STANLY COUNTY
NORTH CAROLINA
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STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
MONDAY, FEBRUARY 20, 2023 – 6:00 PM

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

CALL TO ORDER & WELCOME

The Stanly County Board of Commissioners (the "Board") met in regular session on Monday, February 20, 2023 in the Gene McIntyre Meeting Room, Stanly Commons. Chair Efird called the meeting to order at 6:03 p.m. with Commissioner Lawhon giving the invocation and leading the pledge of allegiance.

APPROVAL / ADJUSTMENTS TO THE AGENDA

It was requested that item # 3 - Uncollectible Utilities Debts be pulled from the agenda. Commissioner Lawhon moved to approve the agenda as amended, seconded by Commissioner Hatley and passed by unanimous vote.

SCHEDULED AGENDA ITEMS

1. PUBLIC COMMENT

The following individuals addressed the Board:
- Renee VanHorn, Executive Director for the Stanly County Arts Council
- Kathy Almond, Treasurer for the Stanly County Arts Council
- Amy Phibbs of Albemarle, NC
- Kelly Hart of Midland, NC

2. Department Head Presentation - IT

Presenter: Chad Coble, Information Technology (IT) Director

IT Director Chad Coble provided an overview of the IT (Information Technology) Department's responsibilities which include ensuring all of the county's network of computers functions properly and connects well in order for employees to do their jobs. Additionally, the department oversees the implementation of cyber security protocols, updates antiquated technology across departments in addition to addressing technology issues that arise on a daily basis.

The presentation was for information only with no action being taken.

3. Uncollectble Utilities Debts

Presenter: Carol Almond, Central Permitting/Customer Service Supervisor

This item was pulled from the agenda.

RESULT:	**WITHDRAWN**

4. Consolidated Health & Human Services (CHHS) Board Appointment

Presenter: Dolly Clayton, Social Services Director

Following the resignation of Consumer member Stan Leggett, the Consolidated Health & Human Services Board reviewed the applications on file during their February 2, 2023 meeting. Kenneth Chambers was selected and recommended for appointment to serve the remainder of Mr. Leggett's term which ends March 3, 2026.

By motion, Commissioner Crump moved to appoint Mr. Chambers as requested adding that she had briefly met and talked with him during the CHHS meeting and feels he will be a good addition to the board. Commissioner Asciutto seconded the motion which carried by unanimous vote.

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

5. Budget Amendment for Engineering Service Agreement for West Stanly WWTP 2.5 MGD Expansion

Presenter: Duane Wingo, Utilities Director

Staff has received a USDA approved Engineering Services Agreement (ESA) for The Wooten Company to proceed with the design, permitting and construction observation of the West Stanly Wastewater Treatment Plant 2.5 MGD Expansion Project. Both the Preliminary Engineering Report (PER) and Environmental Impact Study have been completed as well. In order to remit future payments to The Wooten Company, staff recommended approval of two (2) budget amendments to assign the designated American Rescue Plan Act (ARPA) funds to the previously established 633 Capital Account for the expansion project. As part of the USDA Financial Application, $6.25 million of the project cost will be provided by the county from other funding sources to reduce the USDA loan package to $26,647,000.

The amount of funds to be transferred via budget amendments #2023-83 and #2023-84 for $3 million will cover the following costs:

- Wooten's ESA including construction observation:	$2,464,900
- Land purchase:	$ 406,000
- Additional land expenses (survey, appraisal & closing):	$ 30,000
- Additional expense per ADA Compliance Inspection & Endangered Sunflower Study:	$ 9,100
- 3% Contingency Funding:	$ 90,000
	$3,000,000

Director Wingo noted that the remaining ARPA funds designated for the project will be requested via a second budget amendment once the design is completed and a construction bid received for the project and awarded by the Board. Board approval of budget amendments # 2083-83 and # 2023-84 was requested as well as approval for the County Manager to execute the ESA submitted by The Wooten Company.

Following the presentation, Director Wingo responded to questions concerning the environmental study and specifics related to the ESA. When several Board members asking questions related to the funds included in the budget amendments for the land purchase, County Manager Lucas cautioned the Board against discussing this in open session due to ongoing negotiations. Instead he recommended the Board convene in closed session to discuss it in further detail if they so choose.

Closed Session - Real Property

Chair Efird called for a recess at 6:42 p.m. with the Board moving to the Joshua J. Morton, Jr. Conference Room to convene in closed session to discuss a real property transaction in accordance with G. S. 143-318.11(a)(5).

Return to Open Session

The Board returned to the Gene McIntyre Room at 7:01 p.m. with Chair Efird calling the egular meeting back to order.

By motion, Vice Chair Barbee moved to approve the ESA agreement and authorize County Manager Lucas to execute it, and approve the budget amendments # 2023-83 & #2023-84 subject to removing the $436,000 previously included for the land purchase and additional land expenses. The motion was seconded by Commissioner Asciutto and passed by unanimous vote.

See Exhibit A
Revised Budget Amendments # 2023-83 & # 2023-84
and the
Engineering Services Agreement between
Stanly County & L. E. Wooten Company dba The Wooten Company

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

6. Supplemental Agreement for Additional Funds from Opioid Settlement Resolution

Presenter: Andy Lucas, County Manager

With new settlements totaling $21 million having been reached with CVS, Walgreens, Walmart, Allergan and Teva as part of the national opioid settlement known as the "Wave Two Settlements, it is anticipated that the County will receive an additional $3.738 million over thirteen (13) years.

In order to receive these funds, Stanly County must sign onto each of the five (5) new national pharmacy settlements. Additionally, a supplement to the existing MOA with the NC Department of Justice that governs use of the opioid settlement funds at the local level must also be executed. This supplement is referred to as the "Supplement Agreement for Additional Funds from Additional Settlements of Opioid Litigation" or SAAF.

With a deadline to sign onto the Wave Two Settlements and SAAF by April 18, 2023, Board approval of a resolution authorizing the County Manager and County Attorney to execute the required documents was requested.

Following brief discussion, Commissioner King moved to approve the resolution as requested, seconded by Commissioner Hatley and passed with a 7 - 0 vote.

See Exhibit B
Resolution by the County of Stanly
Authorizing Execution of Opioid Settlements and Approving the
Supplemental Agreement for Additional Funds Between the State of North Carolina
and Local Governments on Proceeds Relating to the
Settlement of Opioid Litigation

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

7. CONSENT AGENDA

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

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

A. Minutes- February 3rd Annual Planning Retreat and February 6th work session & regular meeting

B. Finance - Monthly Financial Report for January 2023

C. EMS - Budget Amendment 2023-77

D. EMS - Budget Amendment 2023-80

E. Sheriff's Office - Budget Amendment # 2023-82

F. Health - Budget Amendment #2023-81

G. Health - Budget Amendment #2023-78

H. Cooperative Extension - Budget Amendments # 2023-65, # 2023-76 and # 2023-79

BOARD COMMENTS, ANNOUNCEMENTS & COMMITTEE REPORTS

Commissioner King expressed his appreciation of those in attendance and for the information presented at the meeting. He also noted that the GOP Lincoln Day Dinner was held the prior Saturday with a great turnout for the event.

Commissioner Asciutto acknowledged several local high school athletes for their recent accomplishments. He also thanked those who spoke regarding the Albemarle Library art stating that if a decision is made to ultimately keep the art, he would like to see new lighting and cameras added for security.

Commissioner Crump thanked Renee Vanhorn and Kathy Almond for their comments adding that she feels the options presented for the library art need to be considered prior to the county taking any further action. She also thanked Amy Phibbs for the information presented concerning the CDC's decision to add the Covid-19 vaccines to the schedule of routine vaccinations for children and expressed her support of House Bill 98 known as the Medical Freedom Act. She also noted her disappointment in learning that a majority of the House of Representatives voted in support of a Medicaid expansion bill and encouraged citizens to contact their local legislators while the bill is still in negotiations to make their voices heard.

Commissioner Lawhon provided the January 2023 operations statistics for the Stanly County Airport. He also noted a local company has plans to construct a commercial hangar at the airport for company use.

Vice Chair Barbee thanked the Arts Council, Amy Phibbs and Kelly Hart for the information they provided.

Chair Efird stated the Board's regular next meeting will be on Monday, March 6th at 6:00 p.m.

ADJOURN

Commissioner Lawhon moved to adjourn the meeting, seconded by Commissioner Asciutto and passed by a 7 - 0 vote at 7:17 p.m.

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T. Scott Efird, Chair **Tyler Brummitt, Clerk**