

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
MAY 14, 2018**

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

COMMISSIONERS ABSENT: None

STAFF PRESENT: Andy Lucas, County Manager
Tyler Brummitt, Clerk
Jenny Furr, County Attorney

CALL TO ORDER

Chairman Burleson called the informal work session to order at 5:30 p.m.

CLOSED SESSION: REAL ESTATE, CONSULT WITH ATTORNEY

Upon motion by Commissioner Lawhon, seconded by Commissioner Swain and carried by unanimous vote, the Board convened in closed session for the following: To discuss a real estate transaction in accordance with G. S. 143-318.11(a)(5) and to consult with the county attorney in accordance with G. S. 143-318.11(a)(3).

The Board convened in closed session at 5:30 p.m. and returned to open session at 5:57 p.m. The Board then proceeded to the Commissioners Meeting Room for the remainder of the meeting.

CALL TO ORDER

Chairman Burleson called the regular meeting to order at 6:00 p.m. and welcomed everyone in attendance. He then gave the opening devotion and led the pledge of allegiance.

APPROVAL/ADJUSTMENTS TO THE AGENDA

By motion, Commissioner Swain requested that item # 2(B) ZA 18-03 - Stanly Solar LLC and item # 2(C) ZA 18-04 – Text Amendments to the County Zoning Ordinance, be switched in the order presented. His motion was seconded by Commissioner Efirm and carried by unanimous vote.

ITEM # 1 – PRESENTATION OF THE STANLY COUNTY SCHOOLS (SCS) BUDGET REQUEST FOR 2018-19

Presenters: Dr. Jeff James, School Superintendent & Shawn Britt, Chief Technology Officer

Superintendent Dr. James presented Stanly County Schools' budget request for 2018-19 noting that the goals of the budget are aligned with the state's five (5) strategic goals which include preparing future-ready students, having qualified teachers, maintaining safe learning environments, engaging the community and other stakeholders, and 21st century systems to make sure classrooms are properly equipped with up-to-date technology resources.

Dr. James provided a brief overview of potential programs being considered for the future which include an international baccalaureate program, advanced placement academy, NC A-Plus arts school, cooperative innovative high school of health sciences and dual language immersion for students starting kindergarten in learning Spanish.

Because of state and federal cuts, cost increases and transfer restrictions in the coming year, SCS will need a little more than \$3 million to offset these reductions. A few of the reductions noted were \$313,213 less in state funds which consists of a \$219,254 reduction for teachers' assistants and \$65,146 reduction for textbooks, \$179,000 reduction in federal funds from a rural and local income school fund due to economic development in the area, increases in the employer's retirement rate and hospital insurance of almost \$860,000, and two new budgetary restrictions that will not allow SCS to transfer money as it has in the past of more than \$1.2 million.

Dr. James used data from 2014-15 to compare Stanly County's local spending per student with that of other local counties noting that Stanly County provides approximately \$1,135 per student which is below the state average of \$1,537 and less than neighboring Montgomery County at \$1,236.

SCS's local budget totals \$11.9 million with 48.5% (\$5.8 million) going to salaries and benefits with the remaining 51.5% (6.1 million) going to charter school payments, travel, staff development, contracted services and contracted coaching supplements. The local county appropriation will make up the majority of the budget at \$10.9 million with the remainder coming from an Article 44 allocation of \$500,000, local teacher supplement grant of \$240,800 and fines/forfeitures of \$240,000.

After Dr. James presentation, Shawn Britt, Stanly County Schools' chief technology officer, spoke with the commissioners about Vision 2020 which is a three (3) year plan to improve the schools' technology. Total estimated costs for the plan were listed at \$1 million for the first year, \$811,800 for the second year and \$870,800 for the third year.

After a brief period of questions from the Board, Dr. James concluded by adding that a one-quarter cent sales tax is another alternative to raise money for schools. If approved, it would produce \$1.5 million a year and would provide the additional funding needed for schools rather than coming before the County each year to request additional funding.

The presentation was for information only and required no action from the Board.

ITEM # 2 – PLANNING & ZONING

Presenters: Michael Sandy, Planning Director & Bob Remsburg, Planner I

A. ZA 18-02 – Rezoning request for Wesley K. Bowers

Mr. Bowers submitted a request that his property of 5.69 acres, which is located beside and behind of 12530 Cottonville Road, be rezoned from M2 (Heavy Industrial) to RA (Residential Agricultural) for construction of his home. The lots surrounding this property are RA, R-20 and M2 with adjacent properties being used for residential, agricultural or educational purposes. It was noted that this parcel and two (2) others were zoned M2 at the request of EDC and Mr. Bower's grandfather in 2006. Although the Michelin plant is nearby, the Bower's property has never been developed for industry and is still used for agriculture today. The Planning Board reviewed the request at their April 9, 2018 meeting and voted unanimously to recommend approval by the Board of County Commissioners.

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

By motion, Commissioner Lawhon moved to approve ZA 18-02 as requested adding that the project will allow residential use to remain the primary use along Cottonville Road and provide a buffer for South Stanly Middle School. The motion was seconded by Vice Chairman McIntyre and passed by unanimous vote.

B. ZA 18-04 – Consideration of Text Amendment to the County Zoning Ordinance

During their April 9, 2018 meeting, the Planning Board recommended amending the Stanly County Zoning Ordinance to require a larger vegetative buffer for Solar Electric Power Generating Systems (SEPGS) that are adjacent to existing homes. The board voted unanimously

to recommend approval of an amendment which will make this a requirement. The two (2) sections noted for amendment were:

Section 618.5.A.9 (To be added to current text) – If an existing residence on adjoining property is within 300 feet of the required buffer, the buffer shall be increased to a width of between 25 and 50 feet as determined by the Zoning Officer based upon topography, and the amount of vegetation required shall be twice that required in the remaining perimeter and plantings shall be staggered to create a continuous screen.

Section 419.C – Exceptions to Buffer Strip Requirements

Whenever the terms of this ordinance require provision of a buffer strip, said requirement may be accepted or modified by the Zoning Officer for related development provided any condition below is met:

806.1 – Visual screening is provided by existing natural or manmade features; where installation of walls, fences, or natural plantings would serve no screening purpose.

806.2 – Existing development on an adjacent parcel of land is similar to the use proposed for development.

806.3 – A written statement from affected adjoining property owner(s) is provided indicating that a buffer strip is undesirable.

Section 806 – Delete existing language and replace with “Reserved for future use.”

The current “Exceptions to Buffer Strip Requirements” appears in Section 806 of the Zoning Ordinance. Planning staff requests this exception be moved to Section 419.C which will locate the exception in a position easier for developers and planners to find. During the Planning Board meeting to consider the Solar Electric Power Generating System Overlay district on Old Aquadale Road, members expressed concerns about the width and vegetation requirements for the buffer between the solar panels and other apparatus and adjoining residential uses. The Planning Board ultimately approved language that would increase the buffer up to 50 feet in width and double the amount of vegetation. The language drafted is to be placed in Section 618.5.A.9 after the existing language which will remain the same.

After the presentation, Mr. Sandy and Mr. Remsburg entertained questions from the Board. Questions concerned a discrepancy noted between the text amendment and the draft minutes of the Planning Board meeting and the height requirement for the initial buffer when planted.

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

Vice Chairman McIntyre moved to approve the text amendments ZA 18-04 as presented and was seconded by Commissioner Efird. Prior to the vote, Commissioner Swain stated his nonsupport of the request at this time adding that he would like to see the finalized minutes of the Planning Board to get the exact reflection of what they want.

With a motion and a second, Chairman Burleson called for a vote. The motion passed with a 5 – 2 vote:

Ayes: Chairman Burleson, Vice Chairman McIntyre, Commissioner Efird, Commissioner Lawhon, Commissioner Morgan

Nos: Commissioner Lowder, Commissioner Swain

Commissioner Swain noted that based on the Board's Rules of Procedure, a motion to amend an ordinance requires a unanimous vote upon the first reading. If not, it must be brought before the Board again at the next meeting and will allow time for the Board to review the finalized minutes of the Planning Board meeting as well. Chairman Burleson deferred to the County Attorney for a response. The County Attorney then asked to confer with the County Manager before responding.

RECESS

Chairman Burleson called for a short recess at 6:49 p.m. to confer with the County Attorney concerning Commissioner Swain's comment. The meeting reconvened at 7:00 p.m.

For clarification, Chairman Burleson stated that the Board's Rules of Procedure contradict what the Board was attempting to do and have agreed to consider the text amendments again at the next meeting and possibly consider amending the rules of procedure at a later date.

C. ZA 18-03 – Stanly County LLC requests the establishment for a Solar Electric Generating System Overlay District (SEPGS)

Stanly Solar requests that portions of six (6) tracts owned by David Ned Stallings, Donna E. Stallings, Ronald L. Carter, Claudine C. Carter, Lillian B. Poplin, and Roger Poplin, located beside and behind 20165 Old Aquadale Road have the SEPGS district applied to the current RA (Residential Agricultural) district. The combined tracts contain approximately 391.89 acres. The proposed solar generating system will cost \$70 million to develop and will generate up to 111 MW which will be connected to the existing Duke Energy transmission line that runs through the area. Lease agreements with Stanly Solar LLC have been reached by the property owners and parent company, Solterra Partners. The property is located in a rural area and will have minimal visual and environmental impact and does not negatively affect the value of neighboring agricultural lands.

The Planning Board reviewed this project during April 9, 2018 meeting. Mr. Dennis Richter of Solterra was in attendance to answer questions. Two (2) adjoining residents, Mr. Richard Gann and Mr. Brian McLendon both expressed concerns about changes in the view from their properties. The Planning Board discussed and recommended an amendment to the SEPGS section of the zoning ordinance which will increase the buffer area for properties which have pre-existing homes on adjoining property lines. The Planning Board recommends that amendment ZA 18-04 be approved.

Mr. Sandy and Mr. Remsburg entertained questions from the Board. Questions concerned what the property is being used for now, what the buffer will consist of, and distance of the closest structure to the subject property.

Chairman Burleson declared the public hearing open. At this time, Mr. Richter provided a short presentation on how solar farms are developed, environmental impacts from solar generation and benefits to the local community. Mr. Richter then entertained questions from the Board.

Mr. Edward Gann, an adjoining property owner and resident of Mabry Road, spoke against the request.

Mr. Steven Efird, resident of Old Aquadale Road, spoke in favor of the rezoning.

Mr. Andrew McSwain, a farmer on St. Martins Road and resident of Old Aquadale Road, spoke in favor of the rezoning.

With no one else coming forward to speak, Commissioner Swain requested that the public hearing not be closed, but held open until the June 11th meeting pending the outcome of the text amendment changes presented earlier. He then made this request in the form of a motion and was seconded by Commissioner Lowder. The motion carried by unanimous vote.

ITEM # 3 – NC DOT TRANSPORTATION PROJECT PRIORITIZATION DISCUSSION

Presenter: Dana Stoogenke, Rocky River RPO Director

The widening of US 52 from Dennis Road to the existing 4 lane section closer to Albemarle has received strong consideration via the state's Strategic Improvement Plan (STIP) process. The project received due consideration as a result of safety concerns in this specific section of highway. The project could receive construction funding if supported by the Rocky River RPO and NC DOT Division 10. Ms. Stoogenke was in attendance to explain NC DOT's prioritization process, next steps and to provide input on any recommended action to be taken by the Board.

After the presentation, Ms. Stoogenke entertained questions from the Board. Commissioner Lawhon stated that based on a recent NC DOT presentation, not much hope was given for Stanly County to receive any additional funding for road improvements and that he continues to hear from citizens who are unhappy with the roads and feels the County should get some of its funds back from the state in order to make needed improvements.

With the Rocky River RPO prioritization meeting and public hearing on June 14th, Commissioner Swain asked if the Board were to adopt a resolution of support for the Hwy 52 project during the June 11th commissioners meeting, would that be sufficient. In response, Ms. Stoogenke encouraged Board members to contact Scott Cole, Division 10 Engineer, and Tony Lathrop, local NC DOT Board member, to advocate for the project since there are numerous projects being considered and a short amount of time until projects are selected to move forward in the process.

RECESS

Chairman Burleson called for a short recess at 8:08 p.m. The meeting was reconvened at 8:11 p.m.

ITEM # 4 – EDC BOARD APPOINTMENT

Presenter: Andy Lucas, County Manager

Due to the recent resignation of EDC board member Ryan McNytre, it was requested the Board appoint a replacement to serve the remainder of his unexpired term which ends August 7, 2019.

This item was tabled for further consideration.

ITEM # 5 – FY 2018-19 RECOMMENDED BUDGET PRESENTATION

Presenter: Andy Lucas, County Manager

As part of the County Manager's presentation of the recommended operating budget, the following items were noted:

- No recommended property tax rate increase for the tenth (12th) straight year with the rate remaining at \$0.67 per \$100 of valuation.
- High priority was given to education and school improvement, recruitment and employee retention, infrastructure and water, quality of life and safety, jobs and economic development.
- Total budget of \$64,100,000 which represents a 1.4% increase over the previous year.
- Stanly County School System would receive an increase of 1.5% (or \$154,000) for regular current expenses, \$500,000 in funding for special current expense from sales tax, a total of

\$241,000 for a teacher supplemental grant which includes a \$5,000 increase over last year, and \$300,000 for additional capital outlay.

- Stanly Community College would receive an increase of 1.5% also (or \$18,600) and \$210,000 for capital outlay which includes an additional \$50,000 more than the previous year.
- Over \$675,000 in funding provided for Year 1 Capital Improvement Projects to either complete or begin the development of deferred County facility maintenance projects, GPS integration for public safety radios, site preparation for the 5th radio tower and design of the new east Albemarle EMS base.
- Focus on leveraging technology for increased efficiencies in Social Services, EMS and Central Administration.
- Human capital management includes a 1.5 % COLA for employees, additional funding for grade/step-up adjustments with no new positions recommended and continuation of the wellness clinic and health insurance gainsharing.
- Recommended fee changes included an increase in the annual solid waste fee from \$75 to \$80 with a few additional fee increases requested for Inspections, Environmental Health, EMS, Health Department and SCUSA.
- Utilities – A 2% increase is recommended based on the need to ensure sufficient funds are available for future debt service, on-going maintenance and repairs and the Board’s desired capital improvements. No fee increases are recommended for water taps.
- Stanly County Convention & Visitors Bureau (CVB) – It was recommended that the appropriation for the CVB be increased from \$25,000 to \$50,000 for future tourism based grant incentives.
- Close to \$1.97 million in General Fund balance is recommended for appropriation with 67% of this amount tied to one-time capital outlay and technology purchases.

The public hearing for the recommended budget will be held during the Board’s regular meeting on Monday, June 11, 2018.

The presentation was for information only.

ITEM # 6 – FY 2018-19 RECOMMENDED BI-WEEKLY HEALTH & DENTAL INSURANCE PREMIUMS FOR EMPLOYEE DEPENDENT COVERAGE & RETIREES

Presenter: Andy Lucas, County Manager

The following bi-weekly rates for July 1, 2018 – June 30, 2019 were presented for Board approval:

Employee/Children	\$145.00
Employee/Spouse	\$225.00
Family	\$433.00

It was noted that bi-weekly dental insurance rates would remain the same as the previous year as follows:

Employee/Children	\$20.25
Employee/Spouse	\$13.93
Family	\$34.30

Commissioner Efirm moved to approve the recommended bi-weekly health and dental rates as presented and was seconded by Vice Chairman McIntyre. The motion passed by unanimous vote.

ITEM # 7 – CONSENT AGENDA

Presenter: Chairman Burleson

- A. Minutes – Special meeting & regular meetings of April 16, 2018.
- B. Finance – Request approval of the attached vehicle tax refunds for April 2018.
- C. Finance – Request acceptance of the Monthly Financial Report for Nine Months Ended March 31, 2018.
- D. Utilities – Request approval of budget amendment # 2018-46 & associated project ordinance for the NCDOT Hwy 24/27/73 East Waterline Relocation Project.
- E. Facilities – Request items to be declared as surplus and sold through Gov Deals.
- F. Request for approval of Oakboro’s annual July 4th fireworks display.

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

PUBLIC COMMENT – None.

BOARD COMMENTS, ANNOUNCEMENTS & COMMITTEE REPORTS

Commissioner Efirm stated that at the recent Senior Center Advisory Board meeting, it was noted that the Senior Center helped 959 citizens with the Senior Health Insurance Information Program (SHIIP) earlier this year which resulted in a savings of \$1,012,696. Also from February 2018 – April 15, 2018, the Tax Aid Program helped 450 residents saving \$45,000 in tax prep fees.

Commissioner Lawhon applauded the County Manager on his presentation of the Senior Center satellite study at the recent Centralina COG meeting.

RECESS

Commissioner Swain moved to recess until Monday, May 21, 2018 at 5:30 p.m. in the Commons Meeting Room for a joint meeting with the Stanly County Board of Education. The motion was seconded by Vice Chairman McIntyre and passed unanimously at 8:36 p.m.

Joseph L. Burleson, Chairman

Tyler Brummitt, Clerk