Bill Lawhon
*Chairman*

Mike Barbee
*Vice Chairman*

Peter Asciutto
*Commissioner*

Patty Crump
*Commissioner*

Scott Efird
*Commissioner*

Trent Hatley
*Commissioner*

Brandon King
*Commissioner*

**STANLY COUNTY**
**BOARD OF COMMISSIONERS**
**REGULAR MEETING MINUTES**
**MONDAY, AUGUST 5, 2024 – 6:00 PM**

| Attendee Name | Title | Status | Arrived |
|---|---|---|---|
| Bill Lawhon | Chairman | Remote | |
| Mike Barbee | Vice Chairman | Present | |
| Peter Asciutto | Commissioner | Present | |
| Patty Crump | Commissioner | Present | |
| Scott Efird | Commissioner | Present | |
| Trent Hatley | Commissioner | Present | |
| Brandon King | Commissioner | Present | |

**CALL TO ORDER & WELCOME**

The Stanly County Board of Commissioners (the "Board") met in regular session on Monday, August 5, 2024 in the Gene McIntyre Meeting Room, Stanly Commons. Vice Chair Barbee called the meeting to order at 6:04 p.m. with Commissioner Efird giving the invocation and leading the pledge of allegiance.

**SCHEDULED AGENDA ITEMS**

## 1. PUBLIC COMMENT

None.

**2. Introduction of the New Economic Development Director**

Presenter: Andy Lucas, County Manager

County Manager Lucas introduced new EDC Director Elizabeth Underwood who began on Monday, July 15th. Elizabeth most recently served as the Workforce Development Manager for Lake Norman Economic Development for the past three (3) years and prior to that served as an Economic Development Specialist with Beaufort County Economic Development in Washington, NC and therefore has a tremendous amount of experience. Ms. Underwood addressed the Board stating that she is honored to serve as the EDC Director and looks forward to helping the County grow and encouraged the Board to reach out with any questions, comments or concerns.

## APPROVAL / ADJUSTMENTS TO THE AGENDA

With no amendments to the agenda, Commissioner Asciutto moved to approve it as presented, seconded by Commissioner Hatley and passed by unanimous vote.

**3. Tax Collector's Annual Settlement for FY 2023-2024**

Presenter: Clinton Swaringen, Tax Administrator

Pursuant to GS 105-373, the Tax Collector presented the annual settlement report to the Board which provides a summary of the collection activity for FY 2023-24 with the statutory remedies of garnishment, attachment, debt setoff, escheat, pre-foreclosure and foreclosure being utilized to the greatest extent possible for collection of taxes. Mr. Swaringen provided a brief review of the financial reports which summarized the collection activity for FY 2023-24 and shared that the real and personal property collection rate, excluding registered motor vehicles, was 98.22%. He also expressed his appreciation of the Tax Administration staff for all their hard work and responded to a brief period of questions from the Board.
Board action was requested to approve the annual settlement report as presented and Charge the Tax Collector with the collection of the FY 2024-25 taxes.
By motion, Commissioner King moved to approve the annual settlement report and Charge the Tax Collector with the collection of the FY 2024-25 taxes, seconded by Commissioner Asciutto and passed by a 7 - 0 vote.

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| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Brandon King, Commissioner |
| **SECONDER:** | Peter Asciutto, Commissioner |
| **AYES:** | Lawhon, Barbee, Asciutto, Crump, Efird, Hatley, King |

**4. Department Head Presentation - Event Facilities**

Presenter: Chris Lambert, Event Facilities

Director Chris Lambert shared a short video of the newly completed Farm Bureau Livestock Arena and invited the Board to the grand opening celebration scheduled for Saturday, August 17th, 2024 at 10:30 a.m. during the Agri Civic Day. He then responded to a brief period of questions concerning the solar lights installed in the parking lot and the events have taken place and are scheduled at the arena. The presentation was for information only with no action requested.

**5. ZA 24-04 - Garrett Smith Rezoning Request**

Presenter: Andy Lucas, County Manager

Mr. Garrett Smith submitted an application to rezone an 8 acre portion of a 16.08 acre tract on NC Highway 24/27 (Tax Record #6784) from County, RA (residential agriculture) to County, GB (General Business) to construct and operate a welding and fabrication business. Mr. Smith intends to construct the shop on 4 acres with the remaining 4 acres to be used for outside storage. Per Mr. Smith, the shop will have 12 employees. At the time of Mr. Smith's application for rezoning, the property was located in a secondary growth area per the 2040 Stanly County Land Use plan map. It was requested the Board conduct the required public hearing then either approve, deny or modify the proposed rezoning request.

With no questions from the Board, Vice Chair Barbee opened the public hearing. With no one coming forward to speak, the hearing was closed.

Following a brief period of comments, Commissioner Patty Crump moved to approve the rezoning request for Mr. Garrett Smith for an 8 acre portion of a 16.08 acre tract on NC Highway 24/27 (Tax Record # 6784), since it is in a secondary growth area as described in the current 2040 Stanly County Land-Use Plan, its location is near other commercially zoned properties and the proposed rezoning will promote further economic development in our county, seconded by Commissioner Hatley and carried by unanimous vote.

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| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Patty Crump, Commissioner |
| **SECONDER:** | Trent Hatley, Commissioner |
| **AYES:** | Lawhon, Barbee, Asciutto, Crump, Efird, Hatley, King |

**6. ZA 24-05 - Amendment to the 2040 Stanly County Land Use Plan Map**

Presenter: Andy Lucas, County Manager

At the request of the Board, Planning staff reviewed the current 2040 Stanly County Comprehensive Land Use Plan map and mapped areas around the four (4) southwestern most municipalities that are currently located in the Primary and Secondary Growth areas for potential relocation to the Rural Preservation Area. These areas were determined based on the limited scope of utility services in the area, the character of the land and continuing to keep the growth focused within the municipalities or their respective ETJ as opposed to the more rural areas of the county.

County Manager Lucas noted that the Planning Board considered this amendment during their July 15th meeting. During the public hearing, the overwhelming majority of those who addressed the Board spoke in support of the amendment. The Planning Board approved the amendment by a 3 - 1 vote.

With no questions from the Board, Vice Chair Barbee opened the public hearing. The following individuals address the Board:

- Patty Blaney of 125 Running Creek Church Road, Locust, spoke in support of the amendment which will affect the areas surrounding her farm. She supports keeping the area rural in order to protect the farmland and feels that developments should be located near the municipalities where infrastructure is in place to serve them. Ms. Blaney also expressed concerns that if the growth taking place in the county is allowed to continue, the school system nor fire departments will have the capacity to serve them.
- Will Dewyea of Hilltop Road, Oakboro, spoke in support stating he was surprised that the southwestern areas of the county were not considered before during the Board's previous meeting but is glad to see them being added now. Although he understands that growth is necessary, he also feels it needs to be done the right way that will not overextend our public safety departments.

- Shane Almond of Vick Road, New London, noted his support of the amendment. He also thanked the Board for the impact they have across the county and that what they do makes a difference to all who want a more rural type of living.
- Luke Furr of 20852-B Old Mill Road, Albemarle, spoke in the support as well. He referred to Commissioner Asciutto's prior comments concerning how the Board continues to take our freedoms away. He noted that as he sees it, our property rights have already been taken away since the government requires landowners to pay property taxes and tells you what/how to build on your property now. He noted that as farmers, the government tells them what practices and methods to use in order to be eligible for crop insurance and also places restrictions on how pesticides and fertilizers are used. Restrictions are everywhere and in everything we do as Americans. He noted his support of the amendment which will place a restriction on development in the county in order to protect farmland and encourage residential development near municipalities.

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

By motion, Commissioner Efird moved to approve the map amendment which will continue to preserve land in Stanly County and also focus the growth to areas within the municipalities, seconded by Commissioner Crump. The motion passed by a 6 - 1 vote. (Commissioner Asciutto voting against.)

Following the vote, Commissioner Asciutto explained that he consistently votes against these amendments because he feels the Board can accomplish the same results in the growth areas by reducing the minimum lot size from 3 acres to 1.5 - 2 acres and expressed his hope that a future Board will consider making this change.

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| **RESULT:** | **APPROVED [6 TO 1]** |
| **MOVER:** | Scott Efird, Commissioner |
| **SECONDER:** | Patty Crump, Commissioner |
| **AYES:** | Lawhon, Barbee, Crump, Efird, Hatley, King |
| **NAYS:** | Asciutto |

**7. Library Public Art Painting**

Presenter: Commissioner Peter Asciutto

For Board consideration, Commissioner Asciutto shared a presentation on the proposed restoration of the George Bireline sculpture that is located at the Albemarle Library facility and the proposal to repaint the public art in FY 24-25. Following the presentation, Commissioner Asciutto responded to a brief period of questions concerning the sculpture's location, its potential interference with the installation of an exterior passenger elevator in the future and incidents involving people being injured on them in the past.

By motion, Commissioner Asciutto moved to approve the restoration of the sculpture to its original color and to add signage. The motion was seconded by Commissioner Hatley to allow for discussion.

Commissioner Asciutto responded to additional questions concerning the local Arts Council's plans to paint them previously, who obtained the quotes to paint the sculpture, the type of signage to be installed and where the $3,700 requested would come from. Commissioner Crump asked Library Director Sara Hahn to share her feelings on the project with her noting her support of it.

With no further discussion, Vice Chair Barbee called for the vote. The motion to allocate funds in the amount of $3,700 to paint the sculpture and add the signage as requested passed by unanimous vote.

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| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Peter Asciutto, Commissioner |
| **SECONDER:** | Trent Hatley, Commissioner |
| **AYES:** | Lawhon, Barbee, Asciutto, Crump, Efird, Hatley, King |

**8. West Stanly VFD Financing Acknowledgement**

Presenter: Andy Lucas, County Manager

West Stanly VFD is planning to finance improvements to their base 46 facility in Locust. The financing will be with HomeTrust Bank in Asheville, NC in the amount of $2,565,000 via a tax exempt loan with a fixed interest rate of 5.3% over a 15 year term. As information, West Stanly VFD's most recent balance sheet, a rendering of the facility addition/improvements and floor plan for the proposed addition and renovation were included in the Board's agenda packet. Following the presentation, County Manager Lucas entertained questions from the Board stating that two (2) members of the West Stanly Volunteer Fire Department staff were in attendance to respond to questions if needed.

By motion, Commissioern King moved to approve the acknowledgement letter from West Stanly VFDs proposed facility financing, seconded by Commissioner Efird and carried by a 7 - 0 vote.

**See Exhibit A**
**Acknowledgement Letter**

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| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Brandon King, Commissioner |
| **SECONDER:** | Scott Efird, Commissioner |
| **AYES:** | Lawhon, Barbee, Asciutto, Crump, Efird, Hatley, King |

**9. NCACC Legislative Goal Request Resolution**

Presenter: Andy Lucas, County Manager

With the upcoming NCACC Annual Legislative Goals Conference being held on November 14-15, 2024, counties must submit their legislative goals for consideration to the NCACC by no later than August 23, 2024. For Board consideration, County Manager Lucas presented a resolution seeking support for a legislative goal that would further restrict the voluntary municipal annexation process in North Carolina. This legislative change would seek to require a public hearing by counties and approval by a county before a municipality could proceed with a voluntary annexation. This would provide adjacent landowners and farming operations with a voice in the voluntary annexation process.

Commissioner Asciutto moved to approve the resolution as presented, seconded by Commissioner Hatley and carried by unanimous vote.

**See Exhibit B**
**Resolution Supporting the Request for a Legislative Goal Via the NC Association of County Commissioners (NCACC)**
**Legislative Goals Process**

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| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Peter Asciutto, Commissioner |
| **SECONDER:** | Trent Hatley, Commissioner |
| **AYES:** | Lawhon, Barbee, Asciutto, Crump, Efird, Hatley, King |

## 10. CONSENT AGENDA

Chair Lawhon moved to approve the consent agenda as presented, seconded by Commissioner Asciutto and carried by unanimous vote.

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| **RESULT:** | **APPROVED [6 TO 0]** |
| **MOVER:** | Bill Lawhon, Chairman |
| **SECONDER:** | Peter Asciutto, Commissioner |
| **AYES:** | Lawhon, Barbee, Asciutto, Efird, Hatley, King |
| **RECUSED:** | Crump |

**A. Minutes - July 8th work session & regular meeting**

**B. DSS - Budget Amendment # 2025-10: Adoption Promotion Funds**

**C. Sheriff's Office - Budget Amendment # 2025-11 : Donation Transfer**

**D. EMS - Budget Amendment 2025-12**

**E. Utilities - Budget Amendment # 2025- 08: Purchase of Vehicle & Equipment**

**F. Plat & Subdivision Review Officer Resolution**

**G. Facilities - Request to sell Surplus**

**H. Finance - Vehicle Tax Refunds for July 2024**

**BOARD COMMENTS, ANNOUNCEMENTS & COMMITTEE REPORTS**

Commissioner Asciutto expressed his appreciation of the Board's support in painting the George Bireline Art Project.

Vice Chair Barbee thanked the Board for their support in leading tonight's meeting in Chair Lawhon's absence.

**ADJOURN**

By motion, Commissioner Efird moved to adjourn the meeting, seconded by Chair Lawhon and passed by a 7 - 0 vote at 7:10 p.m.

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**W. D. Lawhon, Jr., Chair** **Tyler Brummitt, Clerk**