

**STANLY COUNTY  
BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
DECEMBER 7, 2015**

**COMMISSIONERS PRESENT:**

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

**COMMISSIONERS ABSENT:**

None

**STAFF PRESENT:**

Andy Lucas, County Manager  
Jenny Furr, County Attorney  
Tyler Brummitt, Clerk

**REORGANIZATIONAL MEETING**

**CALL TO ORDER**

The Stanly County Board of Commissioners (the "Board") met in regular session on Monday, December 7, 2015 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. The County Manager, acting as temporary chairman, called the meeting to order for the purpose of reorganization of the Board pursuant to NCGS 153A-39.

**ELECTION OF CHAIRMAN**

The County Manager opened the floor for nominations for Chairman for 2016 in accordance with NCGS 153A-39. Commissioner Dennis nominated Commissioner Efird. Commissioner Ascitutto moved to close the nominations and was seconded by Commissioner McIntyre. The motion carried by a 7 -0 vote. The County Manager congratulated Chairman Efird and turned the proceedings over to him.

**ELECTION OF VICE CHAIRMAN**

Chairman Efird opened the floor for nominations for Vice Chairman pursuant to NCGS 153A-39. Commissioner Dennis moved to nominate Commissioner Lawhon for Vice Chairman. Commissioner Lowder moved to close the nominations and was seconded by Commissioner

Asciutto. With no other nominations, Commissioner Lawhon was declared Vice Chairman by unanimous vote.

**APPROVAL OF BONDS**

Chairman Efird called for a motion to approve the following public official bonds:

<b>Bond Type</b>	<b>Amount</b>	<b>Expiration Date</b>
Tax Administrator (Clinton Swaringen)	\$100,000	October 28, 2016
Finance Officer (Toby Hinson)	\$150,000	June 30, 2016
Register of Deeds (Suzanne Lowder)	\$ 50,000	December 1, 2016
Sheriff (George Burris)	\$ 5,000	December 1, 2016

By motion, Commissioner Dennis moved to approve the public bonds as presented and was seconded by Commissioner Burleson. Motion carried with a 7 – 0 vote.

**BOARD & COMMITTEE ASSIGNMENTS**

Vice Chairman Lawhon presented the following slate of nominees for the boards and committees for 2016 followed by a motion to approve:

Chairman, Economic Development Commission	Jann Lowder
Alternate, Economic Development Commission	Bill Lawhon
Member, Board of Health	Jann Lowder
Member, Social Services Board	Gene McIntyre
Member, Library Board of Trustees	Peter Asciutto
Member, Airport Authority	Tony Dennis
Alternate, Airport Authority	Scott Efird
Chairman, Fire District Commission	Joseph Burleson
Member, Albemarle Downtown Development Commission	Peter Asciutto
Member, Senior Services Board	Gene McIntyre
Member, Rural Transportation Planning Organization (RPO)	Tony Dennis

Alternate, Rural Transportation Planning Organization (RPO)	Bill Lawhon
Member, Stanly Water & Sewer Authority	Joseph Burleson
Alternate, Stanly Water & Sewer Authority	Gene McIntyre
Member, Centralina Council of Governments	Bill Lawhon
Alternate, Centralina Council of Governments	Scott Efird

Commissioner Dennis seconded the motion to accept the assignments as read. The motion passed with a 5 – 2 vote.

Ayes: Chairman Efird, Vice Chairman Lawhon, Commissioner Ascitutto, Commissioner Dennis and Commissioner Lowder

Nos: Commissioner Burleson and Commissioner McIntyre

**APPROVAL OF THE 2016 REGULAR MEETING SCHEDULE**

Chairman Efird presented the following meeting dates for approval based on the first and third Mondays of each month with the exception of June, July, August and September where only one meeting is held. Meetings will be held in the Commons Meeting Room, Stanly Commons at 7:00 p.m.

Commissioner McIntyre proposed the following amendments to the schedule: cancel the Monday, May 2<sup>nd</sup> meeting and have only one meeting on Monday, May 16<sup>th</sup>; move the Tuesday, July 5<sup>th</sup> meeting to Monday, July 11<sup>th</sup>; move the Monday, August 1<sup>st</sup> meeting to Monday, August 8<sup>th</sup> and cancel the second meeting in December on Monday, December 19<sup>th</sup>.

By motion, Commissioner McIntyre moved to approve the amended schedule and was seconded by Commissioner Dennis.

Prior to the vote, Commissioners Ascitutto and Lowder expressed their concerns with reducing the number of Board meetings during the year. Commissioner McIntyre responded stating the Board can call a special meeting should the need arise.

With no further discussion, Chairman Efird called for a vote. The motion passed by a 5 – 2 vote.

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

Nos: Commissioner Ascitutto and Commissioner Lowder

Below is the schedule as approved by majority vote:

Monday, January 4<sup>th</sup> and Tuesday, January 19<sup>th</sup> \*  
Monday, February 1<sup>st</sup> and Monday, February 15<sup>th</sup>  
Monday, March 7<sup>th</sup> and Monday, March 21<sup>st</sup>  
Tuesday, April 4<sup>th</sup> and Monday, April 18<sup>th</sup>  
Monday, May 16<sup>th</sup>  
Monday, June 6<sup>th</sup>  
Monday, July 11<sup>th</sup>  
Monday, August 8<sup>th</sup>  
Monday, September 6<sup>th</sup>\*\*  
Monday, October 3<sup>rd</sup> and Monday, October 17<sup>th</sup>  
Monday, November 7<sup>th</sup> and Monday, November 21<sup>st</sup>  
Monday, December 5<sup>th</sup>

#### **ANNOUNCEMENT**

Chairman Efird announced that during any regular meeting of the Board, the County Commissioners in order to act in their capacity as Board of Governors for the Greater Badin Water & Sewer District, or for the Piney Point Water District may, in their discretion, recess a Commissioners' regular meeting and reconvene as the Board of Governors of either of the above two entities in order to conduct business matters related to that entity. The Chairman stated that this concluded matters related to the reorganization.

#### **INVOCATION & PLEDGE OF ALLEGIANCE**

The invocation and pledge of allegiance was led by Chairman Efird.

#### **APPROVAL / ADJUSTMENTS TO THE AGENDA**

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

#### **SCHEDULED AGENDA ITEMS**

##### **ITEM # 1 – PRESENTATION OF THE COUNTY AUDIT FOR THE YEAR ENDED JUNE 30, 2015**

**Presenter: Ko Tang Cha-Moses, Audit Manager with Martin Starnes & Associates**

Ms. Cha-Moses provided an overview of the 2015 Comprehensive Annual Financial Report via a powerpoint presentation. Ms. Cha-Moses informed the Board that Martin Starnes & Associates had issued an unmodified opinion stating there were no significant findings, questioned costs,

material weaknesses or deficiencies noted in the audit. It was noted that the county audit was submitted to the Local Government Commission a few weeks earlier with no response received thus far.

Commissioner Dennis moved to accept the audit as presented and was seconded by Commissioner Ascitutto. Motion passed by a 7 – 0 vote.

## **ITEM # 2 – APPOINTMENTS TO THE BOARD OF EQUALIZATION & REVIEW**

**Presenter: Clinton Swaringen, Tax Administrator**

It was requested that the Board reappoint two (2) members whose terms are expiring on December 31, 2015. Those members are Jerry Burleson and Vickie Long. Both are eligible to serve again and have agreed to do so if reappointed. The appointments are for a four (4) year term to expire on December 31, 2019.

Prior to a vote, Commissioner Burleson requested to be excused due to Jerry Burleson being his father. Commissioner McIntyre moved to approve the request and was seconded by Vice Chairman Lawhon. Motion passed by unanimous vote.

Commissioner McIntyre then made the motion to approve the reappointment of Jerry Burleson and Vickie Long. His motion was seconded by Vice Chairman Lawhon and carried with a 6 – 0 vote. (Commissioner Burleson abstained.)

## **ITEM # 3 – PLANNING & ZONING – ZA 15-05 REZONING REQUEST FOR VENTURE PROPERTIES VII, LLC**

**Presenter: Michael Sandy, Planning Director**

Mr. Sandy stated that applicant Venture Properties VII, LLC on behalf of Angelica Delatorre, has requested to rezone a 1.79 acre tract of a 9.7 acre tract (Tax Record 609) from RA (Residential Agriculture) to HB (Highway Business). The property is located on the south side of NC 73 Hwy, near its intersection with Millingport Road. The purpose of the request is to use this property for retail purposes. The case was forwarded with a favorable recommendation by the Planning Board.

After a brief period of questions, Chairman Efird declared the public hearing open. Savannah Vice of Venture Properties came forward to speak in favor of the rezoning request noting that it is a new Dollar General store to serve the Millingport area. With no one else coming forward, the hearing was closed.

By motion, Commissioner Burleson moved to approve rezoning request ZA 15-05 and was seconded by Commissioner Dennis. Motion carried by unanimous vote.

#### **ITEM # 4 – APPOINTMENTS TO THE SCUSA TRANSPORTATION ADVISORY COMMITTEE**

**Presenter: Andy Lucas, County Manager**

For Board consideration, the County Manager presented the slate of candidates for appointment to the SCUSA Advisory Committee. Each member would be appointed to serve a two (2) year term from January 1, 2016 – December 31, 2017.

Prior to the vote, Chairman Efird requested Tim Fesperman replace himself as representative for the City of Locust.

With no questions, Commissioner Burluson moved to approve all the members as listed with the exception of Scott Efird who will be replaced by Tim Fesperman and to add Cary L. Hathcock as a public sector member. The motion was seconded by Commissioner McIntyre and carried with a 7 – 0 vote.

#### **ITEM # 5 – MANDATORY CODE OF ETHICS**

**Presenter: Andy Lucas, County Manager**

Per NCGS 160A-86, the County must reaffirm the code of ethics by December 31<sup>st</sup> of each year. A copy of the code of ethics was included in the Board's agenda packet for their review and consideration.

By motion, Vice Chairman Lawhon moved to reaffirm the code of ethics and was seconded by Commissioner Dennis. Motion carried by unanimous vote.

#### **ITEM # 6 – PRE-FY 2016-17 BUDGET DISCUSSION**

**Presenter: Commissioner Asciutto**

Commissioner Asciutto thanked the Board for the opportunity to speak and requested the following items be considered during next year's budget workshops:

- Establish a parks and recreation fund to help municipalities with one time projects such as the Albemarle sports complex and Locust Park restrooms.
- Meet with the School Board to gain a better understanding of their funding needs for the school system and facilities.
- Review E-911 staffing and entry level pay
- In addition to funding for the livestock arena, consider a renovation to enlarge the existing Agri-Civic Center lobby area in order for it to be used to host events such as banquets and dinners.
- Consider expanding the Senior Center to include the West Stanly Senior Center
- Fund economic development projects to help the County grow

Commissioner Burleson addressed Commissioner Ascitutto noting that with the proposed sales tax referendum on the March 2016 primary ballot and with County dollars being stretched as is, would he support a property tax increase to fund these items? Commissioner Ascitutto stated he would support a property tax increase if it was needed to properly fund these projects should the Board decide to pursue any of them.

Commissioner Lawhon also requested the Board review all external memberships to see if the County is receiving a dollar for dollar benefit for the amount of membership fees being paid. If not, the Board may want to consider withdrawing those memberships.

### **CANCELATION OF MEETING**

Commissioner McIntyre made a motion to cancel the regular commissioners meeting scheduled for December 21, 2015 due to it being the week of Christmas. Commissioner Dennis seconded the motion and the motion carried with a 6 – 1 vote. (Nos: Commissioner Ascitutto)

### **ITEM # 7 – CONSENT AGENDA**

#### **Presenter: Chairman Efird**

- A. Minutes – Regular meeting of November 16, 2015
- B. Finance – Request acceptance of the Monthly Financial Report for Four Months Ended October 31, 2015
- C. Health Department – Request approval of budget amendments #2015- 16, #2015-17 and #2015-18.

Commissioner Dennis moved to approve the consent agenda as presented and was seconded by Commissioner McIntyre. Motion passed with a 7 – 0 vote.

#### **PUBLIC COMMENT – None**

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

Commissioner Burleson congratulated Chairman Efird on being elected chairman. He also noted that he had attended the Town of Stanfield's swearing in ceremony for their newly elected officials earlier and congratulated them as well as the other municipalities who are installing new council members.

Commissioner Lowder and Commissioner Dennis wished everyone a Merry Christmas and Happy New Year.

Vice Chairman Lawhon provided an update on economic development noting that in the past six (6) months, there were sixteen (16) projects with five (5) of those requesting additional information. He then noted the recent passing of Dr. Bill Hatley who was a big supporter and friend of the City of Albemarle and County as well.

Commissioner Ascitutto reminded everyone of the reception for the retiring Mayor of Badin Jim Harrison. He also congratulated the Pfeiffer Falcons Men's Soccer team on their recent NCAA Division II National Championship and noted Pfeiffer University President Dr. Colleen Perry Keith's recent presentation at Rotary related to Pfeiffer's recent application to become a Division III school.

Chairman Efird stated he had recently attended the County employee Christmas luncheon the previous week and thanked all employees for their hard work. He also thanked Commissioners Lowder and Dennis for their service as Chairman and Vice Chairman the past year and wished everyone a Merry Christmas and Happy New Year.

**ADJOURN**

With no further discussion, Commissioner Dennis moved to adjourn the meeting and was seconded by Commissioner Burleson. The motion passed unanimously at 7:51 p.m.

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**Terry Scott Efird, Chairman**

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**Tyler Brummitt, Clerk**