

Bill Lawhon
Chairman

Mike Barbee
Commissioner

Tommy Jordan
Vice Chairman

Lane Furr
Commissioner



Peter Asciutto
Commissioner

Scott Efird
Commissioner

Zach Almond
Commissioner

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
MONDAY, MAY 17, 2021 – 6:00 PM**

Attendee Name	Title	Status	Arrived
Bill Lawhon	Chairman	Present	
Mike Barbee	Commissioner	Present	
Tommy Jordan	Vice Chairman	Present	
Lane Furr	Commissioner	Present	
Peter Asciutto	Commissioner	Present	
Scott Efird	Commissioner	Present	
Zach Almond	Commissioner	Present	
Andy Lucas	County Manager	Present	
Tyler Brummitt	Clerk	Absent	
Jenny Furr	Attorney	Present	

CALL TO ORDER & WELCOME

The Stanly County Board of Commissioners (the "Board") met in regular session on Monday, May 17, 2021 in the Gene McIntyre Meeting Room, Stanly Commons. Chair Lawhon called the meeting to order at 6:00 p.m. with Commissioner Furr giving the invocation and leading the pledge of allegiance.

APPROVAL / ADJUSTMENTS TO THE AGENDA

Vice Chair Jordan moved to approve the amended agenda to include a COVID-19 Update as item # 8 with the consent agenda being moved to # 9, and a Resolution Adopting a Policy for Mutual Aid Assistance with Other Law Enforcement Agencies for the Sheriff's Office as item # 9 (M) on the consent agenda. Commissioner Furr seconded the motion which passed by unanimous vote.

SCHEDULED AGENDA ITEMS

1. PUBLIC COMMENT

None.

2. Retirement Award Presentations

Presenter: Chair Lawhon & County Commissioners

The Board took a moment to recognize Becky Weemhoff for her years of service as Senior Services Director.

3. Public Hearing - Economic Development Incentive Grant

Presenter: Candice Lowder, EDC Director

The County proposed an incentive agreement for a five (5) year, 50% grant between the County of Stanly and a real estate developer planning a \$973,000 commercial redevelopment project within the corporate limits of Albemarle. The grant will aid and encourage new taxable investment in the County and lead to the creation of approximately sixteen (16) new jobs. The request was for the Board to conduct the required public hearing followed by approval of the agreement.

With no questions from the Board, Chair Lawhon declared the public hearing open. With no one coming forward to speak for or against, the hearing was closed.

Commissioner Efird moved to approve the incentive agreement as presented, seconded by Commissioner Furr and carried by a 7 - 0 vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Scott Efird, Commissioner
SECONDER:	Lane Furr, Commissioner
AYES:	Lawhon, Barbee, Jordan, Furr, Ascitutto, Efird, Almond

4. Centralina Workforce Development Board (CWDB) Appointments

Presenter: Candice Lowder, EDC Director

Two (2) of the three (3) County representatives on the Centralina Workforce Development Board have terms expiring June 30, 2021. They are Mandy Mills (Education) and Candice Lowder (Economic Development), both of whom are eligible for reappointment. Board action was requested to reappoint each to a two (2) year term effective July 1, 2021 - June 30, 2023.

By motion, Vice Chair Jordan moved to reappoint Mandy Mills and Candice Lowder as requested, seconded by Commissioner Furr and passed by unanimous vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tommy Jordan, Vice Chairman
SECONDER:	Lane Furr, Commissioner
AYES:	Lawhon, Barbee, Jordan, Furr, Ascitutto, Efird, Almond

5. ZA 21-05 Cellco Partnership with Verizon Wireless request Telecommunications Tower Overlay District

Presenter: Bob Remsburg, Planning Director

Planning Director Remsburg summarized Cellco Partnership's earlier request to assign a Telecommunications Overlay District to a 10,000 square foot portion of a 20.96 acre parcel owned by Charlie Hinson, Jr. located on McLester Road (Tax Record 11449) in order to place a

May 17, 2021

195' tall mono pole tower on the property. Cellco has submitted the necessary paperwork in order to meet the requirements of the overlay district including the fall zone and setback dimensions. A vegetative buffer is required where existing vegetation is not sufficient and access to the site will be off of McLester Road. The proposed tower will not generate significant, additional traffic on the road. According to Verizon, the nearest towers are far enough away to justify placement of an additional tower as noted on the coverage maps.

Previously, the Planning Board considered the request and recommended denial at their March 9, 2021 meeting by a 4 - 3 vote due to lack of evidence demonstrating the need for a tower in the area. The Board of Commissioners considered the matter at their April 19, 2021 meeting and remanded it back to the Planning Board for reconsideration due to new information submitted by Verizon and those in opposition to the tower. The Planning Board reviewed this information at their May 10, 2021 and again denied the rezoning request based on section 614.4 of the county zoning ordinance stating the proposed cell tower could be located outside of the developed residential area where the current site is proposed. Also noted was the tower's intrusive visual impact on adjacent property owners and residents.

With the public hearing continued from the Board's April 19, 2021 meeting, Chair Lawhon called on the following individuals who signed up to speak:

- Susan Feis, resident of Liberty Hill Church Road, spoke against
- Patricia Hinson, wife of petitioner Charlie Hinson, Jr., spoke in favor of the request
- Andy Hinson, resident of Liberty Hill Church Road, spoke against
- Buddy Feis, resident of Liberty Hill Church Road, spoke against
- Mason Hinson, resident of Liberty Hill Church Road, spoke against
- Shirley Dry, resident of McLester Road, spoke against
- Victoria Farmer, spoke in favor of the request on behalf of Verizon
- Michael Berkowitz, a certified NC general appraiser, spoke in favor of the request
- John Yeagley, owner of Chase Real Estate Services, spoke in favor of the overlay district
- Attorney John Webster, spoke in favor of the request
- Attorney Chris Duggan, representing property owners in the area of the proposed cell tower site, spoke against the request
- David Wallace, resident of McLester Road, spoke against
- Derek Cullingford of McLester Road was opposed to the request

Victoria Farmer and John Yeagley responded to Board questions concerning Verizon's process in locating potential cell tower sites, issues with data latency, enhancing existing coverage and increasing capacity for 5G LTE in the future.

With no further comments or questions the public hearing was closed. Chair Lawhon called for a short recess at 7:22 p.m. with the meeting being reconvened at 7:30 p.m.

RECUSAL OF COMMISSIONER ALMOND

Vice Chair Jordan moved to recuse Commissioner Almond from the vote, seconded by Commissioner Barbee. The motion passed by a 5 - 1 vote (Commissioner Ascittto voted against.)

By motion, Commissioner Barbee moved to deny the application of a Telecommunications Tower Overlay District, request number ZA 21-05 - Cellco Partnership, for a 10,000 square foot portion of a 20.96 acre parcel owned by Charlie Hinson, Jr. on McLester Road. The reasons for the denial are aesthetics and location concerns. The tower can be placed in another location to protect the scenic view and produce a more harmonious situation. The applicant has not sufficiently identified or evaluated less intrusive alternatives including consideration of less sensitive sites, alternative designs and technical alternatives. The motion was seconded by Commissioner Furr.

Prior to vote, Commissioner Asciutto stated that this is the first time he will vote against an advisory board's recommendation and expressed his support of the overlay district due to the cell tower being beneficial for all citizens in the county. Commissioner Furr stated that he would like to see more coverage in the "dead areas" of the county and therefore cannot support the request as presented. Vice Chair Jordan agreed with Commissioner Asciutto's comments adding that many agencies now use data for more than just cell phones, and in order for the county to move forward and remain relevant we must provide them with the services they need.

With a first and second motion made to deny ZA 21-05, Chair Lawhon called for a vote. The motion failed with a 3 - 3 vote.

Deny: Chair Lawhon, Commissioner Barbee and Commissioner Furr

Approve: Vice Chair Jordan, Commissioner Asciutto and Commissioner Efird

(Commissioner Almond was recused from the vote.)

By motion, Commissioner Asciutto moved to approve the application of a Telecommunications Overlay District, request number ZA 21-05 - Cellco Partnership, for a 10,000 square foot portion of a 20.96 acre parcel owned by Charlie Hinson, Jr. on McLester Road. This location is set back from the road as suggested by the Stanly County Land Use Plan and meets the requirements of the Stanly County Zoning Ordinance. Vice Chair Jordan seconded the motion.

Prior to the vote, Commissioner Asciutto shared a map which included the proposed overlay district's distance to the nearest homes compared to others previously approved by the Board that were much closer. He provided this information to allay any concerns the Board may have of setting a precedent when approving such districts in close proximity to residential housing.

Chair Lawhon called for a vote on the motion to approve ZA 21-05. The motion failed by a 3 - 3 vote.

Approve: Vice Chair Jordan, Commissioner Asciutto and Commissioner Efird

Deny: Chair Lawhon, Commissioner Barbee and Commissioner Furr

(Commissioner Almond recused from the vote.)

Chair Lawhon stated the motion failed.

RESULT:	DEFEATED [3 TO 3]
MOVER:	Mike Barbee, Commissioner
SECONDER:	Lane Furr, Commissioner
AYES:	Lawhon, Barbee, Furr
NAYS:	Jordan, Ascitto, Efird
RECUSED:	Almond

6. FY 21-22 Dependent Care Health & Dental Premium Rate Approval

Presenter: Andy Lucas, County Manager

For Board consideration, County Manager Lucas presented the recommended bi-weekly rates for health & dental dependent coverage for FY 2021-2022:

Bi-Weekly Health Insurance Rates

Employee/Child/Children = \$212.00
 Employee/Spouse = \$317.00
 Family = \$540.00

Bi-Weekly Dental Insurance Rates

Employee/Child/Children = \$20.97
 Employee/Spouse = \$14.43
 Family = \$35.31

Following a brief period of questions, Commissioner Efird moved to approve all rates as presented, seconded by Commissioner Furr and carried by 7 - 0 vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Scott Efird, Commissioner
SECONDER:	Lane Furr, Commissioner
AYES:	Lawhon, Barbee, Jordan, Furr, Ascitto, Efird, Almond

7. FY 2021-2022 Recommended Budget Presentation

Presenter: Andy Lucas, County Manager

Following introductory comments, County Manager Lucas provided highlights of the FY 2021-2022 Recommended Budget. Below are a few of the specific items noted during the presentation:

- No property tax rate increase is recommended but instead reduced to a revenue neutral rate of \$0.6111 per \$100 of property valuation (a decrease of \$0.589 cents).
- Stanly County Schools - A 4% increase in current expense and other operational funding of \$477,470 with projected per pupil increase from \$1,488 to \$1,571. The budget also provides close to \$3.5 million for capital outlay and technology.
- Stanly Community College - \$500,000 for trades facility design as well as an increase of \$40,500 for current expenses for a 3.1% increase in overall funding.
- Public Safety - Update all public safety radios, ambulance replacement, continued vehicle

May 17, 2021

replacement for the Sheriff's Office, taser replacement, new camera systems for courthouse and jail, 911 technology investments, increased funding for volunteer fire departments.

- Human Capital Management - A 3.5% COLA for employees effective July 1, 2021 with merit funding also recommended for mid-year.

A public hearing for the recommended budget is set for the Board's regular meeting on June 7, 2021. The presentation was for information only with no action required.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tommy Jordan, Vice Chairman
SECONDER:	Lane Furr, Commissioner
AYES:	Lawhon, Barbee, Jordan, Furr, Ascitutto, Efird, Almond

8. COVID-19 UPDATE

County Manager Lucas gave an update on the COVID-19 pandemic including the number of daily new positive cases, hospitalizations, deaths and positivity rate for the week of 5/2 - 5/8/2021. In addition to the vaccination clinic at The Commons, the health department also continues to work with their community partners and local businesses to coordinate on-site vaccination clinics for employees, and to establish a program with the public school system to make it convenient for students to receive their vaccinations as well. He outlined details of the governor's most recent executive order, which lifts all capacity and gathering limits, social distancing requirements, and mask mandates for most indoor and outdoor settings except for public transportation, childcare, schools, prisons and certain public health settings.

Following the presentation, County Manager Lucas responded to Board questions with no additional action taken.

9. CONSENT AGENDA

By motion, Commissioner Barbee moved to approve the consent agenda as amended, seconded by Vice Chair Jordan and carried by a 7 - 0 vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mike Barbee, Commissioner
SECONDER:	Tommy Jordan, Vice Chairman
AYES:	Lawhon, Barbee, Jordan, Furr, Ascitutto, Efird, Almond

A. Minutes- Regular meeting of April 19th & recessed meeting of April 20th.

B. Finance - Monthly Financial Report for March 2021

C. Health Dept. - Budget Amendment #2021-76 for WIC

D. Health Dept. - Budget Amendment #2021-88 for CureMD

E. Sheriff's Office - Budget amendment # 2021-89

F. Oakboro 4th of July Fireworks Approval

G. Utilities - Liberty Hill Water Booster Pump Station Replacement

H. Airport - Budget amendment # 2021-93 for Bush Hog Sale

I. Utilities - Budget Amendment # 2021- 90 to Tranfer Miscellaeous Revenues to 641 Expense Accounts

J. Finance - Vehicle tax refunds

K. 1993 : DSS Budget Amendment - Energy One Time Supplement for Low Income Energy Assistance Program

L. 1994 : DSS Cares Act Budget Amendment

M. SHERIFF'S OFFICE - MUTUAL AID ASSISTANCE RESOLUTION - SEE EXHIBIT A

BOARD COMMENTS, ANNOUNCEMENTS & COMMITTEE REPORTS

Commissioner Barbee congratulated the girls softball teams at West Stanly and South Stanly high schools for their recent accomplishments at the state play offs.

Commissioner Efird expressed his condolences to board clerk, Tyler Brummitt on the recent loss of her father and the family of Donny "Paw Paw" Cook on his recent passing.

Commissioner Asciutto congratulated the softball teams as well. He also noted the City of Albemarle's recent receipt of the COVID-19 Resiliency Award for creating the Remote Learning Center at E.E. Waddell Community Center for school age children.

Vice Chair Jordan commended all those who attended the meeting to stand up for what they believe in concerning the telecommunications overlay district noting the amount of time and effort it took to gather all the information presented.

Commissioner Almond reminded everyone of the library book sale scheduled for the following week and noted that he and Vice Chair Jordan will be part of a Broadband meeting on Tuesday.

Chair Lawhon congratulated the WSHS and SSHS softball teams on their recent wins and expressed his condolences to Tyler Brummitt and family as well.

ADJOURN

By motion, Commissioner Efird moved to adjourn the meeting, seconded by Vice Chair Jordan and passed by unanimous vote at 8:22 p.m.

W. D. Lawhon, Jr., Chair

Tyler Brummitt, Clerk