

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
SEPTEMBER 4, 2018**

COMMISSIONERS PRESENT: Joseph Burleson, Chairman
Gene McIntyre, Vice Chairman
Scott Efird
Bill Lawhon (Arrived at 6:03 p.m.)
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.

The Board convened at 5:30 p.m. for an informal work session and returned to open session at 5:52 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 invocation and led the pledge of allegiance.

APPROVAL/ADJUSTMENTS TO THE AGENDA

By motion, Commissioner Swain requested that consent agenda item # 9 (E) – Approval of the vehicle tax refunds for August 2018 be pulled and added as item # 10 on the agenda. Commissioner Lowder seconded the motion which then passed by unanimous vote.

ITEM # 1 – RETIREMENT AWARD PRESENTATION

The Board recognized Mr. Glenn T. Misenheimer for his 30 years of service to the county and pending retirement on September 30, 2018.

ITEM # 2 – COOPERATIVE EXTENSION – PRESENTATION ON THE STATE OF AGRICULTURE IN STANLY COUNTY

Presenter: Samantha Foster, Extension Agent, Agriculture-Livestock

Ms. Foster gave a presentation on the state of agriculture in the Stanly County. She noted that although farming in the county has decreased over time, it still represents more than one-third of the total land use. In 2012, the total value of product sold was just over \$96.5 million with 34% being crop sales and 66% livestock sales. County farms also represent a wide array of farming enterprises with most being diversified to include livestock, poultry and commodity crops as well as farms that are engaged with niche markets such as grapes, Christmas trees, agri-tourism and aquaponics. Additionally, agricultural impacts also go beyond the farm to include employment of a diverse work force and creation of revenue through farm-related businesses and operations such as Rolling Hills Cotton Gin, Stanly County Livestock Market and multiple tractor, trailer, farm equipment and supply stores. Ms. Foster provided handouts which included an agricultural profile of the county including the number of farms, the market value of agricultural products produced and the type of crops as well.

The presentation was for information only and required no action.

ITEM # 3 – POLICY CHANGES REGARDING PROCUREMENT PROCEDURES FOR CONTRACTS USING FEDERAL FUNDS

Presenter: Toby Hinson, Finance Director

Mr. Hinson stated that recently the U. S. Office of Management & Budget made changes in the procurement process pertaining to county contracts which use federal funds to pay for services performed. He noted that for contracts and purchases which are not paid by federal funds the county's current policy will remain in effect. After a brief review of the policy changes, Mr. Hinson entertained questions from the Board. It was then requested the Board approve the amended policy.

By motion, Commissioner Efirm moved to approve the new policy and was seconded by Vice Chairman McIntyre. The motion passed by a 7 – 0 vote.

ITEM # 4 – PLANNING & ZONING

Presenter: Michael Sandy, Planning Director

A. ZA 18-05 – Rezoning request for Oakmont Acquisitions

Oakmont Requisitions submitted a request to have 31 acres of a 57 acre tract located on Buster Road southwest of Lighthouse Road near Oakboro, and a 2.93 acre tract located at 16869 Buster Road (tax records # 862 and 10988) rezoned from RA (Residential Agricultural) to M2 (Heavy Industrial). The remaining acreage in the first tract is located within the Town of

Oakboro's zoning jurisdiction. An application for rezoning will also be submitted to Oakboro for approval of their section to M2. Planning staff recommends approval of this request since the property is located in a growth area and would be economically beneficial to the county. It was requested the Board hold the public hearing and then approve or deny the rezoning request.

With no questions from the Board, Chairman Burleson declared the public hearing open. During this time, Charles Brown, attorney for Oakmont Acquisitions came forward to speak in favor of the request. He also noted that Attorney Max Justice was in attendance on behalf of Oakmont Acquisitions as well.

With no one else coming forward to speak, the public hearing was closed.

Commissioner Lawhon moved to approve rezoning request ZA 18-05 adding that the rezoning will connect other parcels already zoned for industrial development. The motion was seconded by Commissioner Lowder and carried by unanimous vote.

B. ZA 18-06 – Rezoning request for Jason T. Gallagher

Presenter: Michael Sandy, Planning Director

Mr. Gallagher submitted an application to have 1.52 acres of a 4.25 acre tract located at 40136 Old Salisbury Road, New London, NC (tax record # 137663) rezoned from RA (Residential Agricultural) to HB (Highway Business). The purpose of the rezoning is for the construction and operation of a mini-storage facility. The Planning Board considered the request at their August 14, 2018 meeting and voted 4 – 2 to deny the request. It was requested the Board conduct the public hearing and then approve or deny the rezoning request.

Chairman Burleson declared the public hearing open. During this time the following individuals addressed the Board in favor of the request.

- Mr. Gallagher of New London, addressed the Board in favor of the rezoning request stating that he plans to build a 16 unit storage facility on the property.
- Chad Watson of Albemarle spoke in favor of the request adding that he doesn't feel that having the storage units in the area will result in an increase in crime as noted previously at the Planning Board meeting.

The following spoke in opposition to the rezoning request:

- Ronnie Burleson of New London noted concerns with spot zoning since there is no other commercial zoning of any kind found along Old Salisbury Road between Albemarle and Richfield. He also noted concerns with people breaking into the units which will result in an increase in crime for the area.

- Linda Gilbert of New London and nearby property owner expressed concerns with the storage facility being located in an area which is mostly residential and agricultural in nature.
- Jeff Gilbert of New London stated that if the rezoning is approved, he is concerned that additional commercial development will locate in the area.

With no one else coming forward to speak, the public hearing was closed.

Commissioner Morgan moved to deny rezoning request ZA 18-06 at this time. The motion was seconded by Vice Chairman McIntyre and passed by unanimous vote.

C. ZA 18-07 – Revised Language for the Solar Energy Power Generating System Overlay District, Section 618

Presenter: Bob Remsburg, Planner I

To address concerns raised by Board members related to the decommissioning process and to establish clear expectations on the information required from developers for submission to the Planning Department, Planning Board and County Commissioners, Mr. Remsburg introduced the draft language to revise Section 618 of the County's zoning ordinance for Solar Electric Power Generating Systems. It was requested the Board conduct a public hearing on the proposed text amendment and then approve or deny it.

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

By motion Commissioner Efird moved to approve the text amendment as presented. The motion was seconded by Vice Chairman McIntyre and carried by a 7 – 0 vote.

ITEM # 5 – ECONOMIC DEVELOPMENT

Presenter: Andy Lucas, County Manager

A. Public Hearing – Economic Development Incentive Grant

For Board consideration, the County Manager stated that an existing manufacturing company in Albemarle has plans to expand operations through an investment of \$4.26 million and create 44 new jobs over an eight (8) year period. It was requested the Board hold a public hearing and either approve or deny a 75% property tax incentive grant for the eight (8) year period.

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

Vice Chairman McIntyre moved to approve the property tax incentive as requested. Commissioner Swain seconded the motion which passed by unanimous vote.

B. Public Hearing – Economic Development Incentive Grant

The County proposed a five (5) year property tax incentive grant for the expansion of an existing manufacturing company in Albemarle which has plans to expand operations by investing \$1.3 million and create five (5) new jobs. It was requested the Board hold a public hearing and either approve or deny a 35% property tax incentive grant for a five (5) year period.

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

Commissioner Lawhon moved to approve the property tax incentive grant as requested and was seconded by Commissioner Morgan. The motion passed by unanimous vote. .

C. EDC Project Management – Budget Amendment & Contract

The EDC is currently coordinating with the EDPNC on a potential project named Project Blue Sky. Given the size, complexity and competitive nature of this project, it was recommended the County appropriate additional funds to contract with a qualified and experienced firm or professional to provide the necessary project management. An RFP was issued mid-August for these services and it is anticipated that at least 3 firms will respond. Based on existing market rates, staff stipulated a not to exceed budget amount of \$125,000 for the remainder of FY 2018-19. Additionally, staff plans to seek additional Board support and the necessary funding for a registered lobbyist to assist with securing discretionary grant funding for the project after the 2018 general election. It was requested the Board consider and approve budget amendment # 2018-12 and authorize staff to contract with the selected economic development firm (or professional) for a not to exceed budget amount of \$125,000.

Commissioner Swain moved to authorize staff to contract with an economic development firm (or professional) as requested for a not to exceed budget amount of \$125,000. The motion was seconded by Commissioner Lowder.

Prior to the vote, Commissioner Swain amended his motion to include approval of the budget amendment # 2018-12 as well. The amended motion was seconded by Commissioner Lowder and passed by a 7 – 0 vote.

D. EDC Board Appointments

Five of the existing EDC Board member's terms expired in early August. The members are Larry Baucom (District 1), Michael P. Laton, Sr. (District 2), Clayton Wayne Sasser (District 3), Charles Brown (District 4) and Cynthia Beane (District 5). It was requested the Board appoint/reappoint one (1) individual to represent business or industry from each of the five (5) election districts for two (2) year terms.

Commissioner Efirm moved to reappoint all five (5) existing members for 2 year terms. The motion was seconded by Commissioner Lowder and carried by a unanimous vote.

ITEM # 6 – PUBLIC HEARING & NO WAKE ZONE DESIGNATION IN THE AREA OF RANDALLS FERRY ROAD & TALON COURT

Presenter: Andy Lucas, County Manager

County Manager Lucas stated that Lake Tillery resident William Morris had requested the Board's support in submitting an application to the NC Wildlife Resources Commission to request the cove area adjacent to Talon Court and Randall's Ferry Road (known as Mountain View Cove) be designated as a No- Wake Zone.

After a brief discussion of the request, Chairman Burleson declared the public hearing open. During this time the following individuals came forward:

- William Morris, a resident of Randalls Ferry Road, spoke in support of the no-wake zone designation.
- Joe Vaughn, also a resident of Randalls Ferry Road, spoke in favor of the request.

With no others coming forward to speak, Chairman Burleson declared the public hearing closed.

Commissioner Lowder moved to approve the resolution of support for submission of an application to the NC Wildlife Resources Commission for a no-wake designation in Mountain View Cove on Lake Tillery. The motion was seconded by Commissioner Swain and passed with a 7 – 0 vote.

See Exhibit A

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF STANLY COUNTY

ITEM # 7 – CRITERIA TO USE DESIGN-BUILD CONSTRUCTION DELIVERY METHOD FOR EMS BASE & VEHICLE FUELING SITE

Presenter: Andy Lucas, County Manager

As one of the projects prioritized by the Board earlier this year, the County Manager presented the proposed criteria for utilization of a design-build construction delivery method for the new EMS base and vehicle fueling station. With funding for the architectural design approved as part of the 2018-19 FY budget, staff requested Board approval to proceed with having a selected General Contractor work with a design firm to create a project concept and a not to exceed project budget for the Board's further consideration. If the cost is too high, the Board would then either authorize staff to work with the General Contractor to reduce the cost or table the project until a later time with the only funds expended being the design fee. It was requested the Board take action to approve the proposed criteria for a design-build construction delivery method.

With no questions from the Board, Commissioner Lawhon moved to approve the proposed criteria as presented and was seconded by Vice Chairman McIntyre. The motion carried by unanimous vote.

ITEM # 8 – CENTRALINA COUNCIL OF GOVERNMENTS NURSING HOME ADVISORY COMMITTEE APPOINTMENT

Presenter: Andy Lucas, County Manager

It was requested the Board take action to appoint Ms. Joyce Ross as a member of the Nursing Home Advisory Committee for a one (1) year term ending September 4, 2019.

Vice Chairman McIntyre moved to approve the appointment as requested. The motion was seconded by Commissioner Morgan and passed with a 7 – 0 vote.

ITEM # 9 – CONSENT AGENDA

Presenter: Chairman Burleson

- A. Minutes – Regular meeting August 6, 2018.
- B. City of Locust - Approval of fireworks display on September 15, 2018.
- C. EMS – Approval of budget amendment # 2019-10.
- D. Sheriff's Office – Approval of budget amendment # 2019-11.
- E. Facilities – Approval to surplus the listed items and sell through GovDeals.

Commissioner Lawhon moved to approve the consent agenda as amended and was seconded by Vice Chairman McIntyre. The motion carried unanimously.

RECUSAL OF COMMISSIONER SWAIN

Prior to the presentation of agenda item # 10, Commissioner Swain asked to be excused from the vote due to a conflict of interest with one of the refund recipients. Vice Chairman McIntyre moved to do so, was seconded by Commissioner Efird . The motion passed by a 6 – 0 vote.

ITEM # 10 – APPROVAL OF THE VEHICLE TAX REFUNDS FOR AUGUST 2018

Presenter: Chairman Burleson

Vice Chairman McIntyre moved to approve the vehicle tax refunds as presented for August 2018 and was seconded by Commissioner Efird. The motion carried unanimously.

PUBLIC COMMENT

Stanly County residents Walter Bunn, Judy Lucas, Tommy Curlee, Mike Swaringen, Jimmy Hudson and John Reid were in attendance to request the County's support in encouraging NCDOT to repair or replace the existing one lane bridge on Bethlehem Church Road rather than close it. Chairman Burleson, Vice Chairman McIntyre, Commissioner Lawhon and Commissioner Morgan noted their concerns with closing the bridge as well.

After a period of discussion, Vice Chairman McIntyre moved to authorize staff to draft a resolution of support to encourage NCDOT to repair or replace the bridge. Commissioner Morgan seconded the motion which passed by a 7 – 0 vote.

BOARD COMMENTS, ANNOUNCEMENTS & COMMITTEE REPORTS

Commissioner Efird invited everyone to attend the last of the summer concert series at the Locust Town Center on September 15th.

Commissioner Swain thanked Cooperative Extension Agenda Samantha Foster for her presentation on agriculture in Stanly County. He then encouraged the residents who addressed the Board concerning the bridge on Bethlehem Church Road to attend the Rocky River RPO meeting on September 20th in Polkton to air their concerns to local NCDOT board members who would be in attendance.

Commissioner Morgan invited everyone to an upcoming benefit sponsored by the Uwharrie Flying Club on October 10th.

Commissioner Lawhon noted the economic development items presented during the meeting and recognized several of the EDC board members in attendance. He thanked them for their continued work on the board and in the community.

Chairman Burleson noted the great job the EDC board members do as well. He also noted that the Stanly County Fair is taking place this week and encouraged everyone to attend.

ADJOURN

With no further discussion, Vice Chairman McIntyre moved to adjourn the meeting and was seconded by Commissioner Morgan. The motion carried unanimously at 7:38 p.m.

Joseph L. Burleson, Chairman

Tyler Brummitt, Clerk