

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
SEPTEMBER 6, 2016**

COMMISSIONERS PRESENT:

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

ABSENT:

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 Tuesday, September 6, 2016 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. Chairman Efird called the meeting to order, gave the invocation and led the pledge of allegiance.

APPROVAL / ADJUSTMENTS TO THE AGENDA

Chairman Efird requested that approval of a fireworks display for the City of Locust on September 17th be included on the agenda as item # 8(A) and requested the Board take action to excuse Commissioner McIntyre from the meeting.

Commissioner Dennis moved to approve the amendment to the agenda and to excuse Commissioner McIntyre as requested. His motion was seconded by Commissioner Burleson and the motion passed by unanimous vote.

ITEM # 1 – INTRODUCTION OF DR. JOHN ENAMAIT, NEW STANLY COMMUNITY COLLEGE PRESIDENT

Presenter: Nadine Bowers, Chair of the SCC Board of Trustees

Ms. Bowers took a few moments to introduce new SCC President Dr. John Enamait and provided a brief history of his education and prior experience in the community college system. Dr. Enamait thanked the SCC Board for the opportunity to serve as President and also thanked the County Commissioners for their continued support of the community college.

ITEM # 2 – PROCLAMATION DECLARING OCTOBER 2016 AS DOMESTIC VIOLENCE AWARENESS MONTH

Presenter: Michelle Carver, President of the Esther House Board of Directors

For Board consideration and approval, Ms. Carver presented the proclamation declaring October 2016 as Domestic Violence Awareness Month and noted several upcoming events during the month to help educate the community and bring awareness to the issue.

By motion, Commissioner Lowder moved to approve the proclamation and was seconded by Vice Chairman Lawhon. The motion carried by a 6 – 0 vote.

**See Exhibit A
Domestic Violence Awareness Month Proclamation**

ITEM # 3 – UTILITIES

Presenters: Donna Davis, Utilities Director

Detria Turner, Project Compliance Coordinator

A. 2016 CDBG Infrastructure Funding Application & Resolution

Ms. Davis stated that the County plans to submit an application to the NC Department of Environmental Quality Division of Water Infrastructure for CDBG-I funds. In doing so, it was requested the Board hold the required public hearing in order to explain the funding categories of the program and to receive comments concerning community development needs and priorities.

With no questions from the Board, Chairman Efird declared the public hearing open.

At this time, Ms. Turner read a prepared statement which noted that the public hearing would provide an explanation and description of the 2016 CDBG-I. The purpose of the hearing is to obtain citizens' views and to allow response from the public for funding proposals and to answer any questions posed by citizens. The hearing will cover the County's community development needs, development of the proposed activities, and a review of program compliance before submission of the County's CDBG-I funding application to the State of North Carolina.

The County proposes to request funding from NCDEQ's CDBG-I program for the 2016 Stanly County Hook-Up project. The purpose of the CDBG-I grant program is to:

- To improve the quality of life for low-to-moderate income people by providing a safe, clean environment and clean drinking water through water and sewer infrastructure improvements and extensions of service.
- To benefit a residential area where at least 51% of the beneficiaries are low-to-moderate income as defined by the United States Department of Housing and Urban Development.
- To perform eligible activities.
- To minimize displacement, and
- Provide displacement assistance as necessary.

For the fiscal year of the CDBG-I, funding available is expected to be approximately \$26 million distributed in a single applications/funding round. The maximum available grant is \$2 million over a 3 year period. Applications for funding will be received September 30, 2016.

The CDBG program is able to fund a wide variety of community development activities. The State of North Carolina has chosen to fund 2 activities: water and sewer infrastructure, and economic development projects that lead to job creation or retention. The infrastructure program, or CDBG-I program, can fund a range of water and sewer infrastructure activities, including but not limited to the following:

Water:

- Projects that resolve water loss in distribution systems.
- Projects that extend public water to areas with contaminated wells.
- Projects that extend water lines to areas with dry wells.
- Projects that assist with low water pressure in public water systems.
- Projects that regionalize two or more water systems.
- Projects that rehabilitate or replace a water treatment plant.

Wastewater:

- Projects that resolve inflow and infiltration to collection systems and surcharges from pump stations and manholes.
- Projects that extend public sewer to areas with failed septic tanks.
- Projects that rehabilitate a wastewater treatment plant to allow for greater efficiency/compliance with regulations.

The County is seeking an amount in CDBG-I funds not to exceed \$150,000 for the 2016 Stanly County Hook-Up project. The purpose of the County's request is to connect approximately 40

low-to-moderate income users with water quality and quantity problems to the Stanly County public water system.

The project proposed by the County of Stanly was identified in a 2016 review and update of the Stanly County Utilities Capital Improvement Plan / Asset Management Plan at the Commissioners' budget retreat on February 12, 2016. Letters were sent to the County's waiting list of applicants to inform citizens of the potential project.

A total of 100% of the CDBG-I funding will be used to benefit low-to-moderate income people. The project area in the County of Stanly has been determined to have a per applicant (area-wide/income survey) of 100%. The project includes any accessible area throughout the Stanly County Utilities system service area.

The range of activities covered by the CDBG-I funds for the 2016 Stanly County Hook-Up project includes:

- Construction
- Environmental Review
- Engineering Design
- Construction Administration and observation
- Legal activities
- Surveying
- Grant Administration

If the County of Stanly is awarded a CDBG-I grant, the town is required to adhere to federal procurement requirements and other federal regulations which include:

- American with Disabilities Act/Section 504 Survey
- Davis-Bacon & Related Labor Acts
- Adoption/Submittal of a Citizen's Participation Plan
- Adoption/Submittal of an Equal Opportunity Plan
- Adoption/Submittal of a Fair Housing Plan
- Adoption/Submittal of a Language Access Plan
- Adoption/Submittal of a Relocation Assistance Plan
- Adoption/Submittal of a Section 3 Plan
- Excess Force Provision

The State of North Carolina requires that the if the County of Stanly Receives CDBG funding, the town will certify that they comply with the requirements of the general displacement and

relocation policy for CDBG grant funding. This policy assists low-to-moderate income people with costs associated with relocation or displacement, should such relocation become necessary due to the project activities. CDBG funds can be used for those costs if necessary. No displacement and relocation will occur as a result of the proposed CDBG grant activity and the County of Stanly confirms that during this public hearing.

In the past, the County has applied for and received for the following completed CDBG projects: Multiple rounds of Scattered Site Housing grants, multiple rounds of Homeowner Hook Up project grants, the Clete Road Community Revitalization Project grant, ARRA CDBG-I funding for the Rolling Hill and Tyson Village mobile home parks.

The County will submit its CDBG-I application for the 2016 Stanly County Hook-Up Project on September 30, 2016. The CDBG-I application will be available for review during normal business hours at the Stanly County Utilities Office located at 1000 North First Street, Suite 12, Albemarle, NC 28001. Additional information is available from Donna Davis, Utilities Director for Stanly County at 1000 North First Street, Suite 12, Albemarle, NC 28001. Should you have any complaints or grievances regarding the subject public hearing, they should be addressed to the addressee mentioned above within ten (10) business days or by September 20, 2016 and a written response to the written complaints and/or grievances will be sent by the Town/City/County within ten (10) business days where practicable.

The floor was then opened for comments and questions related to the CDBG program and the proposed project.

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

By motion, Commissioner Burluson moved to approve the application for funding and the associated resolution. The motion was seconded by Commissioner Dennis and carried by unanimous vote.

See Exhibit B
Resolution by Governing Body of Applicant

B. ASSET INVENTORY AND ASSESSMENT GRANT APPLICATION & RESOLUTION

Ms. Davis noted that the County is considering an application to the NC DEQ Division of Water Infrastructure for an Asset Inventory and Assessment Grant to inventory the existing water and/or sewer system and document the condition of inventoried departmental infrastructure.

In order to apply, it was requested the Board approve the application and associated resolution for the grant.

By motion, Vice Chairman Lawhon moved to approve the County's application and grant resolution. His motion was seconded by Commissioner Dennis and passed by a 6 – 0 vote.

See Exhibit C
Resolution by Governing Body of Applicant

ITEM # 4 – SUBMISSION OF THE 2017 SCHEDULES OF VALUES

Presenter: Clinton Swaringen, Tax Administrator
Charles Johnson, Revaluation Director

For the Board's information, Mr. Swaringen provided copies of the 2017 Revaluation Schedules, the Schedule of Values for Market Value and the Schedule of Values for Present Use Value to each Board member. Revaluation Director Mr. Johnson explained the revaluation process including the purpose of a revaluation and the timeline for reviews of all parcels on existing properties and new construction in the county to be completed. Mr. Swaringen added a brief review of the timeline for adoption of the schedule of values noting that once adopted they will be used for evaluation of all property in the county until the next revaluation occurs in four (4) years. Mr. Swaringen and Mr. Johnson then entertained questions from the Board.

No action was required from the Board.

ITEM # 5 – OAKBORO SCHOOL UTILIZATION COMMITTEE/TASKFORCE

Presenter: Andy Lucas, County Manager

Both the Town of Oakboro and the Stanly County Board of Education have agreed to participate on a committee with the County to assess options for the utilization of the Oakboro Elementary School facility. It was requested the Board appoint a maximum of three (3) Board members to serve on this committee. Vice Chairman Lawhon and Commissioners Ascitutto and Burleson volunteered to serve.

By motion, Commissioner Lowder moved to appoint Vice Chairman Lawhon and Commissioners Ascitutto and Burleson to the committee. The motion was seconded by Commissioner Dennis and carried by unanimous vote.

ITEM # 6 – UNION COUNTY & TOWN OF NORWOOD – PROPOSED INTER-BASIN TRANSFER (IBT) TO THE ROCKY RIVE SUB-BASIN

Presenter: Andy Lucas, County Manager

The County Manager provided information regarding the analysis performed by the engineering firm HDR and other consultants as it relates to the Environmental Impact Statement for the proposed IBT between Union County and the Town of Norwood. Based on the data provided, the water withdrawal demand model indicates there will be minimal impact on Lake Tillery's water level by 2050, but is unclear if the data includes the forecasted growth among the other counties in the region over the next thirty (30) years and the potential impact this growth may have on the water withdrawal demand model. For Board consideration, the County Manager drafted a letter to the Division of Water Resources and Environmental Management Commission to submit comments and state concerns related to the above.

After a period of discussion and comments, consensus was to authorize staff to submit the letter as presented.

See Exhibit D

Letter Re: Union County Inter-Basin Transfer Certificate Request

ITEM # 7 – RESOLUTION OF SUPPORT FOR ONE-QUARTER CENT (1/4¢) SALES TAX SPECIAL ADVISORY REFERENDUM

Presenter: Andy Lucas, County Manager

For Board consideration, Chairman Efird presented the resolution of support to re-affirm the Board's support of a special advisory sales tax referendum on the November 8, 2016 general election ballot with proceeds dedicated to public education and public safety.

Commissioner Ascitutto made the motion to support the resolution stating that he was previously against it because he felt all proceeds should be designated for public education and not public safety. He now feels the funding is needed to move Stanly County forward and will therefore support it. The motion was seconded by Commissioner Burleson. Prior to the vote, the County Manager read a statement submitted by Commissioner McIntyre reiterating his support of the sales tax referendum as well. Commissioner Lowder stated her support of the resolution in order to give citizens the opportunity to speak.

With a first and second motion on the floor, Chairman Efird called for the vote. The motion carried by unanimous vote.

See Exhibit E

Resolution of Support of the Scheduled November 8, 2016 Special Advisory Referendum to Increase the Stanly County Sales Tax Rate by 1/4¢ for Public Education and Public Safety

ITEM # 8 – DISCUSSION REGARDING UNIVERSAL ELECTIONS

Presenter: Commissioner Peter Asciutto

Commissioner Asciutto requested the Board discuss the possibility of universal primary elections in the County noting that this would allow all voters, regardless of their party affiliation, to vote in any party's primary election if the candidate will not have opposition in the general election. With no additional comments or discussion, Commissioner Asciutto thanked the Board for allowing him to speak.

ITEM# 8(A) – APPROVAL OF FIREWORKS DISPLAY FOR THE CITY OF LOCUST'S SUMMER CONCERT SERIES FINALE

Presenter: Chairman Efir

Chairman Efir requested Board approval of a fireworks display to be held on Saturday, September 17th at approximately 9:15 p.m. as part of the City's summer concert series finale.

Commissioner Dennis moved to approve the request and was seconded by Vice Chairman Lawhon. The motion passed by unanimous vote.

ITEM # 9 – CONSENT AGENDA

Presenter: Chairman Efir

- A. Minutes – Regular meeting on August 8, 2016.
- B. Library – Request Board approve changes to the Oakboro Branch Library hours as requested.
- C. Sheriff's Office – Request approval of budget amendment # 2017-06.
- D. Airport – Request approval of budget amendment # 2017-05.
- E. Finance – Request approval of the attached vehicle tax refunds.

Commissioner Dennis moved to approve the above items as presented and was seconded by Commissioner Lowder. Motion passed with a 6 – 0 vote.

PUBLIC COMMENT

Curtis Furr addressed the Board on behalf of the ¼¢ sales tax referendum taskforce committee to ask questions he had received from various members of the committee. Questions were related to the appointment of officers (specifically chairman) for the committee and how the funds will be divided between public safety and public education if it passes.

BOARD COMMENTS, ANNOUNCEMENTS & COMMITTEE REPORTS

Vice Chairman Lawhon provided an update on Kraftsman Inc. stating that the company is proceeding with the plant renovations and has received a \$240,000 grant from the state to help

cover a portion of the cost of the improvements to the facility. Kraftsman has also been in contact with Stanly Community College to aid in training and student referrals for jobs with plans to hire employees during the mid-4th quarter of 2016.

Commissioner Ascitutto thanked EDC Director Paul Stratos for their work with Triton Glass in Albemarle to expand their business operations which now employs twenty-five (25) employees versus the five (5) it originally employed several years ago.

Chairman Efird invited everyone to attend the City of Locust's summer concert finale on September 17th.

CLOSED SESSION

Commissioner Burleson moved to recess the meeting into closed session to discuss economic development in accordance with G. S. 143-318.11(a)(4) and a real estate transaction in accordance with G. S. 143-318.11(a)(5). The motion was seconded by Commissioner Dennis and passed by unanimous vote at 8:15 p.m.

ADJOURN

With no additional items presented for discussion, Vice Chairman Lawhon moved to adjourn the meeting and was seconded by Commissioner Burleson. The motion carried by a 6 – 0 vote at 9:01 p.m.

Terry Scott Efird, Chairman

Tyler Brummitt, Clerk