners with a favorable recommendation for the following reasons:

- The language in the zoning ordinance is more consistent with the changes.
- The addition of Section 906 Administrative Relief will afford the public more flexibility when dealing with minor issues.
- Permitting accessory structures in the front yard will allow property owners who choose to place their residence at the rear of their property to use a larger portion of the property for storage buildings and other structures.

Mr. Sandy entertained questions from the Board then requested the Board hold the required public hearing.

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

By motion, Commissioner McIntyre moved to approve ZA 15-04 as presented. The motion was seconded by Vice Chairman Dennis and passed by a 7 – 0 vote.

**B. Presentation of the Proposed Minimum Housing Ranking Sheet**

As a follow-up from the Board’s annual retreat held earlier in the year, Mr. Sandy provided an overview of the ranking system developed by staff for use in determining if a property should be demolished based on the various factors listed. The system will be used to rank and prioritize these properties for the best use of the county’s limited funding to address minimum housing issues. After the presentation, Mr. Sandy entertained questions from the Board.

With no further discussion, Commissioner Efirid moved to approve the ranking system as presented was seconded by Vice Chairman Dennis. The motion carried unanimously.

### **ITEM # 3 – SENIOR SERVICES ADVISORY BOARD APPOINTMENT**

**Presenter: Becky Weemhoff, Senior Services Director**

The Senior Services Advisory Board has one more vacancy to fill. Dr. Marianne Bumgarner-Davis of Norwood has served several terms and has asked not to be reappointed. Ms. Ann Lowder of Norwood has agreed to serve and fill the vacancy if appointed. This will ensure that the Board continues to have representation from the southern area of the county.

Vice Chairman Dennis moved to appoint Ms. Ann Lowder and was seconded by Commissioner Ascutto. The motion carried by unanimous vote.

### **ITEM # 4 – ALCOHOLIC BEVERAGE ELECTIONS OPTIONS**

**Presenter: Andy Lucas, County Manager**

For the Board's information and as follow-up to Mr. Patel's request at the previous meeting, the County Manager explained the two (2) options available to the Board regarding alcoholic beverage elections:

- A. The Commissioners may submit a written request (via resolution) for a county-wide alcoholic beverage election or a township-specific alcoholic beverage election to the county board of elections; or
- B. A citizen may submit a petition requesting a county-wide or township-specific alcoholic beverage election to the county board of elections. The petition must be signed by thirty-five percent (35%) of the registered voters in the county for a county-wide election and twenty-five percent (25%) of registered voters in the township for a township-specific election. No further action is required from the Board.

The county-wide election may be for: 1) malt beverage, 2) unfortified wine, 3) ABC store, and/or 4) mixed beverage and ABC store election. A township-specific election may be for: 1) malt beverage, 2) unfortified wine, and/or 4) mixed beverage. More than one kind of alcoholic beverage election may be included in a single request or election.

It was requested the Board consider either requesting an alcoholic beverage election (either county-wide or South Albemarle Township) or to advise Mr. Patel that he may wish to proceed with a petition to request an alcoholic beverage election (also either county-wide or for the South Albemarle Township).

Following a period of brief questions and comments, Vice Chairman Dennis requested the following amendments to the resolution: remove sections A(1) and A(4) related to malt beverages and B(1) related to unfortified wine as well as items C and D related to the ABC store. Vice Chairman Dennis moved to approve the resolution with the proposed amendments and was seconded by Commissioner Burlison. The County Attorney then recommended removing any mention of ABC stores in the fourth (4<sup>th</sup>) and fifth (5<sup>th</sup>) paragraphs as well in order for it to agree with the remainder of the resolution.

For the public's information, Commissioner Ascianto read the amended resolution. With a motion and a second on the floor, Chairman Lowder called for a vote. The motion carried with a 7 – 0 vote.

**See Exhibit B  
Resolution**

**ITEM # 5 – DISCUSSION REGARDING THE BOARD'S SIZE AND STRUCTURE**

**Presenter: Commissioner Ascianto**

In follow-up to a previous discussion related to a proposed voter referendum regarding the Board's size and structure on September 8, 2015, Commissioner Ascianto stated that when SB 317 was passed, it reduced the size of Guilford County's Board of Education but did not tie their hands to take further action. However, the bill as passed prevents the Stanly County Board of Commissioners from taking any action to change its size until 2020. As a result, the only course of action the County can pursue is to request representatives in Raleigh to approve a voter referendum to allow voters to decide whether or not to reduce the number of county commissioners from 7 to 5 and save tax payers approximately \$50,000 - \$60,000 annually.

With no other comments, Commissioner Ascianto moved that the Board take action via resolution to request representatives in Raleigh approve a voter referendum for the next general election. Vice Chairman Dennis seconded the motion. The motion failed with a 4 – 3 vote.

Ayes: Chairman Lowder, Vice Chairman Dennis, Commissioner Ascianto

Nos: Commissioner Burlison, Commissioner Efird, Commissioner Lawhon, Commissioner McIntyre

**ITEM # 6 – SALES TAX REFERENDUM DISCUSSION**

**Presenter: Commissioner Ascianto**

Commissioner Ascianto noted that a ¼ cent sales tax referendum is scheduled to be on the March primary ballot and if passed will provide funding for education. Commissioner Ascianto

sought the Board's input on their commitment to help inform and educate the public on the issue.

Commissioner Burleson stated that he is in support of the referendum, but feels it is up to each Board member as an individual to promote the referendum rather than as the Board. Commissioner McIntyre reiterated Commissioner Burleson's comments stating that he will support it as an individual and promote it in the community.

Commissioner Efird offered to help with town hall meetings and whatever else needs to be done to get the word out as a show of support. Chairman Lowder echoed Commissioner Efird's comments stating she is continuing to talk with family and friends to encourage their support of the referendum.

Vice Chairman Dennis agreed stating he feels this is a fair tax and is in support of it being used for school funding.

Commissioner Lawhon stated his support but noted that to generate enough support by word of mouth would be difficult. He then asked if funds are available for promotional ads, radio announcements, mailings, etc. In response, Commissioner Ascitutto noted his plans to form a coalition of various groups in the community to help raise funds to promote the referendum.

To clarify, the County Manager stated that although county funds cannot be used to promote the referendum, he can participate by participating in speaking engagements as needed to help inform and educate.

Commissioner Lawhon recommended contacting the citizens who had previously attended the meetings earlier in the year when the School Board had considered closing schools in order to gain their support of the referendum as well.

#### **ITEM # 7 – CONSENT AGENDA**

**Presenter: Chairman Lowder**

- A.** Minutes – Regular meeting of October 19, 2015.
- B.** Finance – Request acceptance of the Monthly Financial Report for Three Months Ended September 30, 2015.

By motion, Vice Chairman Dennis moved to approve the consent agenda as presented. His motion was seconded by Commissioner McIntyre and passed by unanimous vote.

## **PUBLIC COMMENT**

Ms. Felicia Martin addressed the Board and expressed her concerns with the Mission Area Waterline Project and the mandatory tap and availability fees that her family and other area residents are required to pay.

Mr. Ward Martin echoed his wife's comments related to the mandatory tap and availability fees charged by the County even though they have not hooked up to county water.

## **GENERAL COMMENTS, ANNOUNCEMENTS & COMMITTEE REPORTS**

In response to Ms. Martin's comments, Commissioner Burleson stated that the County does not sell water to Cabarrus County, but that it is a City of Albemarle project instead. At Commissioner Burleson's request, the County Manager explained that the revenue generated from the sale of county water and sewer to customers are the only funds available to cover the expenses incurred for water service with no tax dollars being used. With that, it is necessary that all residents who live in a waterline project area to pay the mandatory availability and tap fees in order to generate the revenue needed to repay the USDA loan used to construct the waterline. If not, funding for the project will not be approved by the USDA.

Commissioner Lawhon noted that he had attended the Charlotte Regional Partnership Meeting the previous week. He also stated that through September 30, 2015, Stanly County has issued 109 permits totaling \$19.3 million versus the same time last year in which 65 permits with a value of just over \$9 million were issued noting that the local building economy continues to show signs of growth.

Commissioner Ascitutto wished both the Graystone boys and girls cross country teams as well as the West Stanly girls cross country team good luck in the upcoming state competition. He again reiterated the need for the county to commit to investing in the county's education system based on the recent findings noted in the facilities and transportation studies.

Chairman Lowder stated that anyone elected to a public office has to address and act on issues that affect citizens of the county on a routine basis. However earlier tonight, the Board discussed the alcoholic beverage referendum and decided as a Board to allow the citizens to vote and make the decision. She then expressed her concern with the Board not always being able to support the people's right to decide on some issues that arise.

**ADJOURN**

With no further discussion, Commissioner Burleson moved to adjourn the meeting and was seconded by Vice Chairman Dennis. The motion passed unanimously at 7:59 p.m.

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**Janet K. Lowder, Chairman**

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**Tyler Brummitt, Clerk**