

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING AGENDA
APRIL 4, 2016
7:00 P.M.**

**CALL TO ORDER & WELCOME – CHAIRMAN EFIRD
INVOCATION – COMMISSIONER MCINTYRE
PLEDGE OF ALLEGIANCE
APPROVAL/ADJUSTMENTS TO THE AGENDA**

SCHEDULED AGENDA ITEMS

- 1. PRESENTATION OF AN ADDENDUM TO THE STANLY COUNTY PARKS,
RECREATION & TRAILS MASTER PLAN BY THE TOWN OF NEW LONDON
Presenter: Tate Daniels, Mayor**

- 2. PLANNING & ZONING
Presenter: Michael Sandy, Planning Director**
 - A. ZA 16-02 – Rezoning request by Kaw Valley Engineering/Zimmerman
Properties**
 - 1. Hold the public hearing.**
 - 2. Request Board action to approve, modify or deny the request.**
 - B. ZA 16-03 – Rezoning request by Lanny Page**
 - 1. Hold the public hearing.**
 - 2. Request Board action to approve, modify or deny the request.**

- 3. PRESENTATION OF THE STANLY COUNTY VOLUNTARY AGRICULTURAL
DISTRICT & ENHANCED VOLUNTARY AGRICULTURAL DISTRICT
ORDINANCE
Presenter: Lori Ivey, Cooperative Extension Director**

4. DESIGNATION OF A COUNTY OFFICIAL TO MAKE RECOMMENDATIONS TO THE NC ALCHOLIC BEVERAGE CONTROL COMMISSION ON ABC PERMIT APPLICATIONS

Presenter: Andy Lucas, County Manager

5. FY 16-17 PUBLIC SCHOOL FUNDING DISCUSSION

6. CONSENT AGENDA

A. Minutes – Regular meeting of March 21, 2016.

PUBLIC COMMENT

BOARD COMMENTS, ANNOUNCEMENTS & COMMITTEE REPORTS

ADJOURN

The next regular meeting is scheduled for Monday, April 18, 2016 at 7:00 p.m.



Stanly County Board of Commissioners

Meeting Date: April 4, 2016
 Presenter: Tate Daniels, Mayor

_____ | 1
 Consent Agenda Regular Agenda

Presentation Equipment: Lectern PC* Lectern VCR Lectern DVD Document Camera** Laptop***

Please Provide a Brief Description of your Presentations format: _____

* PC is equipped with Windows XP and Microsoft Office XP (including Word, Excel, and PowerPoint), Internet connectivity and Network connectivity for County Employees.

** If you have need to use the Document Camera and zoom into a particular area, if possible please attach a copy of the document with the area indicated that you need to zoom into. A laser light is available to pinpoint your area of projection.

*** You can bring in a laptop that will allow video out to be connected at the lectern – set display to 60Mhz.

ITEM TO BE CONSIDERED

PRESENTATION OF AN ADDENDUM TO THE STANLY COUNTY PARKS, RECREATION & TRAILS MASTER PLAN BY THE TOWN OF NEW LONDON

Subject

Please see the enclosed addendum for Board consideration and approval.

Requested Action

Request Board approval of the enclosed addendum.

Signature: _____

Dept. _____

Date: _____

Attachments: Yes No ___x_

Review Process

Approved		Initials
Yes	No	
Finance Director	___	___
Budget Amendment Necessary	___	___
County Attorney	___	___
County Manager	___	___
Other:	___	___

Certification of Action

Certified to be a true copy of the action taken by the Stanly County Board of Commissioners on

 Tyler Brummitt, Clerk to the Board Date

Appendix F:

New London Parks and Recreation Plan 2016 Update to Stanly County Park, Recreation, and Trails Master Plan

The Town of New London Board of Commissioners embarked on a process in 2015 to review the Stanly County Park, Recreation, and Trails Master Plan completed in 2010 to determine if it accurately reflects the current interest and concerns of its citizens. Since the completion of the countywide comprehensive plan, the Town has seen some shifts in population, added the Tarheel Challenge Academy, and has become more active in a three community endeavor to add a nine mile greenway in the northern end of Stanly County. These changes, along with other cultural impacts, persuaded Town elected officials to seek this review. Any revised plan should include recommendations for enhancements to the existing park in town if needed, for direction to continue to participate in cooperative efforts within the county, and for future facility needs.

A. Public Input Process

Town elected officials and staff began the process by seeking resources to direct the process utilizing accepted best practice. Stanly County citizens who had been involved in earlier planning processes were contacted to learn of previous efforts. The Mayor and Town Administrator attended a statewide teleconference designed to advise local governments in preparing and developing recreational facilities based on needs. These conversations directed them to contact the Recreation Resources Service to learn of guidelines to gather appropriate community input and to schedule a planning process.

The Town Board discussed in multiple open meetings during 2015 a desire to learn more of recreation needs in the community. The result was to direct staff to develop and distribute a Public Recreation needs survey. The survey was mailed in a newsletter to all town residents in November 2015. Residents were sent a reminder to return the survey in their December water/sewer bill. Of the 242 surveys distributed 67 were returned for a return rate of twenty-eight percent. Demographic information collected indicates that all groups within the community were represented in the information received.

After the results were collected and tabulated, the Town Board advertised and held a public involvement meeting on February 22, 2016, to receive input and to discuss the findings of the survey. The public meeting was facilitated by an individual who does not live in the Town but who is acquainted with the recreation planning process.

The meeting was structured to address whether town citizens thought there is a need for additional recreational facilities, to discuss whether the results of the survey accurately reflect the needs of the Town, and, finally, to determine support for more recreation facilities.

B. Public Involvement Meeting

Residents of New London were active in the development of the 2010 Stanly County Comprehensive Plan. Their involvement in this new process continues to reflect their participation in the process. After a twenty-eight percent return rate on the survey, 25 persons attended the public involvement meeting. During the first segment of the meeting, they expressed a need for recreation facilities that mirrored community interests of wellness, multi-generational activities for members of the community, enhancing social interaction, support of economic development and cooperation with the nearby towns as well as the new school. It was communicated that new recreational facilities will serve the various needs of current residents, allow the community to attract new members and to prepare for the dynamic expectations of the future.

Those present felt the results of the survey exemplified the needs of the community to provide opportunities to participate in various activities as well as set aside an environmentally pleasing facility in which to do so. This survey, much like the one in the broader comprehensive plan of 2010, demonstrates a similar desire to have available park facilities close enough to residents to encourage their use. The top results of the survey were to provide trails for walking/jogging/biking, to offer picnic areas, to have outdoor playgrounds, to create a lake for fishing, and to have a multipurpose field and areas that make available activities such as basketball and tennis.

Citizens were asked if they supported the development of recreation facilities in their community and were unanimous in their support.

C. Recommendations

The 2010 Stanly County Comprehensive Plan states that “While public ownership of a broad range of recreation lands is critical to the well-being of the County and its residents, the use of a simple overall acreage standard does not fully address or reflect the citizen feedback received during this planning process. Residents were particularly interested in the availability of active use parks within a reasonable distance from their homes...The County currently is meeting its acreage standard for Community Parks with 8.7 acres per 1000 residents, but the number of community parks falls short of the quantity standard.”

The recreational opportunities currently available for residents of New London are documented in the 2010 Plan. No new facilities, especially to serve New London residents, have been added to the inventory since the plan was adopted. Recreational needs that need to be met by other classifications of facilities (District Recreation Complex, Regional Park, State Parks and Special Facilities) are not within the realm of possibility for the Town’s resources or population base. These needs are addressed by the provisions of the County Plan.


Community Parks are needed in each population node within the county and the previous plan mentioned such a facility in every other population center except New London. The Community Park standard is designed to be a facility within a reasonable distance from most residents to serve a wide variety of needs for youth and adults in both active and passive recreation.

Facilities for sports fields, open turf areas, playgrounds, picnic areas, and off street parking are recommended and could include restrooms and related facilities. Connection to a trail or greenway is a bonus for the community and should be considered if financially viable. A 10 to 20 acre Community Park with a service radius of 1 to 2 miles is recommended for New London and is reflective of expressed needs in the survey.

D. Community Park components:

- Land (10 to 25 acres)
- Park road and parking
- Rest rooms
- Trail development (walking/jogging/bicycling)
- Grading field and turf
- Playgrounds that can serve different age groups
- Signage
- Basic amenities (benches, trash receptacles, etc.)
- Lighting

Adopted the 1st day of March, 2016 by the New London Board of Commissioners.


Tate Daniels, Mayor

Attest:

Susan R. Almond
Susan R. Almond, Town Administrator

Adopted the _____ day of _____, 2016 by the Stanly County Board of Commissioners.

Terry Scott Efir, Chairman

Attest:

Tyler Brummitt, Clerk to the Board



Stanly County Board of Commissioners

Meeting Date: April 4, 2016
 Presenter: Michael Sandy

2A
 Consent Agenda | Regular Agenda

Presentation Equipment: Lectern PC* Lectern VCR Lectern DVD Document Camera** Laptop***

Please Provide a Brief Description of your Presentations format: Verbal only

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ITEM TO BE CONSIDERED

PUBLIC HEARING PLANNING AND ZONING

Subject

ZA 16-02 Kaw Valley Engineering/Zimmerman Properties, on behalf of Dennis Holbrook and MDS Smith, request to rezone 4.25 acres of a 55.33 acre tract from M-2 Heavy Industrial to R-8 Multi-Family Residential. This property is southeast of the extension of Leonard Avenue and west of Henson Street and is located between two areas currently zoned R-8. (Tax Record #6276)

Requested Action

It is requested that the Board of Commissioners approve, modify, or deny this request.

Signature: 

Date: 3-15-16

Dept. _____

Attachments: Yes _____ No x

Review Process

	Approved		Initials
	Yes	No	
Finance Director	—	—	
Budget Amendment Necessary	—	—	
County Attorney	—	—	
County Manager	—	—	
Other:	—	—	

Certification of Action

Certified to be a true copy of the action taken by the Stanly County Board of Commissioners on

 Tyler Brummitt, Clerk to the Board Date



PLANNING DEPARTMENT
1000 N. 1st Street, Suite 13-B
Albemarle, NC 28001
704-986-3667

MEMORANDUM

To: Stanly County Board of County Commissioners
From: Michael Sandy, AICP, CZO, Planning Director
Date: March 16, 2016

ZA 16-02 Kaw Valley Engineering/Zimmerman Properties, on behalf of Dennis Holbrook and MDS Smith, request rezoning from M2 to R8. Applicant respectfully requests to rezone a 4.25 acre tract, a portion of Tax Record Number 6276 from M2 to R8. The property is located south and east of Leonard Avenue extension and west of Henson Street between sections of the tract which are zoned R8. The purpose of this request is to develop the property for multi-family residential development.

Adjacent properties are in Stanly County and City of Albemarle zoning jurisdictions. Lots to the north are zoned GHBD – General Highway Business District and R8A – Multi-family Residential. Lots to the south are zoned M2 – Heavy Industrial. The area requested for rezoning is between two existing R8 – Multi-family Residential districts on this tract. Public utilities are provided by the City of Albemarle. Schools serving this district are East Albemarle Elementary School, Albemarle Middle School and Albemarle High School. This property is not located in a regulated floodplain or a WS-IV Water Supply Watershed. Traffic on this section of Leonard Avenue has not been studied by NCDOT since it is a City of Albemarle street. Henson Street is also a city street and has not been studied.

Planning staff recommends this request due to the fact that the requested change is located in a primary growth area of the City of Albemarle and is in accordance with the Stanly County Land Use Plan.

There was no opposition expressed at the Planning Board meeting and the Planning Board forwards this case to the County Commissioners with a favorable recommendation as this provides affordable housing and is adjacent to areas already zoned for this purpose.



PETITION FOR ZONING CHANGE OF PROPERTY AND/OR TEXT AMENDMENT

(Please read petition thoroughly before completing. Incomplete or illegible applications will not be accepted.)

* * * * *

The petitioner requests that the County of Stanly Zoning Map be amended as indicated below.

IMPORTANT: Supplementary information required as part of petition to be included:

- Copy of recorded deed
- Copy of the Stanly County Tax Map which delineates the property requested for rezoning
- Legal description of property requested for rezoning, by metes and bounds or a recorded plat depicting such
- Text changes submitted on 8 1/2 X 11 with shaded text representing new language and strikethroughs for language to be removed.

Additional information may be provided and attached to this petition.

Applications must be submitted and reviewed by the Planning Department, 1000 N. First Street, Suite 13B., Albemarle, NC 28001 for completeness prior to acceptance. Fees payable to the County of Stanly must accompany the petition.

This petition will be scheduled for the next possible regular Planning and Zoning Board meeting. The petitioner or his representative should be present at the meeting to answer any questions. Planning and Zoning Board meetings are held on the second (2nd) Monday of each month at 7:00 P.M. in the Commissioners Chambers located at the Stanly County Commons Building, 1000 N. First Street, Albemarle, NC 28001. Petitioners will be informed of any changes in date, time, or location of meetings. Petitions and supplementary information must be received at least 11 working days prior to the scheduled meeting date to allow time for processing and advertisement as required by the General Statutes of North Carolina.

PLEASE PRINT

Name of Petitioner: Kaw Valley Engineering for Zimmerman Properties: (913) 894-5150
(Phone Number)

Owner Name and Address: Michael R. Osbourn 14700 W. 114th Terrace
(Print Name) (Address)
Lenexa, KS 66215 mikeo@kveng.com
(City, State, Zip) (Email Address)

Address(s) of Requested Site: E. and S. of Leonard Ave Extension (approximately 781 Leonard Ave)

Tax Parcel #(s) 654804904100, 6276

Acreage/Sq. Ft 4.25 +/- Existing Zone M-2 Requested Zone R-8

Signature of Petitioner: Date 02-24-16

Signature of Owner (if owner is not petitioner) Date 02/24/16

Layers

Information

Parcels
 Property Record Card
 Deed
 Map
 Tax Record
 6076
 66480491100

Owner Name
 LEHNIS - OLSEN, ANDIE SMITH
 39

Owner Name 2
 DODD, DAVID D SMITH

Mailing Address
 633 E LINDEN AVE
 48000

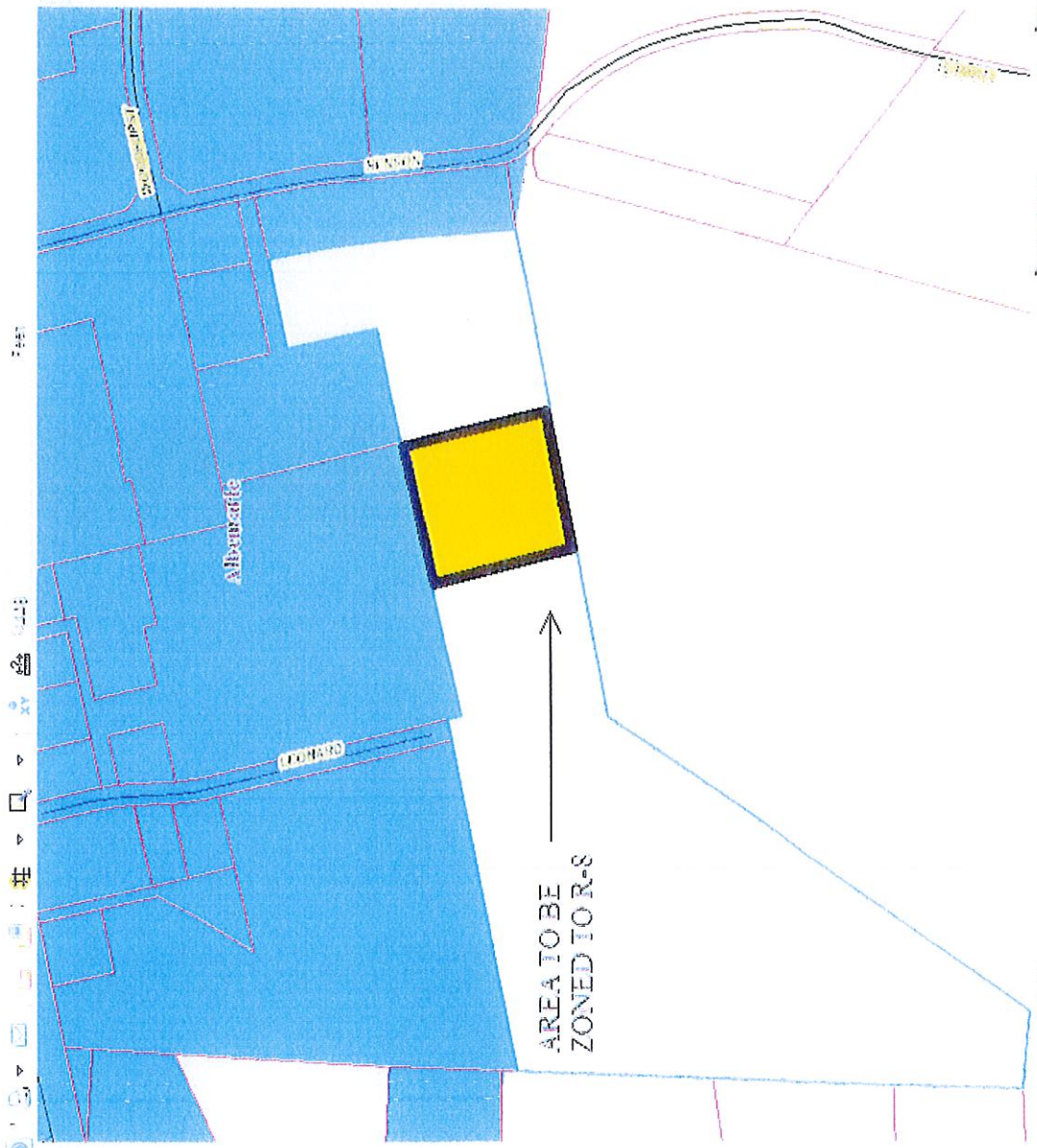
Mailing Address 2
 48000

City
 ALBUQUERQUE

State
 NM

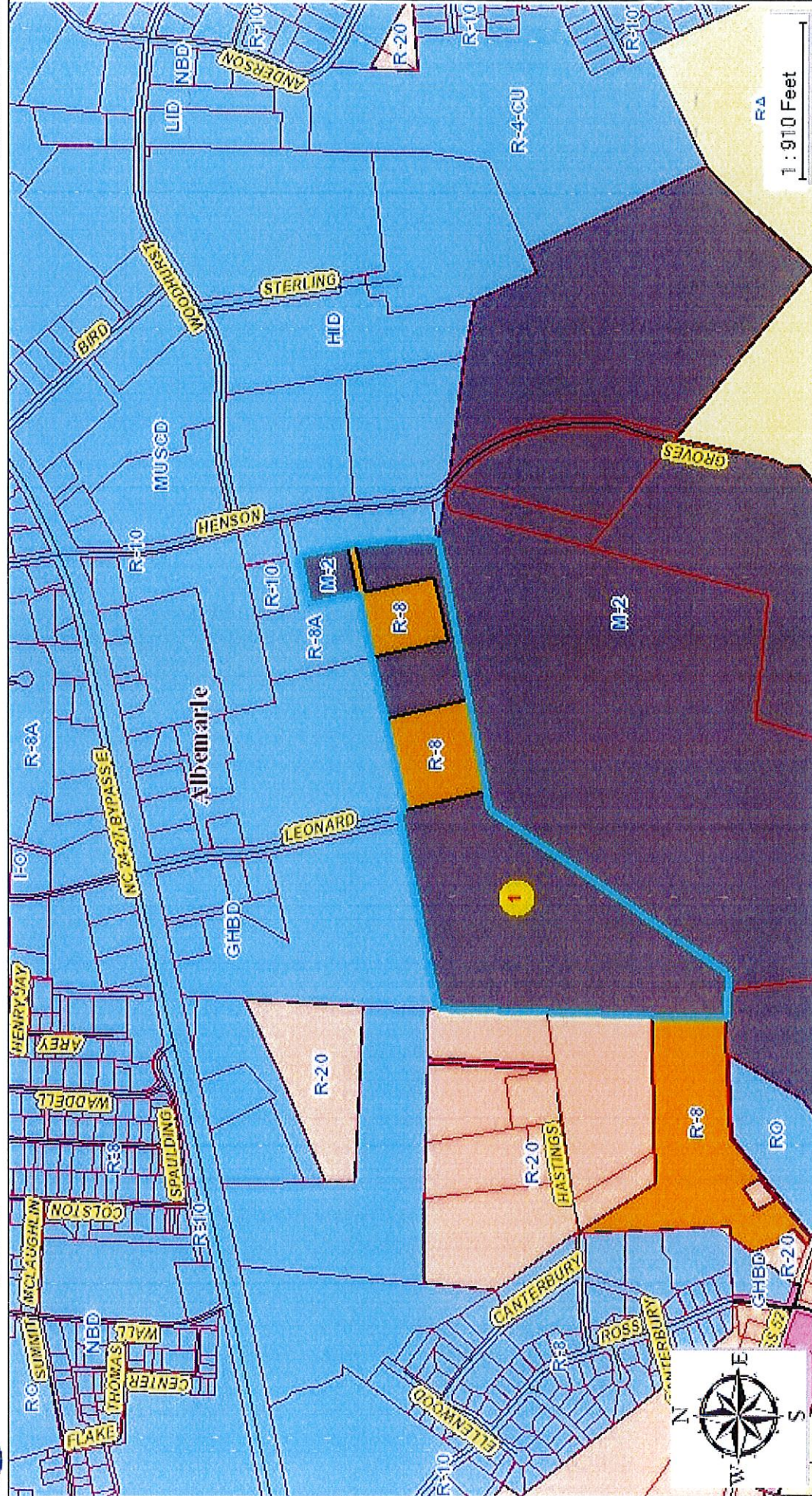
Zip
 87101

Physical Address
 -EVENSON ST
 more

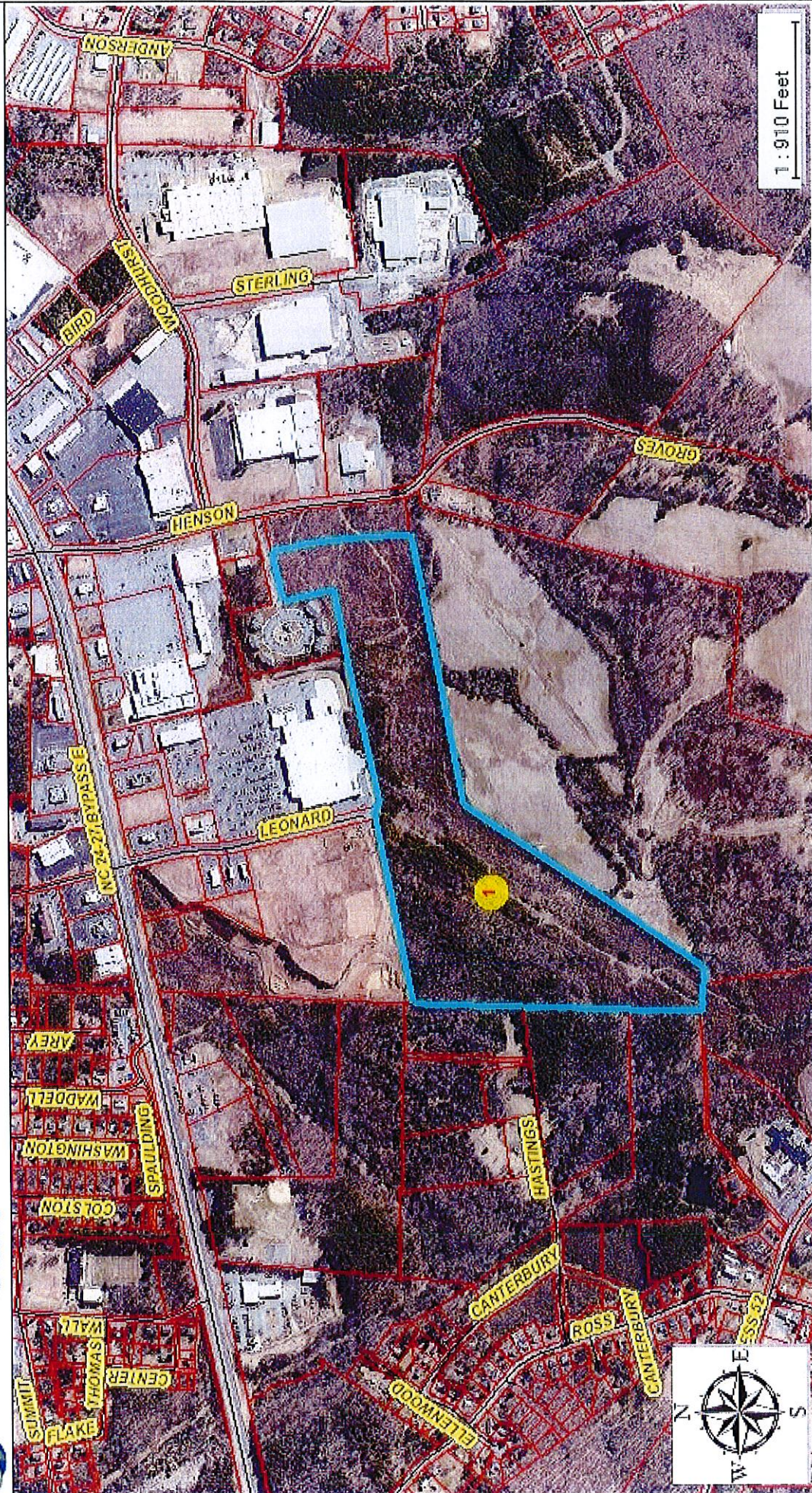


Lat	Lon	Color

AREA TO BE ZONED TO R-8



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Stanly County Planning Board March 14, 2016 - Meeting Minutes

Installation

Before the meeting was called to order, Clerk Bob Remsburg installed the three new members of the Stanly County Planning Board as appointed by the Board of County Commissioners on March 7. Kevin Brickman; John Eckman, III; and Frank Sparger took the oath of office.

Call to Order

Planning Director Michael Sandy called the meeting to order on March 14, 2016, at 7:00 p.m. in the Commons Meeting Room at 1000 N First Street, Albemarle, North Carolina.

Stanly County Planning Board Members Attending

Robert Loflin, Jr. – arrived at 7:10
Terry Smith
Kevin Brickman
John Eckman, III
Frank Sparger

Planning Board Members Absent:

Ned Stallings
Bob Davis

Stanly County Planning Staff Attending

Michael Sandy, Planning Director
Bob Remsburg, Planner I

Others Present: See sign-in sheet

Planning Director Sandy explained that since there were new appointments including a replacement for the past chairman, the board needed to elect a new Chair and Vice-Chair. He called for nominations for Chair.

Motion: Kevin Brickman made the motion to elect Robert Loflin, Jr. as the chair.

Second: Frank Sparger seconded the motion

Action: Motion was approved.

Motion: Frank Sparger made the motion to elect Terry Smith as the vice-chair.

Second: John Eckman seconded the motion.

Action: Motion was approved

Michael Sandy called on Terry Smith to chair the meeting in the absence of the newly elected chair.

Vice-Chairman Smith asked the Board to note the minutes of January 11, 2016. He asked if there were any corrections to the minutes. Hearing none, he asked for a motion to approve.

Motion: Kevin Brickman made a motion to recommend approval of ZA16-02 to the Board of County Commissioners.

Second: John Eckman

Action: The Board unanimously approved this motion.

Mr. Sandy reminded Mr. Osborne and Mr. Holbrook that the hearing at the Board of County Commissioners meeting would be on April 4th at 7:00 p.m.

Chairman Loflin called on Mr. Sandy to present the second hearing, ZA16-03.

ZA 16-03 Lanny Page on behalf of Janice R. Efird, request rezoning from RA to GB. Applicant respectfully requests to rezone a 2.5 acre tract, Tax Record Number 7096 from RA to GB. The property is located at the southwest corner of S. Oak Ridge Road (NC205) and Bear Claw Road. The purpose of this request is to locate a business on the property.

Michael Sandy, Planning Director presented that this rezoning is in accordance with the Stanly County Land Use Plan. This property is located between the Town of Red Cross and the Town of Oakboro along S. Oak Ridge Road (NC 205) and within the County's zoning jurisdiction. Lots adjacent in both Red Cross and County jurisdictions are zoned RA-Residential Agricultural. Traffic averages between 5,000 and 6,000 vehicles per day on NC 205. The Planning staff recommends this project be approved as it is located in a growth corridor with water and sewer available. Several nearby properties are zoned for business.

Mr. Loflin invited Mr. Lanny Page to come forward and present why he desires the rezoning of this property. Mr. Page expressed that he was purchasing the land in order to provide for the future of his family. His desire is to create a farmers' market which can be operated by his daughter who is now 21 and in school. This would be the family business. This looks like the right spot for this activity.

Mr. Loflin asked if there was anyone wishing to speak against the rezoning.

Kimberly Abeyta came forward and identified that she and her husband were adjacent property owners. She presented binders to the Planning Board containing a petition signed by 25 area residents expressing their preference for the Board to deny the rezoning request. Also in the binders were photos of vacant area businesses and vacant properties which Mrs. Abeyta expressed may be more suitable for business purposes. She also expressed concern that the Oakboro area was not growing and has not supported several local businesses including farmers market/produce stands. She also expressed concern that the community would see less traffic if Oakboro School was closed. Her husband, Kevin Abeyta, joined her and shared that he would rather see the woods than a vacant business. He indicated that the Bear Claw neighborhood was established and this would not fit in. He was concerned that there would not be enough business traffic to sustain the location.

Harold Little, an adjacent property owner, also spoke indicating that he wanted to see the property cleaned up.

Mr. Page approached and stated that having another business in the community may attract more customers to all the businesses. He was flexible about the land use and was unsure of a timetable



Stanly County Board of Commissioners

Meeting Date: April 4, 2016
 Presenter: Michael Sandy

Consent Agenda | Regular Agenda

2B

Presentation Equipment: Lectern PC* Lectern VCR Lectern DVD Document Camera** Laptop***

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ITEM TO BE CONSIDERED

PUBLIC HEARING PLANNING AND ZONING

Subject

ZA 16-03 Lanny Page, on behalf of Janice R. Efird requests to rezone 2.5 acres from R-A Residential Agricultural to G-B General Business. The property is on the southwest corner of Bear Claw Road and S. Oak Ridge Road (NC 205). (Tax Record #7096).

Requested Action

It is requested that the Board of Commissioners approve, modify, or deny this request.

Signature: 

Date: 3-15-16

Dept.

Attachments: Yes No x

Review Process

	Approved		Initials
	Yes	No	
Finance Director	—	—	
Budget Amendment Necessary	—	—	
County Attorney	—	—	
County Manager	—	—	
Other:	—	—	

Certification of Action

Certified to be a true copy of the action taken by the Stanly County Board of Commissioners on

 Tyler Brummitt, Clerk to the Board Date



PLANNING DEPARTMENT
1000 N. 1st Street, Suite 13-B
Albemarle, NC 28001
704-986-3667

MEMORANDUM

To: Stanly County Board of County Commissioners
From: Michael Sandy, AICP, CZO; Planning Director
Date: March 16, 2016

ZA 16-03 Lanny Page on behalf of Janice R. Efird, request rezoning from RA to GB.
Applicant respectfully requests to rezone a 2.5 acre tract, Tax Record Number 7096 from RA to GB. The property is located at the southwest corner of S. Oak Ridge Road (NC205) and Bear Claw Road. The purpose of this request is to locate a business on the property.

Adjacent properties are in Stanly County, and Town of Red Cross zoning jurisdictions. Lots within the town limits of Red Cross are zoned RA – Residential Agriculture and lots in the Stanly County jurisdiction are zoned RA – Residential Agriculture. Nearby properties south of this location are in the Town of Oakboro jurisdiction. Water and sewer are available from the Town of Oakboro. This property is not located in a regulated floodplain or a WS-IV Water Supply Watershed. Traffic on this section of S. Oak Ridge (NC205) has been studied by NCDOT averages between 5,000 and 6,000 vehicles per day.

Planning staff recommends this project as it is located in a growth corridor with water and sewer available. Numerous properties along S. Oak Ridge (NC205) have been zoned for business and have active businesses.

There was some opposition from neighbors at the Planning Board meeting. After hearing all sides, the Planning Board forwards this case to the County Commissioners with a favorable recommendation since the property is located on a highway and other businesses are located in the area.



PETITION FOR ZONING CHANGE OF PROPERTY AND/OR TEXT AMENDMENT

(Please read petition thoroughly before completing. Incomplete or illegible applications will not be accepted.)

* * * * *

The petitioner requests that the County of Stanly Zoning Map be amended as indicated below.

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PLEASE PRINT

Name of Petitioner: LANNY O PAGE (704) 305-9010
(Phone Number)

Owner Name and Address: Janice
(Print Name) (Address)

(City, State, Zip) (Email Address)

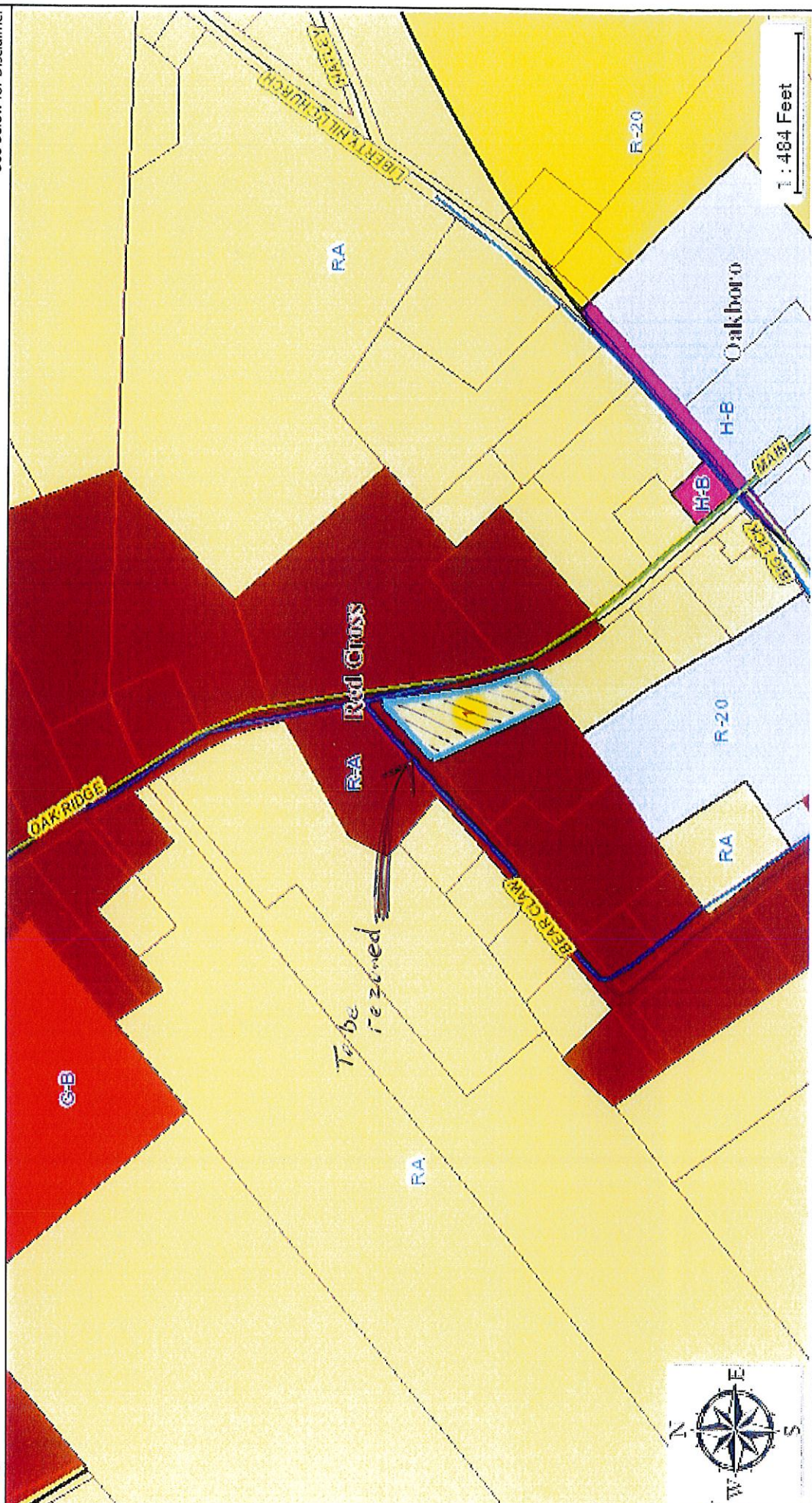
Address(s) of Requested Site: SW corner of S. Oak Ridge Rd (NC205) and Bear Claw Rd.

Tax Parcel #(s) 7096

Acreage/Sq. Ft 2.5 acres Existing Zone RA Requested Zone GB

Signature of Petitioner: Lanny O. Page Date 2/26/2016

Signature of Owner (if owner is not petitioner) Janice R. Eford Date Feb. 25, 2016



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Stanly County Planning Board March 14, 2016 - Meeting Minutes

Installation

Before the meeting was called to order, Clerk Bob Remsburg installed the three new members of the Stanly County Planning Board as appointed by the Board of County Commissioners on March 7. Kevin Brickman; John Eckman, III; and Frank Sparger took the oath of office.

Call to Order

Planning Director Michael Sandy called the meeting to order on March 14, 2016, at 7:00 p.m. in the Commons Meeting Room at 1000 N First Street, Albemarle, North Carolina.

Stanly County Planning Board Members Attending

Robert Loflin, Jr. – arrived at 7:10
Terry Smith
Kevin Brickman
John Eckman, III
Frank Sparger

Planning Board Members Absent:

Ned Stallings
Bob Davis

Stanly County Planning Staff Attending

Michael Sandy, Planning Director
Bob Remsburg, Planner I

Others Present: See sign-in sheet

Planning Director Sandy explained that since there were new appointments including a replacement for the past chairman, the board needed to elect a new Chair and Vice-Chair. He called for nominations for Chair.

Motion: Kevin Brickman made the motion to elect Robert Loflin, Jr. as the chair.

Second: Frank Sparger seconded the motion

Action: Motion was approved.

Motion: Frank Sparger made the motion to elect Terry Smith as the vice-chair.

Second: John Eckman seconded the motion.

Action: Motion was approved

Michael Sandy called on Terry Smith to chair the meeting in the absence of the newly elected chair.

Vice-Chairman Smith asked the Board to note the minutes of January 11, 2016. He asked if there were any corrections to the minutes. Hearing none, he asked for a motion to approve.

Motion: Kevin Brickman made a motion to recommend approval of ZA16-02 to the Board of County Commissioners.

Second: John Eckman

Action: The Board unanimously approved this motion.

Mr. Sandy reminded Mr. Osborne and Mr. Holbrook that the hearing at the Board of County Commissioners meeting would be on April 4th at 7:00 p.m.

Chairman Loflin called on Mr. Sandy to present the second hearing, ZA16-03.

ZA 16-03 Lanny Page on behalf of Janice R. Efird, request rezoning from RA to GB. Applicant respectfully requests to rezone a 2.5 acre tract, Tax Record Number 7096 from RA to GB. The property is located at the southwest corner of S. Oak Ridge Road (NC205) and Bear Claw Road. The purpose of this request is to locate a business on the property.

Michael Sandy, Planning Director presented that this rezoning is in accordance with the Stanly County Land Use Plan. This property is located between the Town of Red Cross and the Town of Oakboro along S. Oak Ridge Road (NC 205) and within the County's zoning jurisdiction. Lots adjacent in both Red Cross and County jurisdictions are zoned RA-Residential Agricultural. Traffic averages between 5,000 and 6,000 vehicles per day on NC 205. The Planning staff recommends this project be approved as it is located in a growth corridor with water and sewer available. Several nearby properties are zoned for business.

Mr. Loflin invited Mr. Lanny Page to come forward and present why he desires the rezoning of this property. Mr. Page expressed that he was purchasing the land in order to provide for the future of his family. His desire is to create a farmers' market which can be operated by his daughter who is now 21 and in school. This would be the family business. This looks like the right spot for this activity.

Mr. Loflin asked if there was anyone wishing to speak against the rezoning.

Kimberly Abeyta came forward and identified that she and her husband were adjacent property owners. She presented binders to the Planning Board containing a petition signed by 25 area residents expressing their preference for the Board to deny the rezoning request. Also in the binders were photos of vacant area businesses and vacant properties which Mrs. Abeyta expressed may be more suitable for business purposes. She also expressed concern that the Oakboro area was not growing and has not supported several local businesses including farmers market/produce stands. She also expressed concern that the community would see less traffic if Oakboro School was closed. Her husband, Kevin Abeyta, joined her and shared that he would rather see the woods than a vacant business. He indicated that the Bear Claw neighborhood was established and this would not fit in. He was concerned that there would not be enough business traffic to sustain the location.

Harold Little, an adjacent property owner, also spoke indicating that he wanted to see the property cleaned up.

Mr. Page approached and stated that having another business in the community may attract more customers to all the businesses. He was flexible about the land use and was unsure of a timetable



Stanly County Board of Commissioners

Meeting Date: April 4, 2016
 Presenter: Lori S. Ivey

_____ | 3 X
 Consent Agenda | Regular Agenda

Presentation Equipment: Lectern PC* Lectern VCR Lectern DVD Document Camera** Laptop***

Please Provide a Brief Description of your Presentations format: _____

* PC is equipped with Windows XP and Microsoft Office XP (including Word, Excel, and PowerPoint), Internet connectivity and Network connectivity for County Employees.

** If you have need to use the Document Camera and zoom into a particular area, if possible please attach a copy of the document with the area indicated that you need to zoom into. A laser light is available to pinpoint your area of projection.

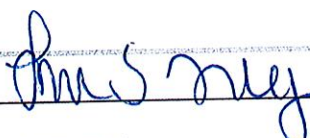
*** You can bring in a laptop that will allow video out to be connected at the lectern – set display to 60Mhz.

ITEM TO BE CONSIDERED

Subject

Requested Action

Approval of the Stanly County Voluntary Agricultural District and Enhanced Voluntary Agricultural District Ordinance.

Signature: 

Date: March 23, 2016

Dept. _____

Attachments: Yes X No _____

Review Process

	Approved		Initials
	Yes	No	
Finance Director	___	___	
Budget Amendment Necessary	___	___	
County Attorney	___	___	
County Manager	___	___	
Other:	___	___	

Certification of Action

Certified to be a true copy of the action taken by the Stanly County Board of Commissioners on

 Tyler Brummitt, Clerk to the Board Date

Application for Participation
STANLY COUNTY
 Voluntary Agricultural District and
 Enhanced Voluntary Agricultural District

A. Applicant Information

Name (s): _____

Mailing Address: _____

City: _____ State: North Carolina Zip: _____

Telephone: _____

Home

Cell

Work

Email Address: _____

B. Property Information

Owner (s): _____

(For additional tracts, use back of this form)

Street Address (ex. 7000-7500 Main St.)	Tax Map/Parcel Number (ex: 01-2345-6/001)	Number of Acres (ex: 100)	FSA Farm Number/Tract Number (ex: 1234/T-1234)

Signature of Owners: _____

Date: _____

Date: _____

Mail Completed Application to: **Stanly Soil & Water Conservation District**
Attention: Voluntary Agricultural District
 26032-C Newt Rd.
 Albemarle, NC 28001

**STANLY COUNTY
VOLUNTARY AGRICULTURAL DISTRICT
AND
ENHANCED VOLUNTARY AGRICULTURAL DISTRICT ORDINANCE**

Final Draft – 2/16/16

**ARTICLE I
TITLE**

An ordinance of the Board of County Commissioners of STANLY COUNTY, NORTH CAROLINA, entitled, "**VOLUNTARY AGRICULTURAL DISTRICT AND ENHANCED VOLUNTARY AGRICULTURAL DISTRICT ORDINANCE**" (hereinafter referred to as "Ordinance").

**ARTICLE II
AUTHORITY**

The articles and sections of this ordinance are adopted pursuant to authority conferred by the N.C.G.S. Sections 106-735 through 106-744 and Chapter 153A.

**ARTICLE III
PURPOSE**

The purpose of this ordinance is to promote agricultural values and the general welfare of Stanly County (hereinafter referred to as "County") and more specifically, increase identity and pride in the agricultural community and its way of life; encourage the economic and financial health of agriculture, horticulture and forestry; and increase protection from non-farm development and other negative impacts on properly managed farms.

This ordinance establishes a Voluntary Agricultural District Program that has the following benefits for participating farmers:

- Preservation and maintenance of agriculture, horticulture, forestry, or open land areas within the County;
- Voluntary enrollment from year-to-year with the right to terminate participation at any time;
- Protection of green space and natural resources as the County's population and development expands;
- Public identification, indicating to any potential neighbors and passersby that land is committed to the preservation of the agricultural way of life;
- Increased protection from nuisance suits, making non-farming neighbors and potential land purchasers aware of the potential for noise, odor, dust, or slow-moving vehicles associated with farming;
- Requirement of public hearings for proposed condemnation, encouraging County government to use agricultural land areas as a last resort;
- Eligibility for farmland preservation funding on local, state and federal levels; and
- Better voice in County government concerning decisions affecting the agricultural economy or way of life within the County.

This ordinance also establishes an Enhanced Voluntary Agricultural District Program that has the following benefits for participating farmers:

- Preservation and maintenance of agriculture, horticulture, forestry, or open land areas within the County;

- Protection of green space and natural resources as the County's population and development expands;
- Public identification, indicating to any potential neighbors and passersby that land is committed to the preservation of the agricultural way of life;
- Increased protection from nuisance suits, making non-farming neighbors and potential land purchasers aware of the potential for noise, odor, dust, or slow-moving vehicles associated with farming;
- Requirement of public hearings for proposed condemnation, encouraging County government to use agricultural land areas as a last resort;
- Eligibility for farmland preservation funding on local, state and federal levels;
- Better voice in County government concerning decisions affecting the agricultural economy or way of life within the County;
- Eligibility for a higher percentage of cost-share program funding;
- Priority for other state grant programs;
- Conservation Agreement that prohibits non-farm use or development of such land for an irrevocable period of ten (10) years.

**ARTICLE IV
DEFINITIONS**

The following are defined for purposes of this ordinance:

<u>Advisory Board:</u>	Stanly County Agricultural Advisory Board.
<u>Board of Commissioners:</u>	Stanly County Board of Commissioners
<u>Chairperson:</u>	Chairperson of the Stanly County Agricultural Advisory Board.
<u>Conservation Agreement:</u>	Agreement between the County and a landowner that prohibits non-farm use or development of such land for a period of at least ten years;
<u>County:</u>	Stanly County
<u>District:</u>	Voluntary Agricultural District as established by this Ordinance.
<u>Enhanced District:</u>	Enhanced Voluntary Agricultural District as established by this Ordinance
<u>Farmland:</u>	Land used for agriculture, horticulture, or forestry
<u>Soil and Water Conservation District:</u>	Stanly Soil and Water Conservation District

**ARTICLE V
AGRICULTURAL ADVISORY BOARD**

A. Creation

The Board of Commissioners shall establish an Advisory Board to implement the provisions of these programs.

B. Membership

The Advisory Board shall consist of no less than seven (7) members appointed by the Board of Commissioners.

C. Membership Requirements

1. Each Advisory Board member shall be a Stanly County resident or landowner.
2. At least five (5) of the members shall be actively engaged in farming, horticulture and/or forestry. Of the members actively engaged in farming, horticulture and/or forestry, there shall be at least one (1) such member from the District and at least one (1) such member from the Enhanced District.
3. At least one (1) of the Advisory Board members actively engaged in farming shall be nominated by the Soil and Water Conservation District Board of Supervisors.
4. The members actively engaged in farming, as well as other members, shall be selected for appointment by the Board of Commissioners from the names of individuals submitted to the Board of Commissioners by the Soil and Water Conservation District Board of Supervisors, the County Office of the North Carolina Cooperative Extension Service, the U.S. Farm Service Agency County Committee, the Stanly County Farm Bureau, the North Carolina Forest Service, agribusiness, and the public at large.

D. Tenure

The initial Advisory Board is to consist of three (3) appointees for terms of one (1) year; three (3) appointees for terms of two (2) years; and one (1) appointee for a term of three (3) years. Thereafter, all appointments are to be for terms of three (3) years, with reappointment permitted.

E. Vacancies

Any vacancy on the Advisory Board is to be filled by the Board of Commissioners for the remainder of the unexpired term.

F. Removal

Any member of the Advisory Board may be removed by the Board of Commissioners upon a majority vote of the Commissioners. No cause for removal shall be required.

G. Funding

The *per diem* compensation, if any, of the members of the Advisory Board may be fixed by the Board of Commissioners and funds may be appropriated to the Advisory Board to perform its duties.

H. Advisory Board Procedure

1. Chairperson

The Advisory Board shall elect a chairperson and vice-chairperson each year at its first meeting of the fiscal year. The Chairperson shall preside over all regular, special, and emergency meetings of the Advisory Board. In the absence or disability of the Chairperson, the vice-chairperson shall preside and shall exercise all the powers of the chairperson. Additional officers may be elected as needed.

2. Jurisdiction

The Advisory Board may adopt rules of procedure consistent with this Ordinance or with other provisions of State law.

3. Advisory Board Year

The Advisory Board shall use the Stanly County fiscal year (July 1 through June 30) as its meeting year.

4. Meetings

Meetings of the Advisory Board shall be held at the call of the Chairperson and at such other times as the Advisory Board may specify in its rules of procedure or upon the request of at least a majority of the Advisory Board membership. A meeting shall be held at least annually and notice of any meetings to the members shall be in writing, unless otherwise agreed to by all Advisory Board members. Public notice of the meeting dates and times shall be provided in accordance with North Carolina General Statute Chapter 143, Article 33C. All meetings shall be open to the public.

5. Majority Vote and Quorum Requirements

All issues shall be decided by a majority vote of the members of the Advisory Board, except as otherwise stated herein. No business may be conducted by the Advisory Board without a physical or electronic quorum present.

6. Records

The Advisory Board shall keep minutes of the proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be filed in the office of the Advisory Board and shall be a public record.

7. Administrative

The Advisory Board may coordinate with the Soil and Water Conservation District and North Carolina Cooperative Extension offices to serve the Advisory Board for record keeping, correspondence, application procedures under this ordinance, and whatever services the Advisory Board needs to complete its duties.

I. Duties

The Advisory Board shall:

1. Review applications of landowners for enrollment of qualified farmland, horticultural land, or forestland in either District or the Enhanced District for compliance with this ordinance;
2. Forward applications determined to be compliant to the Board of Commissioners for approval of parcels to the District or the Enhanced District, as appropriate;
3. Make recommendations concerning the establishment and modification of District and/or Enhanced District;
4. Conduct public hearings on public projects likely to have an impact of agricultural operations;

5. Advise the Board of Commissioners on projects, programs, or issues affecting the agricultural economy and agricultural, horticultural or forestry activities within the County that will affect the District or Enhanced District;
6. Review and make recommendations concerning proposed amendments to this ordinance;
7. Maintain the county-wide farmland protection plan as defined in N.C.G.S. §106-744 (e) (1) for presentation to the Board of Commissioners;
8. Study additional methods of protection for farming, horticulture, forestry, and the attendant land base and make recommendations to the Board of Commissioners; and
9. Perform other agricultural, horticultural, and forestry- related tasks or duties assigned by the Board of Commissioners.

**ARTICLE VI
CREATION OF VOLUNTARY AGRICULTURAL DISTRICTS
AND ENHANCED VOLUNTARY AGRICULTURAL DISTRICTS**

A. Implementation

In order to implement the purposes stated in Article III, these programs provide for the creation of one (1) Voluntary Agricultural District and one (1) Enhanced Voluntary Agricultural District that include all qualified, enrolled farmland, horticultural land, or forestland in Stanly County.

B. Education

The County may take such action as it deems appropriate through the Advisory Board or other entities or individuals to encourage the formation of Districts and Enhanced Districts and to further their purposes and objectives, including the implementation of a public information program to reasonably inform landowners of the District and Enhanced District Programs.

C. Addition and Withdrawal

1. Qualifying farmland in a region with an existing District or Enhanced District shall be added to the District or the Enhanced District as herein provided.

**ARTICLE VII
CERTIFICATION AND QUALIFICATION OF FARMLAND**

Requirements

To secure County certification as qualifying farmland in either the District or the Enhanced District, a farm must:

1. Be real property that is engaged in agriculture as defined by N.C.G.S. §106-581.1;
2. Be managed, if highly erodible land exists on the farm, in accordance with the Natural Resources Conservation Service defined erosion-control practices that are addressed to said highly-erodible land;

3. Be the subject of a Conservation Agreement, as defined in N.C.G.S. §121-35, between the County and the owner of such land that prohibits non-farm use or development of such land for a period of at least ten years, except for the creation of not more than three (3) lots that meet applicable County zoning and subdivision regulations; and
4. Be located in the unincorporated area of Stanly County, unless there is an agreement with a municipality through which the County is authorized to exercise the authority of the municipality on its behalf.

**ARTICLE VIII
APPLICATION, APPROVAL, AND APPEAL PROCEDURE**

A. Application Procedure

1. A landowner may apply to participate in either the District or the Enhance District Program by making application and paying such fees as may be established by the Board of Commissioners to the Chairperson of the Advisory Board or to a designated staff person. The application shall contain a listing of all parcels or tax record numbers and be on forms provided by the Advisory Board. The application to participate in an Agricultural District may be filed with the certification for qualifying farmland.
2. A Conservation Agreement (required by N.C.G.S. §106-737 and defined in N.C.G.S. §121-35) suited to district type (District or Enhanced District) designated by the landowner to sustain, encourage, and promote agriculture must be executed by the landowner with the Advisory Board, which shall record a certified copy with the Stanly County Register of Deeds. The Conservation Agreements for the Enhanced District shall be binding upon all successors in interest to the landowner, except for successors in interest resulting from the exercise of rights under a security interest or lien that preceded the Conservation Agreement.

B. Approval Process

1. Upon submission of an application to the Advisory Board, the Advisory Board shall meet within 90 days to review the application. The Chairperson shall notify the applicant in writing via first class mail of the Advisory Board's determination of compliance or non-compliance and the reasons therefore. Compliant applications shall be added to the Board of Commissioners' agenda for consideration of addition to the appropriate District or Enhanced District.
2. Upon receipt of an application, the Chairperson will forward copies immediately to the following offices which shall be asked to provide comments, if any, to the Advisory Board prior to the date set for the Advisory Board vote on the application.
 - a. The Stanly County Tax Assessor;
 - b. The Stanly County Soil and Water Conservation District Office; and
 - c. The Natural Resources Conservation Service.

C. Appeal

If an application is determined to be non-compliant with this Ordinance by the Advisory Board, the landowner shall have thirty (30) days from the date of notification to appeal the determination to the Board of Commissioners. Such appeal shall be presented in writing. The decision of the Board of Commissioners is final.

ARTICLE IX
REVOCATION, ENFORCEMENT AND RENEWAL OF CONSERVATION AGREEMENT

A. Revocation and Enforcement

1. District. Conservation Agreements for land within the District are each for a term of ten (10) years. By providing 30 days advance written notice to the Advisory Board, a landowner of qualifying farmland within a District may revoke his/her/its Conservation Agreement. By providing written notice to the landowner, the Advisory Board may revoke a Conservation Agreement due to the landowner's non-compliance with the Ordinance, the Conservation Agreement, or applicable law. Such revocation shall result in loss of qualifying farm status and loss of eligibility to participate in the District. Absent non-compliance by the landowner, neither the Advisory Board nor the Board of Commissioners may revoke any Conservation Agreement prior to its expiration. If the Advisory Board revokes a Conservation Agreement for cause, the landowner shall have thirty (30) days from the date of notice of revocation to appeal the revocation to the Board of Commissioners. Such appeal shall be presented in writing. The decision of the Board of Commissioners is final. Transfers of land in a District due to death of the landowner, sale or gift shall not revoke the Conservation Agreement unless the land no longer qualifies as real property that is engaged in agriculture as defined by N.C.G.S. §106-581.1 or, in the event that there are water or sewer assessments held in abeyance, the new owner(s) fail to agree in writing to accept liability for those assessments in the event that the land is withdrawn either voluntarily or involuntarily from the District. In event of the original landowner's death, any surviving heirs have the same 30 days advance written notice consideration for revocation of the Conservation Agreement as stated above. Enforcement of the terms of a Conservation Agreement for land enrolled in a District shall be limited to revocation of the Conservation Agreement and the benefits derived there from. A notice of revocation shall be recorded in the County land record system sufficient to provide notice that the land has been withdrawn from the Voluntary Agricultural District Program.

2. Enhanced District. Conservation Agreements for land within the Enhanced District are **IRREVOCABLE** by landowner(s) for a period of ten (10) years. Enforcement of the terms of the Conservation Agreement may be through an action for injunctive relief and/or damages in any court of competent jurisdiction. The County may also terminate any benefits to the landowner under this program either permanently or during the period of violation, as appropriate. If the County shall revoke the Conservation Agreement for cause, the landowner shall have thirty (30) days from the date of notice of revocation to appeal the revocation to the Board of Commissioners. Such appeal shall be presented in writing. The decision of the Board of Commissioners is final. The right to terminate program benefits is in addition to any legal rights that the County may have under either this Ordinance or the terms of the applicable Conservation Agreement. The County may seek costs of the action, including reasonable attorney fees. A notice of revocation shall be recorded in the County land record system sufficient to provide notice that the land has been withdrawn from the Enhanced Voluntary Agricultural District Program.

B. Renewal

1. District. A Conservation Agreement for land within a District shall be automatically renewed, if not terminated, for an additional term of ten (10) years, unless either the landowner or the County provides a 30 day written notice to the other party of his/her/its intent not to renew. Absent non-compliance by the landowner, neither the Advisory Board nor the Board of Commissioners shall fail to renew any Conservation Agreement unless this Ordinance or its authorizing legislation has been repealed. At the end of each ten (10) year term, the Conservation Agreements for land in the District shall automatically renew, if not terminated, for an additional ten (10) year term unless notice of non-renewal is given.
2. Enhanced District. A Conservation Agreement for land within an Enhanced District shall be automatically renewed, if not terminated, for an additional term of three (3) years, unless either the landowner or the County gives written notice to the other party of his/her/its intent not to renew prior to the date of renewal of the Conservation Agreement. Absent non-compliance by the landowner, neither the Advisory Board nor the Board of Commissioners shall fail to renew any Conservation Agreement unless the Ordinance or its authorizing legislation has been repealed. At the end of each three (3) year term, the Conservation Agreement for land in the Enhanced District shall automatically renew, if not terminated, for an additional three (3) year term unless notice of non-renewal is given.

**ARTICLE X
WAIVER OF WATER AND SEWER OR ALL UTILITY ASSESSMENTS**

A. Assessments

A landowner belonging to the District may be assessed for or be required to connect to Stanly County or Stanly County Water and Sewer Authority (hereinafter referred to as "SWASA") water and/or sewer systems at the discretion of the Board of Commissioners.

A landowner belonging to the Enhanced District may be assessed for or be required to connect to Stanly County or Stanly County Water and Sewer Authority (hereinafter referred to as "SWASA") utility systems at the discretion of the Board of Commissioners.

B. Abeyance

Water and sewer assessments may be held in abeyance, without interest, for farms in the District, until improvements on such property are connected to the water or sewer system for which the assessment was made.

Utility assessments may be held in abeyance, without interest, for farms in the Enhanced District, until improvements on such property are connected to the water or sewer system for which the assessment was made.

C. Termination of Abeyance

When the period of abeyance ends, the assessment is payable in accordance with the terms set out in the assessment resolution.

D. Suspension of Statute of Limitations

Statutes of limitations are suspended during the time that any assessment is held in abeyance without interest. The landowner may be required to sign an acknowledgement (that may be incorporated into the Conservation Agreement) of the abeyance of the statute of limitations upon collecting water and sewer assessments (in the District) or other utility assessments (in the Enhance District).

E. Other Statutory Abeyance Procedures

Nothing in this section is intended to diminish the authority of the County to hold assessments in abeyance under N.C.G.S. §153A-201 or other applicable law.

F. Conflict with Water and/or Sewer System Construction and Improvements Grants

To the extent that this section conflicts with the terms of federal, state, or other grants under which County or SWASA utility systems are constructed, this section shall not apply. This section shall not apply to utilities that are not owned by the County or SWASA unless the County or SWASA has entered into an agreement with the entity(ies) owning the utilities and that agreement provides that this Ordinance shall apply.

**ARTICLE XI
ADDITIONAL ENHANCED AGRICULTURAL DISTRICT BENEFITS**

Land enrolled in the Enhanced Voluntary Agricultural District Program is entitled to all of the benefits available under the Voluntary Agricultural District Program (except for the right to terminate the Conservation Agreement at any time, and to the following additional benefits:

A. Sale of Non-Farm Products

Landowners participating in the Enhanced District may receive up to twenty-five percent (25%) of its gross sales from the sale of non-farm products and still qualify as a bona fide farm that is exempt from County zoning regulations under N.C.G.S. § 153A-340(b). A farmer seeking to benefit from this subsection shall have the burden of establishing that the property's sale of non-farm products did not exceed twenty-five percent (25%) of its gross sales. The Agricultural Advisory Board shall develop guidance and procedures regarding the standards necessary for proof of compliance with this provision.

B. Agricultural Cost Share Program

Landowners participating in the Enhanced District are eligible under N.C.G.S. § 106-850(b) to receive the higher percentage of cost-share funds for the benefit of that farmland under the Agriculture Cost Share Program established pursuant to Article 72 of Chapter 106 of the General Statutes for funds to benefit that farmland.

C. Priority Consideration

State departments, institutions, or agencies that award grants to farmers are encouraged to give priority consideration to landowners participating in the Enhanced District.

**ARTICLE XII
PUBLIC HEARINGS**

A. Purpose

N.C.G.S. §106-740 provides that no State or local public agency or governmental unit may formally initiate any action to condemn any interest in qualifying farmland within a District or Enhanced District until such agency has requested the Advisory Board hold a public hearing on the proposed condemnation. This provision

ensures that the condemning agency or unit considers the impact of its actions upon agriculture, forestry, and/or horticulture prior to taking action that is not reversible. This provision is not intended to, and does not prohibit the condemning agency or unit from taking action that is authorized by law.

B. Procedure

1. Upon receiving a request, the Advisory Board shall publish notice describing the proposed action in the appropriate newspaper of Stanly County within five (5) business days of the request, and will in the same notice notify the public of a public hearing on the proposed condemnation, to be held within ten (10) days of receipt of the request.
2. The Advisory Board shall meet to review:
 - a. Whether the need for the project has been satisfactorily established by the agency or unit of government involved, including a review of fiscal impact analysis conducted by the agency involved; and
 - b. Whether there are alternatives to the proposed action that have less impact and are less disruptive to the agricultural activities of the District or Enhanced District within which the proposed action is to take place.
3. The Advisory Board shall consult with the Stanly County Cooperative Extension Agent, the Natural Resources Conservation Service District Conservationist, and any other individuals, agencies, or organizations deemed by the Advisory Board to be necessary for its review of the proposed action.
4. Within five (5) days after the hearing, the Advisory Board shall make a report containing its findings and recommendations regarding the proposed action. The report shall be made available to the public prior to its being conveyed to the decision-making body of the agency proposing the acquisition.
5. There will be a period of ten (10) days allowed for public comment on the report of the Advisory Board.
6. After the ten (10) day period for public comment has expired, the Advisory Board shall submit a final written report containing all its findings and recommendations regarding the proposed action to the decision-making body of the agency proposing the acquisition.
7. The total time period, from the day that a request for a hearing has been received to the day that a final report is issued to the decision-making body of the agency proposing the acquisition shall not exceed thirty (30) days. If the agency agrees to an extension, the agency and the Advisory Board shall mutually agree upon a schedule to be set forth in writing and made available to the public.
8. Pursuant to N.C.G.S. §106-740, the agency may not formally initiate a condemnation action while the proposed condemnation is properly before the Advisory Board.

**ARTICLE XIII
NOTIFICATION**

A. Record Notice of Proximity to a Voluntary or an Enhanced Voluntary Agricultural District

1. Procedure

Upon certification of qualifying farmland and designation of real property as enrolled in the District or the Enhanced District, the title to that qualifying farmland and real property, which is contained in the

Stanly County Land Records System, shall be changed to include a notice reasonably calculated to alert a person researching the title of a particular tract that such tract is located within one-half aerial mile of a District or an Enhanced District.

2. Limitation of Liability

In no event shall the County or any of its officers, employees, members of the Advisory Board or agents be held liable in damages for any misfeasance, malfeasance, or nonfeasance occurring in good faith in connection with the duties or obligations imposed by this Ordinance.

3. No Cause of Action

In no event shall any cause of action arise out of the failure of a person researching the title of a particular tract to report to any person the proximity of the tract to a qualifying farm, District or Enhanced District as defined in this Ordinance.

B. Signage

Signs identifying parcels enrolled in the District or the Enhanced District may be placed by the landowner on the properties enrolled in the District or the Enhanced District. Signs shall not be placed within the right-of-way of any state or county maintained road.

C. Maps

Maps, or on-line access to such maps, identifying the approved District and Enhanced District shall be provided to the following agencies or offices:

- a. Stanly County Register of Deeds;
- b. Natural Resources Conservation Service;
- c. North Carolina Cooperative Extension Service;
- d. Stanly County Soil and Water Conservation District;
- e. Stanly County Tax Office;
- f. Stanly County Planning Office; and
- g. Any other such agency or office the Advisory Board deems appropriate.

**ARTICLE XIV
SUBDIVISION ORDINANCE AND ZONING ORDINANCE REVIEW**

Developers of major subdivisions or planned unit developments shall designate on preliminary development plans, the existence of the District and the Enhanced District within one half (1/2) aerial mile of the proposed development.

**ARTICLE XV
COUNTY LAND-USE PLANNING**

A. Duty of the Advisory Board

It shall be the duty of the Advisory Board to advise the Board of Commissioners or the agency or office to which the Board of Commissioners delegate authority to oversee County land use planning, on the status, progress, and activities of the County's Voluntary Agricultural District and the Enhance Voluntary Agricultural District Programs and to also coordinate the formation and maintenance of the District and the Enhanced District with the County's land use planning activities and the County's land use plan.

B. Posting of Notice

The following notice, of a size and form suitable for posting, shall be posted in the office of the Register of Deeds, and any other office or agency the Advisory Board deems necessary:

“Stanly County has established the Voluntary Agricultural District and the Enhanced Voluntary Agricultural District (hereinafter collectively referred to as “Districts”) to protect and preserve agricultural lands and activities. These Districts have been developed and mapped by the County to inform all purchasers of real property that certain agricultural and forestry activities, including but not limited to pesticide spraying, manure spreading, machinery and truck operation, livestock operations, sawing, and other common farming activities may occur in these Districts any time during the day or night. Maps and information on the location and establishment of these Districts can be obtained from the North Carolina Cooperative Extension Service office, the office of the Stanly County Register of Deeds, the Stanly County Planning office, or the Natural Resources Conservation Service office.”

C. Growth Corridors

Land in the County’s designated growth corridors as delineated on the official County planning map shall not be permitted to enroll in the District and Enhanced District without the approval of the Board of Commissioners. Land located in the designated growth corridors that is enrolled in the District prior to the effective date of this Ordinance may remain, but shall not be expanded within the growth corridor area without the approval of the Board of Commissioners.

**ARTICLE XVI
CONSULTATION AUTHORITY**

The Advisory Board may consult with the North Carolina Cooperative Extension Service, the Natural Resources Conservation Service office, the North Carolina Department of Agriculture and Consumer Services, and with any other individual, agency, or organization the Advisory Board deems necessary to properly conduct its business.

**ARTICLE XVII
NORTH CAROLINA AGENCY NOTIFICATION**

Annually Report to the North Carolina Department of Agriculture and Consumer Services

A copy of this ordinance shall be sent to the Office of the North Carolina Commissioner of Agriculture and Consumer Services, the Board of Commissioners, the County Office of the North Carolina Cooperative Extension Service, and the Soil and Water Conservation District office after adoption. At least annually the Advisory Board shall submit a written report to the Commissioner of Agriculture and Consumer Services on the County's Voluntary Agricultural District Program and Enhanced Voluntary Agricultural District Program, including the following information:

1. Number of landowners enrolled;
2. Number of acres enrolled;
3. Number of acres certified during the reporting period;
4. Number of acres denied during the reporting period;
5. Number of acres for which applications are pending;
6. Copies of any amendments to the ordinance; and
7. Any other information the Advisory Board deems useful.

**ARTICLE XVIII
LEGAL PROVISIONS**

A. Severability

If any article, section, subsection, clause, phrase, or portion of this ordinance is for any reason found invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

B. Conflict with other Ordinances and Statutes

Whenever the provisions of any Stanly County ordinance or federal or state statute require more restrictive provisions than are required by this Ordinance, the provisions of such ordinance or statute shall govern.

C. Amendments

This ordinance may be amended from time to time by the Board of Commissioners.

**ARTICLE XIX
ENACTMENT**

The Stanly County Board of Commissioners hereby adopts and enacts the preceding articles and sections of this Ordinance. All prior voluntary agricultural district ordinances are hereby repealed the day this Ordinance take effect.

Adopted this the ____ day of _____, 20__.

Motion for adoption by _____ and seconded by _____.

STANLY COUNTY BOARD OF COMMISSIONERS

Chairperson

ATTEST:

Clerk to Board of Commissioners

Approved as to form:

County Attorney

**NORTH CAROLINA CONSERVATION AGREEMENT FOR VOLUNTARY
AGRICULTURE DISTRICT (VAD) PROGRAM OF THE COUNTY OF STANLY**

Stanly County ("County") and the undersigned real property owner(s) ("Owner") enter into this Conservation Agreement for Voluntary Agriculture District covering the property described in the VAD application.

The parties understand and agree that this Agreement is being entered into to protect farmland, horticultural land and/or forestland in Stanly County as contemplated by Article 61 of Chapter 106 of the North Carolina General Statutes and the Stanly County Voluntary Agricultural District and Enhanced Voluntary Agricultural District Ordinance and to permit such property to qualify for the benefits granted by these laws and ordinances.

During the term of this Agreement, Owner agrees to prohibit non-farm use of Owner's property subject to this Agreement except as permitted by the above laws and ordinances, which Owner acknowledges, Owner has read and is familiar with.

This Agreement is in place for a period of ten (10) years from the date of its execution and is automatically renewed, if not terminated, for an additional ten (10) years. Notice of non-renewal by either the Owner or the County may be given to the other party in writing at any time prior to the date of renewal. This Agreement may be revoked by Owner at any time, with thirty (30) days written notice to the Agricultural Advisory Board, or its designee, of Stanly County. County may revoke this Agreement if the Owner is noncompliant with this Agreement or the above laws and ordinances. Such revocations shall result in loss of qualifying farm status.

IN WITNESS, the parties have signed this Agreement on the dates indicated in the signature acknowledgments.

_____ COUNTY

OWNER

BY: Chair, Agricultural Advisory Board

OWNER

STATE OF NORTH CAROLINA

COUNTY OF _____

Personally appeared before me this day _____ who acknowledged the due execution of the foregoing North Carolina Conservation Agreement for Voluntary Agricultural District (VAD) Program of the County of Stanly for the purposes therein expressed.

WITNESS my hand and notarial seal, this _____ day of _____, 20____.

Notary Public
My Commission Expires: _____

STATE OF NORTH CAROLINA

COUNTY OF _____

Personally appeared before me this day _____, who acknowledged the due execution of the foregoing North Carolina Conservation Agreement for Voluntary Agricultural District (VAD) Program of the County of Stanly for the purposes therein expressed.

WITNESS my hand and notarial seal, this _____ day of _____, 20____.

Notary Public
My Commission Expires: _____

STATE OF NORTH CAROLINA

COUNTY OF _____

I, _____ a Notary Public, for said County and State, do hereby certify that _____ personally came before me this day and acknowledged that he/she is Chairperson, Agricultural Advisory Board and acknowledged on behalf of Stanly County, the due execution of the foregoing North Carolina Conservation Agreement for Voluntary Agricultural District (VAD) Program of the County of Stanly.

This ____ day of _____, 20____.

Notary Public
My Commission Expires: _____

*Please Note: Only complete and notarize as many signature statements as there are land owners.

**NORTH CAROLINA CONSERVATION AGREEMENT FOR ENHANCED
VOLUNTARY AGRICULTURE DISTRICT (EVAD) PROGRAM OF THE
COUNTY OF STANLY**

Stanly County ("County") and the undersigned real property owner (s) ("Owner") enter into this Conservation Agreement for Enhanced Voluntary Agriculture District covering the property described in the VAD/EVAD application.

The parties understand and agree that this Agreement is being entered into to protect farmland, horticultural land and/or forestland in Stanly County as contemplated by Article 61 of Chapter 106 of the North Carolina General Statutes and the Stanly County Voluntary Agricultural District and Enhanced Voluntary Agricultural District Ordinance and to permit such property to qualify for the benefits granted by these laws and ordinances.

During the term of this Agreement, Owner agrees to prohibit non-farm use of Owner's property subject to this Agreement except as permitted by the above laws and ordinances, which Owner acknowledges, Owner has read and is familiar with.

This Agreement is IRREVOCABLE by Owner for a period of ten (10) years from the date of its execution and is automatically renewed, if not terminated, for additional three (3) year period(s) as provided by the above laws and ordinances. Notice of non-renewal by either the Owner or the County may be given to the other party in writing at any time prior to the date of renewal. County may revoke this Agreement at any time if the Owner is noncompliant with this Agreement or the above laws and ordinances. Such revocations shall result in loss of qualifying farm status.

This Agreement shall be binding upon all successors in interest to the Owner, except for successors in interest resulting from the exercise of rights under a security interest or lien that preceded this Agreement.

The County may seek from Owner the costs of any legal action, including but not limited to attorney fees, brought by the County in order to obtain injunctive relief and/or damages in addition to any legal rights the County has under this Agreement, the Stanly County Voluntary Agricultural District and Enhanced Voluntary Agricultural District Ordinance, or applicable law.

IN WITNESS, the parties have signed this Agreement on the dates indicated in the signature acknowledgments.

_____ COUNTY

OWNER

BY: Chair, Agricultural Advisory Board

OWNER

STATE OF NORTH CAROLINA

COUNTY OF _____

Personally appeared before me this day _____, who acknowledged the due execution of the foregoing North Carolina Conservation Agreement for Enhanced Voluntary Agricultural District Program of the County of Stanly for the purposes therein expressed.

WITNESS my hand and notarial seal, this _____ day of _____, 20____.

Notary Public
My Commission Expires: _____

STATE OF NORTH CAROLINA

COUNTY OF _____

Personally appeared before me this day _____, who acknowledged the due execution of the foregoing North Carolina Conservation Agreement for Enhanced Voluntary Agricultural District Program of the County of Stanly for the purposes therein expressed.

WITNESS my hand and notarial seal, this _____ day of _____, 20____.

Notary Public
My Commission Expires: _____

STATE OF NORTH CAROLINA

COUNTY OF _____

I, _____ a Notary Public, for said County and State, do hereby certify that _____ personally came before me this day and acknowledged that he/she is Chairperson, Agricultural Advisory Board and acknowledged on behalf of Stanly County, the due execution of the foregoing North Carolina Conservation Agreement for Enhanced Voluntary Agricultural District Program of the County of Stanly.

This ____ day of _____, 20____.

Notary Public
My Commission Expires: _____

*Please Note: Only complete and notarize as many signature statements as there are land owners.

Stanly County
Voluntary Agricultural District
26032-C Newt Road
Albemarle, North Carolina 28001
704-986-3059

MINUTES

Voluntary Agricultural District Advisory Board

March 16, 2016

8:00 a.m.

Stanly County Agri Civic Center

Meeting # 2

Members Present:

Chester Lowder, Chairman
Terry Blalock, Vice Chairman
Frank Lee
Curtis Furr
Ronnie Burleson
Doug Bowers

Others Present:

Rita Little, Stanly SWCD Admin. Asst.
Lori Ivey, Cooperative Extension Director

Chairman Lowder declared a quorum and called the meeting to order. Terry Blalock opened with prayer.

Terry Blalock made a motion to approve the minutes of the meeting held September 9, 2015. The motion was seconded by Ronnie Burleson. The motion carried.

The Board considered the new application which includes application for the Enhanced Voluntary Agricultural District (EVAD) and also the conservation agreements for both the VAD and the EVAD programs. Chairman Lowder pointed out the basic difference being that the EVAD Agreement is irrevocable for ten years and is automatically renewed, if not terminated, for three additional years. The VAD Agreement is for a period of ten years and is automatically renewed, if not terminated, for an additional ten years. Lori Ivey pointed out that everyone already in the VAD program will be required to sign the appropriate conservation agreement.

The Board reviewed the final draft of the VAD/EVAD Ordinance. Lori Ivey noted the following changes:

- The term “present use value” in Article IX, Section A, Clause 1 was replaced with “real property that is engaged in agriculture”.
- In Article IX, Section A, Clause 2 “Advisory Board” was replaced with “County”.
- Article XI, Section B N - N.C.G.S. §143-215.74(b) was corrected to read N.C.G.S. § 106-850(b)

Chairman Lowder pointed out that the verbiage of this ordinance tracks the current language in the state’s model ordinance.

Chairman Lowder asked for the pleasure of the Board on the matter of presenting the package of the Ordinance, VAD Conservation Agreement, and the EVAD Conservation Agreement to the County Commissioners for approval. Curtis Furr made a motion to present the package to the Commissioners. Frank Lee seconded. The motion carried unanimously. Lori Ivey accepted Chairman Lowder's request to make the presentation to the County Commissioners on April 4th.

The Board discussed planning an event to promote awareness of the VAD/EVAD program and to provide an opportunity for those already enrolled in the VAD program to sign a VAD or EVAD Conservation Agreement. It was agreed to make plans for this at the next meeting.

A new applicant requesting participation in the VAD program was reviewed. A motion to recommend the application for approval by County Commissioners was made by Curtis Furr and seconded by Frank Lee. Motion carried. Lori Ivey agreed to contact the applicant concerning possible EVAD participation pending the approval of the EVAD ordinance.

The next meeting will be April 4th after the 7:00 p.m. Commissioner's meeting at the Stanly County Commons.

With no further business, Ronnie Burleson made a motion to adjourn. Terry Blalock seconded. Motion carried to adjourn at 9:05 am.

Respectfully submitted,

Rita Little
Administrative/Education Coordinator

Approved by the Board of Supervisors on _____

Chester Lowder
Board Chairman



Stanly County Board of Commissioners

Meeting Date: April 4, 2016
 Presenter: Andy Lucas

_____ | 4
 Consent Agenda | Regular Agenda

Presentation Equipment: Lectern PC* Lectern VCR Lectern DVD Document Camera** Laptop***

Please Provide a Brief Description of your Presentations format: _____

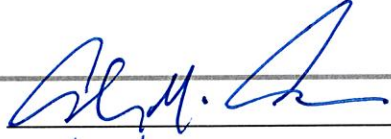
* PC is equipped with Windows XP and Microsoft Office XP (including Word, Excel, and PowerPoint), Internet connectivity and Network connectivity for County Employees.

** If you have need to use the Document Camera and zoom into a particular area, if possible please attach a copy of the document with the area indicated that you need to zoom into. A laser light is available to pinpoint your area of projection.

*** You can bring in a laptop that will allow video out to be connected at the lectern – set display to 60Mhz.

ITEM TO BE CONSIDERED

Subject	<p><u>Designation of a County Official to Make Recommendations to the NC Alcoholic Beverage Control Commission on ABC Permit Applications</u></p> <p>G.S. §18B-904(f) authorizes a governing body to designate an official to make recommendations to the NC ABC Commission concerning the suitability of persons or locations for ABC permits within the County. The County must notify the NC ABC Commission of its designation as required by G.S. §18B-904(f).</p>
	<p><u>Requested Action</u></p> <p>Review and consider approval of the attached resolution designating the County Manager as the official to make recommendations to the NC ABC Commission on ABC permit applications.</p>

Signature: 
 Date: 3/30/16

Dept. _____
 Attachments: Yes X No _____

Review Process			
	Approved		Initials
	Yes	No	
Finance Director	—	—	
Budget Amendment Necessary	—	—	
County Attorney	—	—	
County Manager	—	—	
Other:	—	—	

Certification of Action

Certified to be a true copy of the action taken by the Stanly County Board of Commissioners on

Tyler Brummitt, Clerk to the Board Date _____

**NORTH CAROLINA
ALCOHOLIC BEVERAGE CONTROL COMMISSION
(919) 779-0700**

**Location: 400 E. Tryon Road
Raleigh, NC 27610**

**Mail: 4307 Mail Service Center
Raleigh, NC 27699-4307**

**RESOLUTION OF THE COUNTY OF STANLY REGARDING THE DESIGNATION
OF AN OFFICIAL TO MAKE RECOMMENDATIONS TO THE NORTH CAROLINA
ALCOHOLIC BEVERAGE CONTROL COMMISSION ON ABC PERMIT
APPLICATIONS.**

WHEREAS, G.S.18B-904(f) authorizes a governing body to designate an official, by name or by position, to make recommendations concerning the suitability of persons or locations for ABC permits; and

WHEREAS, the County of Stanly wishes to notify the NC ABC Commission of its designation as required by G.S.18B-904(f);

BE IT THEREFORE RESOLVED that the County Manager is hereby designated to notify the North Carolina Alcoholic Beverage Control Commission of the recommendations of the County of Stanly regarding the suitability of persons and locations for ABC permits within its jurisdiction.

BE IT FURTHER RESOLVED that notices to the County of Stanly should be mailed or delivered to the official designated above at the following address:

Mailing address: 1000 North 1st Street, Suite 10; Albemarle, NC 28001

Office location: 1000 North 1st Street, Suite 10
City: Albemarle, NC
Zip Code: 28001 Phone #: (704) 986-3600

This the ____ day of April, 2016.

Terry Scott Efrd, Chairman
Stanly County Board of Commissioners

Sworn to and subscribed before me this the ____ day of April, 2016.

Tyler Brummitt
Clerk to the Board

Stanly County Board of Commissioners



Meeting Date April 4, 2016

Presenter: Commissioner Peter Ascitutto

Consent Agenda	<div style="font-size: 2em; font-weight: bold; margin: 0;">5</div> Regular Agenda
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ITEM TO BE CONSIDERED

FY 16-17 Public School Funding Discussion

Commissioner Ascitutto is seeking to engage the Board in a discussion regarding public school funding for FY 16-17.

Subject

Discussion and consideration of Commissioner Ascitutto's agenda item.

Requested Action

Signature: _____

Date: 3/31/2016

Dept Governing Body

Attachments: Yes No

Review Process

	Approved		Initials
	Yes	No	
Finance Director	<input type="checkbox"/>	<input type="checkbox"/>	
Budget Amendment Necessary	<input type="checkbox"/>	<input type="checkbox"/>	
County Attorney	<input type="checkbox"/>	<input type="checkbox"/>	
County Manager	<input type="checkbox"/>	<input type="checkbox"/>	
Other:	<input type="checkbox"/>	<input type="checkbox"/>	

Certification of Action

Certified to be a true copy of the action taken by the Stanly County Board of Commissioners on

Tyler Brummitt, Clerk to the Board Date



Stanly County Board of Commissioners

Meeting Date: April 4, 2016
 Presenter: Chairman Efird

 le
 Consent Agenda | Regular Agenda

Presentation Equipment: Lectern PC* Lectern VCR Lectern DVD Document Camera** Laptop***

Please Provide a Brief Description of your Presentations format: _____

* PC is equipped with Windows XP and Microsoft Office XP (including Word, Excel, and PowerPoint), Internet connectivity and Network connectivity for County Employees.

** If you have need to use the Document Camera and zoom into a particular area, if possible please attach a copy of the document with the area indicated that you need to zoom into. A laser light is available to pinpoint your area of projection.

*** You can bring in a laptop that will allow video out to be connected at the lectern – set display to 60Mhz.

ITEM TO BE CONSIDERED

Subject	CONSENT AGENDA A. Minutes – Regular meeting of March 21, 2016.
	Requested Action Request approval of the above item as presented.

Signature: _____	Dept. _____								
Date: _____	Attachments: Yes No <u> x </u>								
Review Process									
	Certification of Action								
<table border="0"> <tr> <td></td> <td colspan="2" style="text-align: center;">Approved</td> <td></td> </tr> <tr> <td></td> <td style="text-align: center;">Yes</td> <td style="text-align: center;">No</td> <td style="text-align: center;">Initials</td> </tr> </table>		Approved				Yes	No	Initials	Certified to be a true copy of the action taken by the Stanly County Board of Commissioners on _____ Tyler Brummitt, Clerk to the Board Date
	Approved								
	Yes	No	Initials						
Finance Director	<table border="0"> <tr> <td style="width: 20px;">—</td> <td style="width: 20px;">—</td> <td></td> </tr> </table>	—	—						
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Budget Amendment Necessary	<table border="0"> <tr> <td style="width: 20px;">—</td> <td style="width: 20px;">—</td> <td></td> </tr> </table>	—	—						
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County Attorney	<table border="0"> <tr> <td style="width: 20px;">—</td> <td style="width: 20px;">—</td> <td></td> </tr> </table>	—	—						
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County Manager	<table border="0"> <tr> <td style="width: 20px;">—</td> <td style="width: 20px;">—</td> <td></td> </tr> </table>	—	—						
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Other:	<table border="0"> <tr> <td style="width: 20px;">—</td> <td style="width: 20px;">—</td> <td></td> </tr> </table>	—	—						
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**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
MARCH 21, 2016**

COMMISSIONERS PRESENT:

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

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, March 21, 2016 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. Chairman Efird called the meeting to order and Commissioner Dennis led a moment of silence and the pledge of allegiance.

APPROVAL / ADJUSTMENTS TO THE AGENDA

With no amendments to the agenda, Commissioner Burleson moved to approve it as presented. Commissioner McIntyre seconded the motion which passed by unanimous vote.

ITEM # 1 – SOUTHSIDE VOLUNTEER FIRE DEPARTMENT REFINANCING

Presenter: John Howell, Chairman of the Board

Mr. Howell addressed the Board stating that Southside Volunteer Fire Department intends to refinance the existing building debt and borrow additional funds to purchase two (2) new pumper trucks. The maximum loan amount will be \$820,000 with payments set for a twenty (20) year term at a fixed rate. Per IRS code 1986, Section 147(f), a public hearing is required to receive public comment in addition to obtaining Board approval of the resolution of support since the loan will be obtained on a tax-exempt basis. Mr. Howell noted that the purchase of a new pumper truck will also aid in lowering the insurance rating for the community served by the fire department.

Prior to any Board action, Chairman Efirm requested that Commissioner Lawhon be excused from voting due a conflict of interest. Commissioner Burleson moved to approve the request and was seconded by Commissioner McIntyre. The motion carried by a 6 – 0 vote.

After a brief period of questions from the Board, Chairman Efirm declared the public hearing open. With no one coming forward to speak for or against, the public hearing was closed.

By motion, Commissioner Dennis moved to approve the resolution to approve Southside Volunteer Fire Department’s request to refinance on a tax-exempt basis. The motion was seconded by Commissioner Lowder and passed by unanimous vote.

See Exhibit A

**Resolution Approving the Refinancing by Southside Volunteer Fire Department
of up to \$820,000 for the Purpose of Refinancing a Building and
Purchase of Two (2) New Pumper Trucks**

ITEM # 2 – PROCLAMATION “SEXUAL ASSAULT AWARENESS MONTH APRIL 2016”

Presenter: Dr. Janice Dunlap, President of the Board of Directors for Esther House

Dr. Dunlap took a few moments to provide a brief review of Esther House’s mission followed by a request for the Board’s consideration in adopting the proclamation.

Commissioner Ascitutto moved to approve the proclamation as requested and was seconded by Commissioner Dennis. The motion carried with a 7 – 0 vote.

See Exhibit B

Proclamation

Sexual Assault Awareness Month April 2016

ITEM # 3 – AWARD OF THE COUNTY AUDITING SERVICES CONTRACT FOR FY 2015-16

Presenter: Toby Hinson, Finance Director

In response to an RFP for the county’s FY 2015-16 auditing services, the Finance Department received two (2) bids - one from Martin Starnes & Associates and a second from Thompson, Price, Scott, Adams & Company. The bid from Martin Starnes & Associates is \$49,000 versus \$45,950 from Thompson’s. The Finance Director noted that although Thompson’s bid was less, the cost to train Finance staff in the different methods used by them would increase the overall cost by approximately \$1,500. Staff recommendation was to continue with Martin Starnes & Associates due to the minimal difference in cost and also factoring in the training/reporting changes that will take place in FY 15-16. It was noted that in negotiations for the FY 16-17

auditing contract should Martin Starnes not reduce their price, staff will be inclined to recommend a change at that time.

After a brief period of questions from the Board, Commissioner McIntyre moved to award the auditing services contract to Martin Starnes & Associates for FY 2015-16. The motion was seconded by Commissioner Dennis and passed by a 6 – 1 vote. (Commissioner Ascutto voted against.)

CONSENT AGENDA

- A.** Minutes – Regular meeting of March 7, 2016
- B.** Finance – Request acceptance of the Monthly Financial Report for Eight Months Ended February 29, 2016
- C.** Central Administration – Request approval of the enclosed Fair Housing Plan update for the 2012 Scattered Site Housing Grant (#12-C-2430)
- D.** Facilities – Request approval of the attached list of vehicles be declared as surplus and sold on GovDeals.
- E.** Sheriff’s Office – Request of the updated Sheriff’s Office Records Retention & Disposition Schedule.
- F.** Utilities – Accept the loan offer and approve the associated resolution for the Phase One Airport Corridor Project.

Commissioner Dennis moved to approve the consent agenda as presented and was seconded by Commissioner Lawhon. The motion carried by unanimous vote.

PUBLIC COMMENT

Anthony Graves of Albemarle began by noting a recent article in the Stanly News and Press related to the School Board’s lingering decision regarding school closures. He requested the Board consider making a statement to announce their plans to do nothing and allow the School Board to move forward with Plan B as he believes they will, or commit to providing the funding needed by the schools for next year which will allow the incoming School Board members to focus on other issues.

Lane Burris of Locust expressed his concerns with the current Board members and their lack of ethics noting one commissioner in particular for this reason.

GENERAL COMMENTS, ANNOUNCEMENTS & COMMITTEE REPORTS

Commissioner Ascitutto stated that he voted against the award of the county auditing services contract to Martin Starnes & Associates because the difference in cost is needed to fund other areas such as education. He then stated that with the ¼ cent sales tax referendum not passing for the second time and the incoming commissioners and school board members that prefer to keep community schools open rather than consolidate and reinvest those funds into education, we cannot continue to blame the School Board because children choose other options (charter schools, home schooling and online classes) for their education. Education has changed over time just as other industries have with more opportunities available to them and is all the more reason to consolidate schools to be more efficient with county dollars.

Also in response to Commissioner Burleson's previous comments during a radio address related to commissioners' wages, he invited Commissioner Burleson to participate with him on a task force to conduct a pay study of county commissioners as a way of possibly reducing costs and saving county tax dollars.

Commissioner Dennis stated that the radar at the airport is now up and running and can provide guidance to aircraft in any type of weather.

Commissioner Burleson provided a brief review of the recent election results noting that candidates in support of community schools received 39,960 votes as opposed to those in favor of school consolidation which received 20,239 votes. He then stated with the issues the County has faced in recent years which have caused a division among its citizens, now is the time to put the politics behind us for the betterment of everyone.

Commissioner Burleson stated that he, Chairman Efird, Commissioner Dennis and the Center Rural Fire Department Board of Directors members recently met with representatives of the state auditors' office who have cleared the fire department of any wrong doings as previously alleged.

Commissioner Burleson reminded everyone of the National Wildlife Turkey Federation Banquet on Friday, March 25th and encouraged support of the event.

Chairman Efird wished everyone a Happy Easter.

CLOSED SESSION

Commissioner Lowder moved to recess the meeting into closed session in order to discuss a personnel issue in accordance with G.S. 143-318.11(a)6). Her motion was seconded by Commissioner Dennis and passed by unanimous vote at 7:33 p.m.

ADJOURN

With no further discussion, Commissioner Lawhon moved to adjourn the meeting and seconded by Commissioner Burleson. Motion carried with a 7 – 0 vote at 8:20 p.m.

Terry Scott Efirm, Chairman

Tyler Brummitt, Clerk