

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
JUNE 11, 2018**

COMMISSIONERS PRESENT: Joseph Burleson, Chairman
Gene McIntyre, Vice Chairman
Scott Efir
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 Efir, seconded by Vice Chairman McIntyre 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 5:59 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 6:04 p.m. and welcomed everyone in attendance. Vice Chairman McIntyre gave the opening devotion and led the pledge of allegiance.

APPROVAL/ADJUSTMENTS TO THE AGENDA

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

ITEM # 1 – PLANNING & ZONING

Presenter: Michael Sandy, Planning Director

A. ZA 18-04 –Text Amendments to the Stanly County Zoning Ordinance Related to Solar Electric Power Generating Systems (SEPGS)

Mr. Sandy noted that ZA 18-04 is a continuation of the public hearing which began during the meeting on May 14, 2018. Due to discrepancies between the wording of the text amendment and the draft minutes of the Planning Board meeting on April 9, 2018, Board consensus was to continue the public hearing. The Planning Board met on May 29, 2018 to review the minutes and the language of the proposed amendment concerning the buffer requirement for existing residences near the SEPGS. After a few minor adjustments to the text amendment language and minor revisions to the minutes, both were approved.

Below is the revised amendment as presented:

“Section 618.5.A.9 (add to the current text) If an existing residence 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 Administrator 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 of at least 300 feet in length. “

In addition to Section 618.5.A.9, two additional text amendments were included for approval as part of ZA 18-04: Section 419.D – Exceptions to Buffer Strip Requirements and Section 806 – Deleting existing language and replace with “Reserved for future use.” No revisions were noted and were presented for approval as is.

With no questions from the Board, Chairman Burleson reconvened the public hearing from May 14th, 2018. With no one coming forward, the public hearing was closed.

Commissioner Eford moved to approve the revised text amendment ZA 18-04 as presented. His motion was seconded by Commissioner Lawhon and carried with a 7 – 0 vote.

B. ZA 18-03 – Stanly Solar LLC requests the establishment of a Solar Electric Power Generating System (SEPGS) Overlay District

Mr. Sandy stated the request from Stanly Solar LLC is the same as presented during the May 14, 2018 meeting. At that time, Board consensus was to continue the public hearing for ZA 18-03

as well in light of the concerns noted by the Board concerning Section 618.5.A.9 of the proposed text amendment.

Chairman Burleson reconvened the public hearing from May 14, 2018 and asked anyone wanting to speak for or against the rezoning to come forward. During this time, the following individuals addressed the Board:

- Mr. Edward Gann, an adjoining property owner and resident of Mabry Road, spoke against the request noting various concerns including the size of the solar farm, adverse effect the SEPGS would have on property values and decommission of the solar farm at the end of its useful life.
- Roger Poplin, whose property is included in the area to be rezoned for the SEPGS, spoke in favor of the rezoning stating that he has been approached several times in the past by other companies and feels Stanly Solar LLC is the best option and provides a good opportunity for the county.
- Dennis Richter of Solera Farms noted his previous presentation during the May 14th meeting and was in attendance to address any additional questions or concerns.

With no further discussion, Chairman Burleson closed the public hearing.

Vice Chairman McIntyre stated concerns with the size of the solar farm which is almost 400 acres, but understands the revenue generated will be good for the county.

Commissioner Morgan moved to approve rezoning request ZA 18-03 as requested and was seconded by Vice Chairman McIntyre. The motion passed by unanimous vote.

ITEM # 2 – PUBLIC HEARING FOR THE FY 2018-19 RECOMMENDED BUDGET

Presenter: Chairman Burleson

With no questions from the Board, Chairman Burleson declared the public hearing open. With no one coming forward to address the Board, the hearing was closed. No further action was required.

ITEM # 3 – PUBLIC HEARING ON THE PROPOSED RESOLUTION AUTHORIZING THE EXCHANGE OF PROPERTY

Presenter: Andy Lucas, County Manager

For Board consideration and approval, the County Manager presented the authorizing resolution to allow the County to exchange a 41.503 acre tract of vacant land on Airport Road (Parcel # 666001288222; Tax Record # 24990) to J. T. Russell & Sons, Inc. for a 28.25 acre tract of vacant land on Airport Road (Parcel # 666103204363; Tax Record # 24987).

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

By motion, Commissioner Efird moved to approve the authorizing resolution and was seconded by Commissioner Lowder. Prior to the vote, Commissioner Lawhon and Chairman Burleson commented on the future benefits of the property swap to the Stanly County Airport. With a first and second on the motion, Chairman Burleson called for a vote. The motion carried by a 7 – 0 vote.

See Exhibit A
Resolution Authorizing Exchange of Property

ITEM # 4 – PRESENTATION OF STANLY COUNTY’S AGING FUNDING PLAN FOR FY 2019

Presenter: Becky Weemhoff, Senior Services Director

Stanly County’s Aging Funding Plan for FY 2018-19 was presented for Board consideration and approval. As required, the Home & Community Block Grant (HCCBG) Board met and voted on the dollar amount of funding for each of the six (6) programs that include In Home Services Level I (Home Management) and Level II (Personal Care), Congregate Nutrition, Home Delivered Meals, Transportation and Information/Assistance. Mrs. Weemhoff noted that Stanly County will receive \$416,742 in grant funds which is \$416 more than the previous fiscal year.

By motion, Vice Chairman McIntyre moved to approve the County Aging Funding Plan and acceptance of the funds into the county’s FY 2018-19 budget. The motion was seconded by Commissioner Morgan and passed by unanimous vote.

ITEM # 5 – UTILITIES

Presenter: Donna Davis, Utilities Director

A. 649 Hook-Up Grant Program - Additional \$24,000 in funding & approval of the associated budget amendment # 2018-51

The Stanly County Utilities hook-up grant program has been able to install eighteen (18) water and sewer connections to homes of moderate and low-income households in the County at an average cost of \$2,875 per connection. The program is requesting an additional \$24,000 to connect the remaining eight (8) qualified homes on the project list and then close it out.

Ms. Davis entertained questions from the Board related to the bid process for the eight (8) remaining households and the reason for the increase in the cost for the remaining hook-ups since the initial eighteen (18) households were completed.

Commissioner Swain moved to approve the additional funding of \$24,000 for the 649 Hook Up grant project fund and associated budget amendment # 2018-51. The motion was seconded by Vice Chairman McIntyre and carried by a 7 – 0 vote.

B. Funding Request for the Deese Street Sewer Pump Station Repairs

Stanly County Utilities recently completed the installation of new monitoring and communications systems at all the water and sewer pump stations and water storage tanks. While doing this, it was determined that the Deese Street sewer pump station needs additional repairs. The vendor working on the SCADA replacement project was asked to access the needed repairs in order to make them while they are still working under the existing contract. The estimated repairs are \$45, 897 and will be paid from Utilities retained earnings.

By motion, Vice Chairman McIntyre moved to approve the additional \$45,897 from the 647 Utilities Communications System Project fund and the associated budget amendment # 2018-48 to update the Deese Street pump station system components. The motion was seconded by Commissioner Morgan and passed by unanimous vote.

ITEM # 6 – NC DHHS MEMORANDUM OF UNDERSTANDING (MOU) FOR SOCIAL SERVICES

Presenter: Andy Lucas, County Manager

Count Manager Lucas stated that the County must enter into a MOU with the NC Department of Health and Human Services beginning in FY 2018-19. The MOU will govern the County’s performance of its Department of Social Services (DSS) functions which include Child Protective Services, Foster Care, Child Support, Low Income Energy Assistance, Work First, Food Stamps, Adult Protective Services, Special Assistance and Child Care Custody. The County will be held accountable for any functions that do not meet the required performance standards. The first step to remedy non-compliance will be a corrective action plan. Failure to comply or meet the requirements of the corrective action plan may result in State and/or Federal funding being withheld.

After a brief period of questions, Vice Chairman McIntyre moved to designate the County Manager and DSS Director to sign the MOU on behalf of the County. The motion was seconded by Commissioner Lowder and carried with a 7 – 0 vote.

ITEM # 7 – BOARD & COMMITTEE APPOINTMENTS

Presenter: Andy Lucas, County Manager

A. Stanly Community College Board of Trustees

With two (2) members of the community college board of trustees' terms expiring on June 30, 2018, it was requested the Board appoint two (2) members for a four (4) year term beginning July 1, 2018 – June 30, 2022.

Chairman Burleson opened the floor for nominations. Commissioner Lawhon nominated Mr. Joe Brooks for reappointment and Ms. Kesha Smith for appointment. Vice Chairman McIntyre nominated Mrs. Georgia Harvey and Mr. Gerald Wayne Efird. With no others presented, Chairman Burleson closed the nominations.

Chairman Burleson called for a vote on the following nominations adding that each Board member would have two (2) votes:

- Kesha Smith – Commissioner Efird, Commissioner Lawhon, Commissioner Lowder
- Joe Brooks – Chairman Burleson, Commissioner Efird, Commissioner Lawhon, Commissioner Lowder, Commissioner Morgan, Commissioner Swain
- Georgia Harvey – Chairman Burleson, Vice Chairman McIntyre, Commissioner Morgan, Commissioner Swain
- Gerald Wayne Efird – Vice Chairman McIntyre

With Joe Brooks receiving six (6) votes and Georgia Harvey receiving four (4) votes, both were appointed to a four (4) year term. Georgia Harvey replaces Nadine Bowers on the board.

B.Economic Development Commission

Due to the recent resignation of Ryan McIntyre, it was requested the Board appoint a replacement to serve his unexpired term until August 7, 2019.

Chairman Burleson opened the floor for nominations. Commissioner Morgan nominated School Superintendent Dr. Jeff James. Commissioner Bill Lawhon nominated Ms. Elizabeth Roberts. With no other names presented, nominations were closed.

Chairman Burleson called for a vote with each Board member having one (1) vote.

- Dr. Jeff James – Chairman Burleson, Vice Chairman McIntyre, Commissioner Efird, Commissioner Lowder, Commissioner Morgan, Commissioner Swain
- Elizabeth Roberts – Commissioner Lawhon

Dr. Jeff James received six (6) votes and was appointed to replace Mr. McIntyre on the EDC Board.

C.Centralina Workforce Development Board (CWDB)

With Monica Johnson's term expiring June 30, 2018, it was requested the Board reappoint Ms. Johnson to serve a second term as the Private Sector representative for Stanly County on the CWDB for a two (2) year term to expire June 30, 2020.

Commissioner Lawhon moved to approve the reappointment as requested and was seconded by Vice Chairman McIntyre. The motion passed by unanimous vote.

ITEM # 8 – NC DOT TRANSPORTATION PROJECT PRIORITIZATION RESOLUTION

Presenter: Andy Lucas, County Manager

The widening of US Highway 52 from Dennis Road to the existing four (4) lane section closer to Albemarle has received strong consideration from the State's Strategic Improvement Plan (STIP) process. The project received due consideration as a result of safety concerns in this specific section of the US 52 corridor. The project could receive construction funding if supported by the Rocky River RPO and NC DOT Division 10. Board approval of a resolution which requests support of the project from the local NC DOT Division 10 was requested.

By motion, Commissioner Efirm moved to approve the resolution of support and was seconded by Commissioner Swain. The motion carried by a 7 – 0 vote.

See Exhibit B

Resolution of Support for a Transportation Improvement Project to Widen US 52 from the Intersection with Dennis Road to the Intersection with Deland Road in Stanly County

ITEM # 9 – RESOLUTION CALLING FOR A ONE-QUARTER CENT (1/4¢) SALES TAX SPECIAL ADVISORY REFERENDUM

Presenter: Andy Lucas, County Manager

For Board review and consideration, County Manager Lucas presented a resolution to the Board of Elections seeking the placement of a Special Advisory Referendum on the November 6, 2018 general election ballot concerning the levy of a one quarter cent (1/4¢) county sales and use tax with the proceeds dedicated for public education. At Chairman Burleson's request, all Board members agreed to request the resolution be amended to include all Board members' signatures and not just the chairman.

After a brief period of questions, Commissioner Efirm moved to adopt the resolution with an amendment to include all of the county commissioners' signatures versus just the chairman. The motion was seconded by Commissioner Morgan and passed by unanimous vote.

See Exhibit C

**A RESOLUTION DIRECTING THE STANLY COUNTY BOARD OF ELECTIONS
TO CONDUCT AN ADVISORY REFERENDUM PURSUANT TO N.C.G.S. 105-537**

ITEM # 10 – CONSENT AGENDA

Presenter: Chairman Burleson

- A. Minutes – Regular meeting of May 14, 2018 & recessed meeting of May 21, 2018.
- B. Finance –Acceptance of the Monthly Financial Report for Ten Months Ended April 30, 2018.
- C. Finance – Approval of the vehicle tax refunds for May 2018.
- D. Sheriff’s Office – Approval of budget amendment # 2018-47.
- E. JCPC – Acceptance of \$1,000 in administrative funds into the JCPC budget & appointment of JCPC council members for FY 2018-19.

Vice Chairman McIntyre moved to approve the above items as presented and was seconded by Commissioner Efird. Motion carried with a 7 – 0 vote.

PUBLIC COMMENT – None.

BOARD COMMENTS, ANNOUNCEMENTS & COMMITTEE REPORTS

Chairman Burleson, Vice Chairman McIntyre, Commissioner Lawhon and Commissioner Swain extended their condolences to East Side Volunteer Fire Department volunteer Dakota Snavelly who recently died in an automobile accident while responding to a call.

Commissioner Efird expressed his condolences to the Snavelly family as well. He added that the Senior Center will host the annual 90 + birthday party on Tuesday and expect 114 to attend who are age 90 years and older with the oldest senior being 107.

The County Manager took a moment to introduce Ms. Bailey Emrich, a student from Western Carolina University, who is an intern with the county for the month of June.

SHORT RECESS

Chairman Burleson called for a short recess at 7:25 p.m.

CONTINUATION OF CLOSED SESSION

Vice Chairman McIntyre moved to reconvene in closed session to consult with the county attorney in accordance with G.S. 143-318(a)(3). The motion was seconded by Commissioner Morgan and carried by unanimous vote at 7:30 p.m.

RECESS

With no further discussion, Commissioner Morgan moved to recess the meeting until Thursday, June 14th at 5:00 p.m. for a joint meeting with the Stanly Community College Board of Trustees in the Dennis Conference Room in the Patterson Building, Stanly Community College. The motion was seconded by Vice Chairman McIntyre and passed by a 7 – 0 vote at 8:21 p.m.

Joseph L. Burleson, Chairman

Tyler Brummitt, Clerk