

**STANLY COUNTY  
BOARD OF COMMISSIONERS  
REGULAR MEETING AGENDA  
NOVEMBER 16, 2015  
7:00 P.M.**

**CALL TO ORDER & WELCOME – CHAIRMAN LOWDER  
INVOCATION – VICE CHAIRMAN DENNIS  
PLEDGE OF ALLEGIANCE  
APPROVAL/ADJUSTMENTS TO THE AGENDA**

**SCHEDULED AGENDA ITEMS**

**1. SCUSA TRANSPORTATION**

**Presenter: Gwen Hinson, Transportation Director**

- A. Request approval of the required updates to the Stanly County Substance Abuse Policy**
- B. Recommendation for appointments to the SCUSA Transportation Advisory Committee**

**2. AGRI-CIVIC CENTER**

**Presenter: Candice Moffitt, Agri-Civic Center Director**

- A. Review of the modified scope of the proposed Agri-Civic Center Livestock Arena**

**3. EMERGENCY COURTHOUSE BUILDING ENVELOPE REPAIR**

**Presenter: Andy Lucas, County Manager**

**4. RESOLUTION OF SUPPORT FOR ONE-QUARTER CENT (1/4¢) SALES TAX  
SPECIAL ADVISORY REFERENDUM**

**Presenter: Vice Chairman Dennis**

**5. CONSENT AGENDA**

- A. Minutes – Regular meeting of November 2, 2015**

**B. Finance – Request approval of the attached vehicle tax refunds**

**PUBLIC COMMENT**

**BOARD GENERAL COMMENTS, ANNOUNCEMENTS & COMMITTEE REPORTS**

**CLOSED SESSION: To discuss a real estate transaction in accordance with G.S. 143-318.11(a)(5).**

**ADJOURN**

**The next regular meeting is scheduled for Monday, December 7<sup>th</sup> at 7:00 p.m.**



# Stanly County Board of Commissioners

Meeting Date: November 16, 2015  
 Presenter: Gwen Hinson, Transportation Director

\_\_\_\_\_ | 1A  
 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.

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\*\*\* 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

**S** Stanly County Substance Abuse policy – updates made in accordance with 49 CFR Part 655.  
**u** Changes were primarily new definitions and clarifications. No procedural changes were required.  
**b**  
**j**  
**e**  
**c**  
**t**

**R** Approval of required updates to the Substance Abuse Policy.  
**e**  
**q**  
**u**  
**e**  
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**A**  
**c**  
**t**  
**i**  
**o**  
**n**

Signature: Gwen Hinson

Dept. Transportation Services

Date: 11-10-15

Attachments: Yes X No \_\_\_\_\_

### Review Process

### Certification of Action

Approved  
 Yes No Initials

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

Finance Director \_\_\_\_\_

Budget Amendment Necessary \_\_\_\_\_

County Attorney \_\_\_\_\_

County Manager \_\_\_\_\_

Other: \_\_\_\_\_

\_\_\_\_\_  
 Tyler Brummitt, Clerk to the Board Date \_\_\_\_\_

## Stanly County Substance Abuse Policy – updates per Federal Transportation Administration (FTA)

### Definitions Section:

**New Definition: Cancelled Test:** **A drug or alcohol test that has a problem identified that cannot be or has not been corrected, or which is canceled.** A cancelled test is neither positive nor negative

**New Definition: Substance Abuse Professional (SAP):** A licensed physician (medical doctor or doctor of osteopathy) or licensed or certified psychologist, social worker, employee assistance professional, state-licensed marriage and family therapist, or addiction drug and alcohol counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission or by the International Certification Reciprocity Consortium/Alcohol and other Drug Abuse(ICRC) or by the National Board for Certified Counselors, Inc. and Affiliates/Master Addictions Counselor (NBCC)) with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders.

### Alcohol and Drug Use Section:

**Safety-sensitive and/or non-safety-sensitive employees are prohibited from consuming alcohol while on duty, while performing safety-sensitive functions, or just before or just after performing a safety-sensitive function. No safety-sensitive or non-safety-sensitive employee shall use alcohol within four hours prior to reporting for duty, or during the hours on call. No safety-sensitive or non-safety-sensitive employee shall consume alcohol within eight (8) hours following involvement in an accident or until he/she submits to the post-accident drug/alcohol test, whichever occurs first.**

### Testing Procedures Section:

The split specimen will be stored at the initial laboratory until the analysis of the primary specimen is completed. If the primary specimen is negative, the split will be discarded. **If the primary specimen is positive, it will be retained in frozen storage for one year and the split specimen will also be retained for one year. If the primary is positive, the primary and the split will be retained for longer than one year for testing if so requested by the employee through the Medical Review Officer, or by the employer, by the MRO, or by the relevant DOT agency.** Employees do not have access to a test of their split specimen following an invalid result.

### Employee Requested Testing Section

The split specimen will be stored in the initial laboratory until the analysis of the primary specimen is completed. **The split specimen will be stored at the initial laboratory until the analysis of the primary specimen is completed. If the primary specimen is negative, the split will be discarded. If the primary specimen is positive, it will be retained in frozen storage for one year and the split specimen will also be retained for one year. If the primary is positive, the primary and the split will be retained for longer than one year for testing if so requested by the employee through the Medical Review Officer, or by the employer, by the MRO, or by the relevant DOT agency.**

**In instances where a FTA covered employee is on extended leave, does not perform a safety-sensitive function for a period of 90 consecutive days or more regardless of reason, and during that period is not in the random testing pool the employee will be required to take a pre-employment drug test under 49 CFR Part 655 and have negative test results prior to the conduct of safety-sensitive job functions.**

An employee shall not be placed, transferred or promoted into a position covered under FTA authority until the employee takes a drug test with verified negative results. When an employee being placed, transferred, or promoted from a non-safety-sensitive covered position to a position covered under FTA authority submits a drug test with a verified positive result, the employee shall be subject to disciplinary action in accordance with Stanly County Personnel Resolution.

#### **Applicants and Lateral Transferees Section:**

Applicants for safety-sensitive position are required (even if ultimately not hired) to provide the County with signed written releases requesting FTA drug and alcohol records from all previous, DOT-covered, employers that the applicant has worked for within the last two years. Failure to do so will result in the employment offer being rescinded. The County is required to ask all applicants (even if ultimately not hired) if they have tested positive or refused to test on a pre-employment test for a DOT covered employer within the last two years. If the applicant has tested positive or refused to test on a pre-employment test for a DOT covered employer, the applicant must provide the County proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G.

#### **Information Disclosures Procedure Section:**

No signed release is required when information is provided to:

- Records of an employee's drug/alcohol tests shall be released to the adjudicator in a grievance, lawsuit, or other proceeding initiated by or on behalf of the tested individual arising from the results of the drug/alcohol test. The records will be released to the decision maker in the proceeding.
- Records will be released to the National Transportation Safety Board during an accident investigation.
- Information will be released in a criminal or civil action resulting from an employee's performance of safety-sensitive duties, in which a court of competent jurisdiction determines that the drug or alcohol test information is relevant to the case and issues an order to the employer to release the information. The employer will release the information to the decision maker in the proceeding with a binding stipulation that it will only be released to parties of the proceeding.
- Records will be released to the DOT or any DOT agency with regulatory authority over the employer or any of its employees.
- Records will be released if requested by a Federal, state or local safety agency with regulatory authority over the County or the employee.
- If a party seeks a court order to release a specimen or part of a specimen contrary to any provision of Part 40 as amended, necessary legal steps to contest the issuance of the order will be taken
- In cases of a contractor or sub-recipient of a state department of transportation, records will be released when requested by such agencies that must certify compliance with the regulation to the FTA.



# Stanly County Board of Commissioners

Meeting Date: 11-19-15  
 Presenter: Gwen Hinson, Transit Director

\_\_\_\_\_ | 1B  
 Consent Agenda Regular Agenda

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

Please Provide a Brief Description of your Presentations format: \_\_\_\_\_

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## ITEM TO BE CONSIDERED

**S** **RECOMMENDATION FOR APPOINTMENTS TO THE SCUSA TRANSPORTATION**  
**u** **ADVISORY COMMITTEE.**  
**b**  
**j** **MEMBERS TO SERVE A TWO YEAR TERM FROM JANUARY 1, 2016 – DECEMBER 31,**  
**e** **2017.**  
**c** **All persons have been contacted and have agreed to serve.**  
**t**

**R** **Approve the recommendation for appointments to the SCUSA Advisory Committee.**  
**e**  
**q**  
**u**  
**e**  
**s**  
**t**  
**e**  
**d**  
**A**  
**c**  
**t**  
**i**  
**o**  
**n**

Signature: Gwen Hinson, Transit Director

Dept. Transportation Services

Date: 11-9-15

Attachments: Yes  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 \_\_\_\_\_

## **RECOMMENDED MEMBERS FOR SCUSA TRANSPORTATION ADVISORY COMMITTEE**

### **TERM – January 1, 2016 through December 31, 2017**

I would like to recommend the following to serve on the SCUSA Transportation Advisory. All have been contacted and have agreed to serve:

Kathy Almond – Chamber of Commerce  
Tammy Albertson- Partnership for Children  
Dennis Joyner – Health Department  
Tammy Schrenker – Department of Social Services  
Becky Weemhoff- Senior Services  
Dana Stoogenke – RRRPO  
Deloris Chambers – Town of Badin  
Tate Daniels – Mayor of New London  
Bryan Bowles – Town of Norwood  
Scott Efird – City of Locust  
Dr. Terry Griffin – Superintendent of Stanly County Schools  
Robin McCree – Stanly Community College  
Benton Drye – Albemarle City Council  
Donald Lind – Monarch, Inc.  
Brian Simpson – EM Director  
Mary Hall – Vocational Rehabilitation  
Beth Harkey – Daymark  
Rob Barbee – Veterans Services  
Frankie Morton – Department of Commerce – ESC  
Chris Lambert – CVB  
Representative – Carolinas Healthcare Services  
Gary Lewis – Stanly County Minority Health Council



# Stanly County Board of Commissioners

Meeting Date: November 10, 2015  
 Presenter: Andy Lucas/Allan McGuire/Candice Moffitt

X 2

Consent Agenda Regular Agenda

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

Please Provide a Brief Description of your Presentations format: \_\_\_\_\_

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## ITEM TO BE CONSIDERED

<b>Subject</b>	<p><b>Review of modified scope of the of the proposed livestock arena at the Agri-Civic Center as conceptualized by the Arena Steering Committee.</b></p>
<b>Requested Action</b>	<ol style="list-style-type: none"> <li>1) Review and approve expanded scope of construction project, and review short-term and long-term budget impact for the livestock arena</li> <li>2) Authorize Arena Steering Committee to identify potential areas for Naming Rights within facility and authorize staff to issue RFPs for Naming Rights of these areas.</li> </ol>

Signature: Candice B. Moffitt

Date: 11/10/15

Dept. Agri-Civic Center

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





# Stanly County Board of Commissioners

Meeting Date November 16, 2015

Presenter: Andy Lucas, County Manager

Consent Agenda	<b>3</b>	Regular Agenda
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## ITEM TO BE CONSIDERED

### Emergency Courthouse Building Envelope Repair

**Subject**

During the replacement of the 4<sup>th</sup> floor windows, it was discovered the caulking between the facade panels above the windows is also in significant disrepair. The caulking must be replaced and warranted in order to completely address the water intrusion issues at the Courthouse facility. Once all of the work to seal the building envelope is complete, Facilities Maintenance will turn their attention to the necessary interior repairs.

The lowest responsive informal bid quote for the caulking repair is attached. The repair will require the appropriation of \$39,000 from General Fund balance.

**Requested Action**

Consider the approval of the emergency caulking repair at the Courthouse and the associated budget amendment.

Signature: Andy Lucas

Dept Central Administration

Date: 11/09/15

Attachments:      X 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 \_\_\_\_\_



# Strickland Waterproofing Co., Inc.

Charlotte Office: 500 N. Hoskins Rd - Charlotte NC 28216

Raleigh Office: 1519 Mechanical Blvd - Garner NC 27529

Phone: 704.347.1345

Fax: 704.347.1347

## PROPOSAL

TO: Stanly County  
ATTN: Jerry R. Morton  
ADDRESS: 1000 North 1st St. Ste 14  
Albemarle, NC 28001

Phone: 704.986.3698  
Mobile: \_\_\_\_\_  
Fax: 704.986.3853  
Email: jrmorton@stanlycountync.gov

Project Name: Stanly County Courthouse  
Project Location: Albemarle, NC

Strickland Waterproofing is pleased to submit the following for the above referenced project. We hereby propose to furnish all necessary labor, material, equipment, tools, transportation, supervision, insurance, and overhead to perform the following scope of work:

### SCOPE OF WORK

Section 07900 - Joint Sealants \$39,995.00  
Includes: remove all existing caulking, clean, prep and install a new silicone joint sealant system at all panel to panel, vertical and horizontal joints from 4th floor level to roof  
Note: System to be Tremco Spectrem 2. SWI will provide a 5 year installer's warranty and honor the 10 year manufacturer's warranty. Color to be chosen by owner in standard color selection.

Install New Mortar at existing mortar joints at penthouse exterior walls.

TOTAL PROPOSAL AMOUNT: \$39,995.00

\_\_\_\_\_  
Date Accepted  
\_\_\_\_\_  
Purchaser Signature  
\_\_\_\_\_  
Printed Name  
\_\_\_\_\_  
Title

11/6/2015  
\_\_\_\_\_  
Date Accepted  
David Smith  
\_\_\_\_\_  
Strickland Waterproofing Co Inc  
\_\_\_\_\_  
David Smith  
\_\_\_\_\_  
Printed Name  
\_\_\_\_\_  
Senior Project Manager  
\_\_\_\_\_  
Title

- Sandblasting / Shot Blasting
- Masonry Repairs / Tuck Point
- Sealants / Caulking
- Exterior Waterproofing
- Exposy / Urethane Injections
- EFS / Stucco Repair
- Elastomeric Coatings
- Mold Remediation
- Expansion Joint Systems
- Water Preplent Coatings
- Traffic Deck Coatings
- Fire Stopping
- Epoxy & Urethane Floor Coating
- Roof Restoration
- Concrete Repair / Leveling

X



AMENDMENT NO: 2016-15

**STANLY COUNTY-BUDGET AMENDMENT**

BE IT ORDAINED by the Stanly County Board of Commissioners that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2016:

To amend the General Fund 110, the expenditures are to be changed as follows:

FUND/DEPART NUMBER	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	CURRENT BUDGETED AMOUNT	INCREASE (DECREASE)	AS AMENDED
110.4260	351.000	Rep & Maint-Bldg & Grounds	\$ 285,000	\$ 39,000	\$ 324,000
TOTALS			<u>\$ 285,000</u>	<u>\$ 39,000</u>	<u>\$ 324,000</u>

This budget amendment is justified as follows:

To amend the budget for additional work to repair exterior of courthouse.

This will result in a net increase \$ 39,000 in expenditures and other financial use to the County's annual budget. To provide the additional revenue for the above, the following revenues will be increased. These revenues have already been received or are verified they will be received in this fiscal year.

FUND/DEPART NUMBER	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	CURRENT BUDGETED AMOUNT	INCREASE (DECREASE)	AS AMENDED
110.3991	990.000	Fund Balance Appropriated	\$ 1,394,797	\$ 39,000	\$ 1,433,797
TOTALS			<u>\$ 1,394,797</u>	<u>\$ 39,000</u>	<u>\$ 1,433,797</u>

SECTION 2. Copies of this amendment shall be furnished to the Clerk of the Board of Commissioners, Budget Officer, and to the Finance Director.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Verified by the Clerk of the Board \_\_\_\_\_

*James R. Martin* \_\_\_\_\_ 11-9-15  
 Reviewed by Department Head Date

*John R. Kinser* \_\_\_\_\_ 11-9-15  
 Reviewed by Finance Director Date

\_\_\_\_\_  
 Reviewed by County Manager Date

Posted by
Journal No.
Date



# Stanly County Board of Commissioners

Meeting Date November 16, 2015

Presenter: Tony M. Dennis, Vice Chairman

Consent Agenda	<div style="font-size: 2em; font-weight: bold; color: blue;">4</div> Regular Agenda
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**ITEM TO BE CONSIDERED**

**Resolution of Support for One-Quarter Cent (1/4¢) Sales Tax Special Advisory Referendum**

Attached please find a resolution re-affirming the Board's support for a special advisory sales tax referendum on the March 15, 2016 primary ballot.

**Subject**

**Requested Action**

**Review and consider adopting a resolution supporting the Special Advisory Referendum on the March 15, 2016 primary ballot concerning the levy of a one-quarter cent (1/4¢) county sales and use tax with the proceeds dedicated for public education.**

Date: 11/10/15

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

**Resolution in Support of the Scheduled March 15, 2016 Special Advisory Referendum to Increase the Stanly County Sales Tax Rate by ¼% for Public Education**

**WHEREAS**, the North Carolina General Assembly enacted the “One-Quarter Cent (1/4¢) County Sales and Use Tax Act” Article 46 of Chapter 105 of the North Carolina General Statutes (Session Law 2007-323), which authorizes counties to levy a local sales and use tax; and

**WHEREAS**, on May 18, 2015 the Stanly County Board of Commissioners called for a special advisory referendum and stated its intent to use the revenue from the Article 46 one-quarter cent (1/4¢) County sales and use tax, if approved by the voters of Stanly County, to fund initiatives related to public education; and

**WHEREAS**, an additional 1/4 % sales tax would shift some of the financial burden associated with paying for educational initiatives to visitors traveling or shopping in Stanly County; and

**WHEREAS**, with the exception of Union County, the sales tax rate in neighboring counties (Anson, Cabarrus, Davidson, Mecklenburg, Montgomery, Randolph and Rowan) is currently at least ¼% higher than Stanly County; and

**WHEREAS**, there have been many on-going operational and facility maintenance needs identified by both the Stanly Community College Board of Trustees and the Stanly County School Board;

**NOW THEREFORE, BE IT RESOLVED** the Stanly County Board of Commissioners re-affirms its intent to utilize the revenue from an additional ¼% sales tax to assist both Stanly County Schools and Stanly Community College with public education related initiatives and encourages taxpayers to support the passage of this additional ¼% sales tax referendum.

ADOPTED this the 16th day of November, 2015

\_\_\_\_\_  
Janet K. Lowder, Chairman

\_\_\_\_\_  
Tony M. Dennis, Vice Chairman

\_\_\_\_\_  
Gene McIntyre, Commissioner

\_\_\_\_\_  
Bill Lawhon, Commissioner

\_\_\_\_\_  
Scott Efird, Commissioner

\_\_\_\_\_  
Joseph Burleson, Commissioner

\_\_\_\_\_  
Peter Ascitutto, Commissioner

ATTEST:

\_\_\_\_\_  
Tyler Brummitt, Clerk to the Board



# Stanly County Board of Commissioners

Meeting Date: November 16, 2015  
 Presenter: Chairman Lowder

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Consent Agenda | Regular Agenda

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## ITEM TO BE CONSIDERED

### CONSENT AGENDA

- A. Minutes – Regular meeting of November 2, 2015
- B. Finance – Request approval of the attached vehicle tax refunds

Subject

Requested Action

Request approval of the above items as presented.

Signature: \_\_\_\_\_

Dept. \_\_\_\_\_

Date: \_\_\_\_\_

Attachments: Yes No   x  

### Review Process

### Certification of Action

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

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  
REGULAR MEETING MINUTES  
NOVEMBER 2, 2015**

**COMMISSIONERS PRESENT:**

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

**COMMISSIONERS ABSENT:**

None

**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, November 2, 2015 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. Chairman Lowder called the meeting to order and Commissioner Efird gave the invocation and led the pledge of allegiance.

**APPROVAL / ADJUSTMENTS TO THE AGENDA**

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

**ITEM # 1 – ECONOMIC DEVELOPMENT COMMISSION –AUTHORIZING RESOLUTION FOR NC COMMERCE BUILDING REUSE GRANT APPLICATION**

**Presenter: Paul Stratos, EDC Director**

Stanly County Economic Development is working with a new company, Project Hickory, to establish a new location in Stanly County. It is estimated the company will invest \$2.4 million and create forty (40) new jobs. To assist the company, the County plans to apply for a \$500,000 building reuse grant through the NC Department of Commerce to help offset the cost of building renovations. If received, a match of five percent (5%) or \$25,000 is required from the County. The County will arrange for this cash match to offset grant preparation and

administration associated with the project. It was requested the Board approve the authorizing resolution associated with the application and the match requirement of \$25,000.

Commissioner Lawhon moved to approve the resolution and required match as requested. The motion was seconded by Vice Chairman Dennis and carried by unanimous vote.

**See Exhibit A  
Authorizing Resolution**

**ITEM # 2 – PLANNING & ZONING**

**Presenter: Michael Sandy, Planning Director**

**A. ZA 15-04 – Text Amendments to the Zoning Ordinance**

Mr. Sandy stated that Planning Staff recommended the following text amendments be made to the zoning ordinance to provide clearer language, uniformity in the ordinance, and new procedures that take a step toward services to benefit the public. The amendment was forwarded to the County Commissioners with a favorable recommendation for the following reasons:

- The language in the zoning ordinance is more consistent with the changes.
- The addition of Section 906 Administrative Relief will afford the public more flexibility when dealing with minor issues.
- Permitting accessory structures in the front yard will allow property owners who choose to place their residence at the rear of their property to use a larger portion of the property for storage buildings and other structures.

Mr. Sandy entertained questions from the Board then requested the Board hold the required public hearing.

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

By motion, Commissioner McIntyre moved to approve ZA 15-04 as presented. The motion was seconded by Vice Chairman Dennis and passed by a 7 – 0 vote.

**B. Presentation of the Proposed Minimum Housing Ranking Sheet**

As a follow-up from the Board’s annual retreat held earlier in the year, Mr. Sandy provided an overview of the ranking system developed by staff for use in determining if a property should be demolished based on the various factors listed. The system will be used to rank and prioritize these properties for the best use of the county’s limited funding to address minimum housing issues. After the presentation, Mr. Sandy entertained questions from the Board.



With no further discussion, Commissioner Efirm moved to approve the ranking system as presented was seconded by Vice Chairman Dennis. The motion carried unanimously.

### **ITEM # 3 – SENIOR SERVICES ADVISORY BOARD APPOINTMENT**

**Presenter: Becky Weemhoff, Senior Services Director**

The Senior Services Advisory Board has one more vacancy to fill. Dr. Marianne Bumgarner-Davis of Norwood has served several terms and has asked not to be reappointed. Ms. Ann Lowder of Norwood has agreed to serve and fill the vacancy if appointed. This will ensure that the Board continues to have representation from the southern area of the county.

Vice Chairman Dennis moved to appoint Ms. Ann Lowder and was seconded by Commissioner Ascutto. The motion carried by unanimous vote.

### **ITEM # 4 – ALCOHOLIC BEVERAGE ELECTIONS OPTIONS**

**Presenter: Andy Lucas, County Manager**

For the Board's information and as follow-up to Mr. Patel's request at the previous meeting, the County Manager explained the two (2) options available to the Board regarding alcoholic beverage elections:

- A. The Commissioners may submit a written request (via resolution) for a county-wide alcoholic beverage election or a township-specific alcoholic beverage election to the county board of elections; or
- B. A citizen may submit a petition requesting a county-wide or township-specific alcoholic beverage election to the county board of elections. The petition must be signed by thirty-five percent (35%) of the registered voters in the county for a county-wide election and twenty-five percent (25%) of registered voters in the township for a township-specific election. No further action is required from the Board.

The county-wide election may be for: 1) malt beverage, 2) unfortified wine, 3) ABC store, and/or 4) mixed beverage and ABC store election. A township-specific election may be for: 1) malt beverage, 2) unfortified wine, and/or 4) mixed beverage. More than one kind of alcoholic beverage election may be included in a single request or election.

It was requested the Board consider either requesting an alcoholic beverage election (either county-wide or South Albemarle Township) or to advise Mr. Patel that he may wish to proceed with a petition to request an alcoholic beverage election (also either county-wide or for the South Albemarle Township).

Following a period of brief questions and comments, Vice Chairman Dennis requested the following amendments to the resolution: remove sections A(1) and A(4) related to malt beverages and B(1) related to unfortified wine as well as items C and D related to the ABC store. Vice Chairman Dennis moved to approve the resolution with the proposed amendments and was seconded by Commissioner Burleson. The County Attorney then recommended removing any mention of ABC stores in the fourth (4<sup>th</sup>) and fifth (5<sup>th</sup>) paragraphs as well in order for it to agree with the remainder of the resolution.

For the public's information, Commissioner Ascianto read the amended resolution. With a motion and a second on the floor, Chairman Lowder called for a vote. The motion carried with a 7 – 0 vote.

**See Exhibit B  
Resolution**

**ITEM # 5 – DISCUSSION REGARDING THE BOARD'S SIZE AND STRUCTURE**

**Presenter: Commissioner Ascianto**

In follow-up to a previous discussion related to a proposed voter referendum regarding the Board's size and structure on September 8, 2015, Commissioner Ascianto stated that when SB 317 was passed, it reduced the size of Guilford County's Board of Education but did not tie their hands to take further action. However, the bill as passed prevents the Stanly County Board of Commissioners from taking any action to change its size until 2020. As a result, the only course of action the County can pursue is to request representatives in Raleigh to approve a voter referendum to allow voters to decide whether or not to reduce the number of county commissioners from 7 to 5 and save tax payers approximately \$50,000 - \$60,000 annually.

With no other comments, Commissioner Ascianto moved that the Board take action via resolution to request representatives in Raleigh approve a voter referendum for the next general election. Vice Chairman Dennis seconded the motion. The motion failed with a 4 – 3 vote.

Ayes: Chairman Lowder, Vice Chairman Dennis, Commissioner Ascianto

Nos: Commissioner Burleson, Commissioner Efird, Commission Lawhon, Commissioner McIntyre

**ITEM # 6 – SALES TAX REFERENDUM DISCUSSION**

**Presenter: Commissioner Ascianto**

Commissioner Ascianto noted that a ¼ cent sales tax referendum is scheduled to be on the March primary ballot and if passed will provide funding for education. Commissioner Ascianto

sought the Board's input on their commitment to help inform and educate the public on the issue.

Commissioner Burleson stated that he is in support of the referendum, but feels it is up to each Board member as an individual to promote the referendum rather than as the Board. Commissioner McIntyre reiterated Commissioner Burleson's comments stating that he will support it as an individual and promote it in the community.

Commissioner Efirid offered to help with town hall meetings and whatever else needs to be done to get the word out as a show of support. Chairman Lowder echoed Commissioner Efirid's comments stating she is continuing to talk with family and friends to encourage their support of the referendum.

Vice Chairman Dennis agreed stating he feels this is a fair tax and is in support of it being used for school funding.

Commissioner Lawhon stated his support but noted that to generate enough support by word of mouth would be difficult. He then asked if funds are available for promotional ads, radio announcements, mailings, etc. In response, Commissioner Ascutto noted his plans to form a coalition of various groups in the community to help raise funds to promote the referendum.

To clarify, the County Manager stated that although county funds cannot be used to promote the referendum, he can participate by participating in speaking engagements as needed to help inform and educate.

Commissioner Lawhon recommended contacting the citizens who had previously attended the meetings earlier in the year when the School Board had considered closing schools in order to gain their support of the referendum as well.

#### **ITEM # 7 – CONSENT AGENDA**

**Presenter: Chairman Lowder**

- A. Minutes – Regular meeting of October 19, 2015.
- B. Finance – Request acceptance of the Monthly Financial Report for Three Months Ended September 30, 2015.

By motion, Vice Chairman Dennis moved to approve the consent agenda as presented. His motion was seconded by Commissioner McIntyre and passed by unanimous vote.

## **PUBLIC COMMENT**

Ms. Felicia Martin addressed the Board and expressed her concerns with the Mission Area Waterline Project and the mandatory tap and availability fees that her family and other area residents are required to pay.

Mr. Ward Martin echoed his wife's comments related to the mandatory tap and availability fees charged by the County even though they have not hooked up to county water.

## **GENERAL COMMENTS, ANNOUNCEMENTS & COMMITTEE REPORTS**

In response to Ms. Martin's comments, Commissioner Burleson stated that the County does not sell water to Cabarrus County, but that it is a City of Albemarle project instead. At Commissioner Burleson's request, the County Manager explained that the revenue generated from the sale of county water and sewer to customers are the only funds available to cover the expenses incurred for water service with no tax dollars being used. With that, it is necessary that all residents who live in a waterline project area to pay the mandatory availability and tap fees in order to generate the revenue needed to repay the USDA loan used to construct the waterline. If not, funding for the project will not be approved by the USDA.

Commissioner Lawhon noted that he had attended the Charlotte Regional Partnership Meeting the previous week. He also stated that through September 30, 2015, Stanly County has issued 109 permits totaling \$19.3 million versus the same time last year in which 65 permits with a value of just over \$9 million were issued noting that the local building economy continues to show signs of growth.

Commissioner Ascitto wished both the Graystone boys and girls cross country teams as well as the West Stanly girls cross country team good luck in the upcoming state competition. He again reiterated the need for the county to commit to investing in the county's education system based on the recent findings noted in the facilities and transportation studies.

Chairman Lowder stated that anyone elected to a public office has to address and act on issues that affect citizens of the county on a routine basis. However earlier tonight, the Board discussed the alcoholic beverage referendum and decided as a Board to allow the citizens to vote and make the decision. She then expressed her concern with the Board not always being able to support the people's right to decide on some issues that arise.

**ADJOURN**

With no further discussion, Commissioner Burleson moved to adjourn the meeting and was seconded by Vice Chairman Dennis. The motion passed unanimously at 7:59 p.m.

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**Janet K. Lowder, Chairman**

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**Tyler Brummitt, Clerk**



# Stanly County Board of Commissioners

Meeting Date: November 16, 2015  
 Presenter: Consent Agenda

5B

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

Please see the attached October 2015 refund report from the North Carolina Vehicle Tax System for taxpayers due vehicle refunds over \$100 which requires Board of Commissioners approval.

Subject

Requested Action

Consider and approve the attached vehicle tax refunds.

Signature: Toby R. Hinson

Dept. Finance

Date: 11/9/15

Attachments: Yes X No \_\_\_\_

### Review Process

### Certification of Action

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

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 Vehicle Tax System

## NCVTS Pending Refund report

Report Date 11/02/2015 10:53:12

Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description	Refund Reason	Create Date	Authorization Date	Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
CASAVANT, DOUGLAS RUSSELL	CASAVANT, DOUGLAS RUSSELL	44941 LEDBETTER RD		NEW LONDON, NC 28127		Proration	0025716475	DEL8017	AUTHORIZED	36659202	Refund Generated due to proration on Bill #0025716475-2014-2014-0000-00	Other Errors	10/15/2015	11/2/2015 8:50:42 AM	01	Tax	(\$216.38)	\$0.00	(\$216.38)
FLOWE, BRIAN VATES	FLOWE, BRIAN VATES	107 ORCHARD RIDGE RD		LOCUST, NC 28097		Proration	00188653186	BCW1001	AUTHORIZED	72446388	Refund Generated due to proration on Bill #00188653186-2014-2014-0000-00	Vehicle Totalled	10/06/2015	11/2/2015 8:50:42 AM	01	Tax	(\$92.67)	\$0.00	(\$92.67)
HICKS, WANDA MORTON	HICKS, WANDA MORTON	735 MOCHGEBR DR		ALBEMARLE, NC 28001		Proration	0018865559	BKM7394	AUTHORIZED	37052026	Refund Generated due to proration on Bill #0018865559-2014-2014-0000-00	Vehicle Sold	10/23/2015	11/2/2015 8:50:42 AM	01	Tax	(\$56.53)	(\$2.83)	(\$59.36)
SHEPHERD, DUSTY LEE	SHEPHERD, DUSTY LEE	PO BOX 492		ALBEMARLE, NC 28002		Proration	0027545129	LESLIE	AUTHORIZED	72761136	Refund Generated due to proration on Bill #0027545129-2015-2015-0000-00	Writeoff	10/09/2015	11/2/2015 8:50:42 AM	01	Tax	(\$105.25)	\$0.00	(\$105.25)
STANFIELD MINI MART INC	STANFIELD MINI MART INC	PO BOX 243		STANFIELD, NC 28163		Proration	00188656206	8109CF	AUTHORIZED	53957490	Refund Generated due to proration on Bill #00188656206-2014-2014-0000-00	Other Errors	10/07/2015	11/2/2015 8:51:17 AM	01	Tax	(\$67.50)	\$0.00	(\$67.50)
STOKER, DEBRA JEAN	STOKER, DEBRA JEAN	7464 LARGO LN		FORT MILL, SC 29707		Proration	0025243075	CKE9782	AUTHORIZED	37203672	Refund Generated due to proration on Bill #0025243075-2014-2014-0000-00	Reg. Out of state	10/27/2015	11/2/2015 8:50:42 AM	01	Tax	(\$11.70)	\$0.00	(\$11.70)
STOKER, JOEL WILLIAM	STOKER, JOEL WILLIAM	903 HONEYSUCK LE LN		ALBEMARLE, NC 28001		Proration	0018860021	NXZ4423	AUTHORIZED	36601142	Refund Generated due to proration on Bill #0018860021-2014-2014-0000-00	Vehicle Sold	10/14/2015	11/2/2015 8:50:42 AM	01	Tax	(\$72.81)	\$0.00	(\$72.81)
STORM ENGINEERING AND ASSOC INC	STORM ENGINEERING AND ASSOC INC	411 N DEPOT ST		ALBEMARLE, NC 28001		Adjustment < \$100	0223646646	TVL4666	AUTHORIZED	90096604	Refund Generated due to adjustment on Bill #0023646646-2014-2014-0000-00	Stus error	10/02/2015	10/22/2015 11:48:13 AM	01	Tax	(\$84.94)	\$0.00	(\$84.94)
STORM, RICHARD FREDERICK	STORM, RICHARD FREDERICK	PO BOX 1399		ALBEMARLE, NC 28002		Proration	0006775077	SNS7416	AUTHORIZED	35971848	Refund Generated due to proration on Bill #0006775077-2014-2014-0000-00	Reg. Out of state	10/01/2015	11/2/2015 8:51:17 AM	01	Tax	(\$126.79)	\$0.00	(\$126.79)
TURNER, ROBERT PATRICK	TURNER, ROBERT PATRICK	600 CANTON AVE		MILTON, MA 02168		Proration	0023629821	CLL1642	AUTHORIZED	73643308	Refund Generated due to proration on Bill #0023629821-2014-2014-0000-00	Reg. Out of state	10/19/2015	11/2/2015 8:50:42 AM	01	Tax	(\$78.21)	\$0.00	(\$78.21)
WINGATE, ANTHONY STEPHEN	WINGATE, ANTHONY STEPHEN	6310 NW 106TH ST APT #106		JOHNSTON, IA 50131		Proration	0025230907	WYF4500	AUTHORIZED	36139460	Refund Generated due to proration on Bill #0025230907-2014-2014-0000-00	Reg. Out of state	10/05/2015	11/2/2015 8:50:42 AM	01	Tax	(\$11.02)	\$0.00	(\$11.02)
															21	Tax	(\$12.84)	\$0.00	(\$12.84)
																			Refund \$128.86
																			Refund \$1799.07