

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
JANUARY 3, 2017**

COMMISSIONERS PRESENT:

Bill Lawhon, Chairman
Joseph Burleson, Vice Chairman
Scott Efirm
Janet K. Lowder
Gene McIntyre
Ashley Morgan
Matthew Swain

COMMISSIONERS ABSENT:

None

STAFF PRESENT:

Andy Lucas, County Manager
Jenny Furr, County Attorney

CALL TO ORDER

The Stanly County Board of Commissioners (the "Board") met in regular session on Tuesday, January 3, 2017 in the Commissioners Meeting Room, Stanly Commons. Chairman Lawhon called the meeting to order at 7:00 p.m., gave the invocation and led the pledge of allegiance.

APPROVAL / ADJUSTMENTS TO THE AGENDA

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

ITEM # 1 – CO-OPERATIVE EXTENSION – CONSIDERATION OF A VOLUNTARY AG-DISTRICT APPLICATION FOR WAYNE SASSER

Presenter: Lori Ivey, Ag Extension Agent

On behalf of the Ag District Board, Ms. Ivey presented an application submitted by Mr. Sasser to request that 71.2 acres (Tax Record # 35275) located at 29013 Jordan Pond Drive, Albemarle, NC be designated as a voluntary agricultural district. It was also noted that the Ag District Board met on December 19, 2016 to consider the application and approved it at that time.

With no questions, Commissioner Lowder moved to approve Mr. Sasser's application and was seconded by Vice Chairman Burleson. The motion carried with a 7 – 0 vote.

ITEM # 2 – SHERIFF’S OFFICE

Presenter: Sheriff Burris

A. Recognition of Advanced and Intermediate Service Awards

Sheriff Burris took a moment to recognize the following individuals as recipients of the Intermediate Detention Officer Certifications: Lieutenant Melanie Deese, Sergeant John Nicholas Ray, Sergeant Erica Howard and Sergeant Deborah Tucker. He also recognized Senior Detective Jamie Shue with the Advanced Law Enforcement Certificate.

No Board action was required.

B. 2016 Stanly County Internet Crimes Against Children Grant Program & Approval of the Associated Budget Amendment # 2017-28.

Presenters: Sheriff Burris and Sergeant George Miller

At Commissioner McIntyre’s request, Sheriff Burris provided a brief summary of the grant. He stated that the Sheriff’s Office is in the process of joining the Internet Crimes Against Children (ICAC) Task Force and intends to apply for a grant of approximately \$40,000 from the Department of Public Safety to allow for the training of personnel and purchase of equipment necessary to investigate, prosecute and convict subjects engaged in trading, producing or possessing child pornography. The grant requires that the purchase be made up front by the County, but is a zero-match grant. It was requested the Board approve submission of the grant application and allocate the funds needed to make the initial purchases while waiting for reimbursement.

Commissioner Lowder spoke in favor of the request stating that having such training and equipment in place will help to move the investigation process along without having to wait on the SBI to respond.

Commissioner McIntyre moved to approve the grant application. For clarification, Commissioner Swain asked if the allocation of funds should be contingent upon the Sheriff’s Office receiving the grant. Vice Chairman Burleson then asked the County Manager if the motion should be amended to state this. The County Manager responded yes stating that the Board can approve the application and associated budget amendment contingent upon the grant application being funded by the state.

Commissioner McIntyre agreed and amended his motion to approve submission of the application and approve the associated budget amendment contingent upon state approval for funding. The motion was seconded by Vice Chairman Burleson and passed by unanimous vote.

C. Equal Employment Opportunity Program (EEO)

Sheriff Burris requested the Board reaffirm the EEO to give it a current date which is needed in order for the County to qualify to receive the grant.

Vice Chairman Burleson moved to reaffirm the EEO as requested and was seconded by Commissioner Swain. The motion carried with a 7 – 0 vote.

ITEM # 3 – BOARD & COMMITTEE APPOINTMENTS

Presenter: Andy Lucas, County Manager

A. SCUSA Transportation Advisory Committee

The County Manager noted the requested appointments and encouraged the Board to consider making these appointments by position rather than by name with the exception of the Public Member appointment. It was requested that the following individuals be appointed for a two (2) year term to serve until December 31, 2019:

- Locust Town Administrator (Cesar Correa)
- Stanly County Schools Superintendent (Bill Josey)
- Government Staff (John Mullis)
- Public Member (Garry Lewis)

Vice Chairman Burleson moved to approve the appointment of the Locust Town Administrator, School Superintendent and Government Staff as requested and was seconded by Commissioner Efirm. The motion carried with a 7 – 0 vote.

On a separate motion, Vice Chairman Burleson moved to appoint Garry Lewis as the Public Member for a two (2) year term until December 31, 2019. The motion was seconded by Commissioner Efirm and passed by unanimous vote.

B. Stanly Water & Sewer Authority (SWSA)

With the terms of four (4) members of the SWSA expiring in December 2016 or January 2017, it was requested the Board appoint/reappoint four (4) members with each to serve a three (3) year term until January 3, 2020. One of the members, Gareth Smith, requested not to be reappointed due to health reasons. The three (3) remaining members, William Rigsbee, Terry Blalock and Josh Morton, have agreed to serve if reappointed.

By motion, Commissioner Lowder moved to appoint Curtis R. Furr to replace Gareth Smith and reappoint William Rigsbee, Terry Blalock and Josh Morton until January 3, 2020. Her motion was seconded by Vice Chairman Burleson. The motion passed with a vote of 6 – 1 (Commissioner McIntyre voting against).

ITEM # 4 – EDC ORGANIZATION AND GOVERNANCE DISCUSSION

Presenter: Andy Lucas, County Manager

The County Manager began by stating that the agenda item was added in order to begin the discussion and provide guidance to staff related to the EDC's organization and structure. Chairman Lawhon then opened the floor for discussion.

Commissioner Swain stated that at the most recent EDC meeting in December he spoke in favor of restructuring the Economic Development Commission and encouraged their board to submit any ideas or options they may have to the Board in order to spur further conversation. He noted that several surrounding counties, for example, have formed an economic development commission in the form of a public/private non-profit partnership.

Commissioner Efird responded stating that he is open for discussion on it as well and would like to see the Board proceed with filling the EDC Director position and would like to discuss the restructuring further at the budget retreat. He agreed with Commissioner Swain's comments and expressed interest in discussing the possibility of a non-profit partnership as well.

Vice Chairman Burleson echoed Commissioners Swain and Efird's comments regarding the restructure adding that he has not been satisfied with the department for several years and feels it can be better. Early on thoughts were to let the County Manager serve as interim director since an assistant still remained in the EDC office. However with her leaving, he feels it may be time to move forward with filling that position. Vice Chairman Burleson also stated that he would like to continue with these conversations since the current structure does not appear to be working.

Commissioner McIntyre stated that he does not disagree with statements made thus far, but feels the current EDC format has evolved into something different than it was originally meant to be. Initially the EDC Director was to report to the EDC Board, but more recently has reported to the County Manager instead. He also feels the EDC Board should be a working board where its members participate by visiting businesses in the area they represent to make their presence. Commissioner McIntyre strongly believes that before hiring a director the Board needs to have a format in place to make sure the person fits the mold they are looking for.

Commissioner Lowder stated that at the last EDC Board meeting, there was a lengthy discussion regarding the department which ended with many questions still unanswered. One of the members noted that there are road blocks that have to be identified, a need to determine what it not currently being done and what needs to be done in order to improve it. Commissioner Lowder added that the Board also needs to discuss funding for economic development as well

no matter what direction it decides for EDC. She encouraged citizens to make suggestions, bring their thoughts and comments before the Board as well.

Chairman Lawhon turned the proceedings over to Vice Chairman Burlison in order to participate in the discussion. He began by stating that there are many ways to structure an Economic Development Commission and he felt that until recently the EDC Board was unaware of their authority to hire and fire employees within the department. As mentioned earlier, surrounding counties with economic development commissions are public/private organizations which are funded by companies, individuals, counties, cities and towns where they operate. He echoed Commissioner Lowder's comments in that the Board needs to find out what groups are willing to participate financially before determining whether or not it can be established as a public/private organization.

Commissioner Lowder noted that if it is restructured as a public/private organization, a distribution of the authority and representation on the board must also be considered. For example, if the county provides a higher percentage of funding, that control should remain with the county.

Commissioner Swain agreed that there are still many questions remaining adding that he would also like to receive feedback from the towns and municipalities in the county to determine if they are willing to support such an organization if restructured.

Commissioner Morgan stated that initially he was against hiring a new director, but feels the Board needs to be open with that person to make them aware of the possibility of changes within that department. He agrees with Commissioner Swain that changes are needed and feels there is a need to speak with the City of Albemarle's economic development department to consider potentially partnering with them and other towns/municipalities on this.

Commissioner Morgan requested the Board consider hiring an interim director to work with the County Manager in the short term. Commissioner McIntyre agreed that an interim is needed.

Vice Chairman Burlison asked the County Manager for his thoughts on the discussion thus far. The County Manager stated that the item was added for discussion to determine how the Board would like staff to handle routine EDC items that arise noting that based on his previous economic development experience he can continue to respond to requests in the interim. He expressed concerns regarding the amount of benefit the County would receive by hiring an interim director who would be in the office only a few days a week versus the expense associated with the position. He added that it also important for people to understand that

whatever direction the Board chooses to take EDC, it would not be a one-time only contribution but an ongoing expense. Also accountability will need to be addressed based on how the department is structured. If established as a non-profit who will hold them accountable if it is no longer a county department? The County Manager agreed with Commissioner Swain's comments that the community needs to be engaged and participate as well in an effort to maintain a good economic development program.

With no further discussion, Vice Chairman Burleson turned the proceedings back over to Chairman Lawhon.

ITEM # 5 – CONSENT AGENDA

Presenter: Chairman Lawhon

- A. Minutes – Regular meeting of December 5, 2016.
- B. Central Admin – Request approval of a contract with Inter Technologies for replacement of the audio/visual system in the Commons Meeting Room.
- C. Stanly Community College Cosmetology Facility & Equipment Leases – Request approval of attached lease agreements.
- D. Finance - Request approval of the Monthly Financial Report for Five Months Ended November 30, 2016.
- E. Sheriff's Office – Request approval of budget amendment # 2017-26.
- F. EMS – Request approval of budget amendment # 2017-27.

By motion, Commissioner McIntyre moved to approve the consent agenda as presented. The motion was seconded by Commissioner Efirm and carried with a 7 – 0 vote.

GREATER BADIN WATER & SEWER DISTRICT

Vice Chairman Burleson moved to recess the meeting of the board of county commissioners and reconvene as the Greater Badin Water & Sewer District. The motion was seconded by Commissioner McIntyre and passed by unanimous vote.

ITEM # 6 – GREATER BADIN WATER & SEWER DISTRICT (GBWSD)

Presenter: Donna Davis, Utilities Director

A. Approval of a Waterline Easement located on NC Highway 740 and Albemarle Road in Badin

Utilities Director Davis noted that there is a waterline that crosses a 1.060 acre piece of land located on NC Highway 740 and Albemarle Road in Badin beside (on the northeast side) of the Badin Volunteer Fire Department. The property is currently owned by Venture Properties VII,

LLC and was formerly owned by Badin Business Park, LLC and ALCOA, Inc. The waterline has been in place since approximately 1981 or before, but no recorded easement has been found. Venture Properties VII, LLC has approved and executed the attached Deed of Easement in order to finalize their rights and the rights of the GBWSD and obligations associated with the 2583.79 square foot easement. It was requested the Board approve the deed of easement for the waterline.

Vice Chairman Burleson moved to approve the deed of easement and was seconded by Commissioner McIntyre. The motion carried by a 7 – 0 vote.

B. GBWSD Language Access Plan

Per Ms. Davis, the U.S. Department of Agriculture now requires that a Language Access Plan be in place for all entities receiving USDA funding. With the GBWSD being a recipient of these funds, it was requested the Board approve the Greater Badin Water & Sewer District Language Access Plan for compliance with Title VI of the Civil Rights Act of 1964 and other applicable federal and state laws with respect to people with Limited English Proficiency (LEP).

By motion, Commissioner Efird moved to approve the Language Access Plan as requested and was seconded by Vice Chairman Burleson. Motion passed unanimously.

**See Exhibit A
Greater Badin Water & Sewer District
Language Access Plan**

ADJOURNMENT OF THE GREATER BADIN WATER & SEWER DISTRICT

Vice Chairman Burleson moved to adjourn the meeting of the GBWSD and reconvene as the board of county commissioners. The motion was seconded by Commissioner Lowder and passed with a 7 – 0 vote.

PUBLIC COMMENT - None.

BOARD COMMENTS, ANNOUNCEMENTS & COMMITTEE REPORTS

Vice Chairman Burleson provided an update on the initial meeting of the Regulatory Reform Committee which took place before Christmas. The next meeting is scheduled for January 18th where Inspections (David Harrington), Environmental Health (David Ezzell) and the County Manager have been invited to attend. He also wished everyone a prosperous new year.

Commissioner Efirm noted his appreciation of the Board and the EDC discussion. He wished everyone a Happy New Year and that he looks forward to 2017. He also noted the upcoming Stanly Water & Sewer Authority meeting scheduled for February 14, 2017.

Commissioner Morgan wished everyone a Happy New Year.

Chairman Lawhon asked the commissioners to provide regular updates on the board and committees they serve on as meetings take place. He also hoped everyone enjoyed the holidays and has a great new year.

CLOSED SESSION

Commissioner McIntyre moved to recess the meeting into closed session in order to discuss a real estate transaction in accordance with G. S. 143-318.11(a)(5) and economic development in accordance with G. S. 143-318.11(a)(4). The motion was seconded by Vice Chairman Burleson and carried by unanimous vote.

ADJOURN

With no further discussion, Commissioner Swain moved to adjourn the meeting and was seconded by Commissioner Morgan. The motion passed with a 7 – 0 vote at 8:30 p.m.

Bill Lawhon, Chairman

Tyler Brummitt, Clerk