

Tommy Jordan
Chairman

Zach Almond
Vice Chairman

Peter Asciutto
Commissioner

Mike Barbee
Commissioner



Scott Efird
Commissioner

Lane Furr
Commissioner

Bill Lawhon
Commissioner

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
MONDAY, JULY 11, 2022 – 6:00 PM**

Attendee Name	Title	Status	Arrived
Tommy Jordan	Chairman	Absent	
Zach Almond	Vice Chairman	Remote	
Peter Asciutto	Commissioner	Present	
Mike Barbee	Commissioner	Present	
Scott Efird	Commissioner	Present	
Lane Furr	Commissioner	Present	
Bill Lawhon	Commissioner	Present	

CALL TO ORDER & WELCOME

With Chair Jordan being absent and Vice Chair Almond participating remotely, County Manager Lucas called the meeting to order and opened the floor for nominations for a temporary Chairman. Commissioner Lawhon nominated Commissioner Efird. With no other nominations presented, County Manager Lucas closed the nominations. Commissioner Efird was elected Chairman by unanimous vote. Commissioner Furr then gave the invocation and led the pledge of allegiance.

APPROVAL / ADJUSTMENTS TO THE AGENDA

Chair Efird requested item # 6 - Stanly County Industrial Pretreatment Sewer Use Ordinance & Fee Schedule Adoption, be pulled from the agenda, and requested the General Health FY 2022-23 Fee Schedule Amendment Request be added to the consent agenda as item # 11(G). Commissioner Furr moved to approve the agenda as amended, seconded by Commissioner Barbee and carried by a 6 - 0 vote.

SCHEDULED AGENDA ITEMS

1. PUBLIC COMMENT

The following individual came forward:
- Mr. Harold Schmoecker of Waxhaw, NC

2. Presentation on the Highway 73 & Millingport Road Intersection

Presenter: Sean Epperson, NCDOT Division Project Development Engineer

Mr. Epperson gave a brief presentation on the proposed roundabout at the intersection of Highway 73 and Millingport Road where an all-way stop was recently installed. With the intersection having the highest crash rates in the county, NCDOT installed the all-way as a means to address these crashes since it could be done quickly and inexpensively. NCDOT is now considering a roundabout due to NC 73 Highway being a primary route with a large amount of truck traffic. Overall cost to construct the roundabout is approximately \$3 million which can potentially be funded by high impact, low cost funds.

Following the presentation, Mr. Epperson responded to questions concerning the affect a roundabout will have on the convenience store and patrons access to it, the possibility of installing rumble strips on the roads, the number of accidents since the installation of the all-way stop and the source of funding for the proposed project.

It was requested the Board adopt a resolution of support to aid NCDOT in securing funds for the project in the amount of \$1.3 million annually over the next three (3) years to complete the project. Following discussion, Board consensus was to add the resolution to the Board's August 8th meeting agenda for consideration.

3. Department Head Presentation - 911

Presenter: Kyle Griffin, 911 Director

E-911 Director Kyle Griffin presented an overview of the Communications/E911 department which serves as the emergency communications and dispatch agency for law enforcement, fire, EMS, animal protective services and social services agencies in the county, with the overall objective being to improve public safety by facilitating the prompt deployment of these agencies. The presentation included a brief history of 911 and highlighted the job responsibilities of a Telecommunicator, types of calls processed and the amount of required training for the position. Additionally, E-911 oversees the road naming and address requests for the majority of the county. Following the presentation, Director Griffin responded to questions from the Board.

The presentation was for information only with no action taken.

4. Centralina Workforce Development Board (CWDB) Nomination for Appointment

Presenter: Candice Lowder, EDC Director

Centralina Workforce Development Board (CWDB) currently has a vacancy for a Private-Sector representative from Stanly County due to Kristy Huneycutt's recent resignation. Brett Barbee with Charlotte Pipe & Foundry was recommended to serve the remainder of Mrs. Huneycutt's term ending June 30, 2023.

By motion, Commissioner Ascitto moved to appoint Mr. Barbee as requested, seconded by Commissioner Barbee and carried by unanimous vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Peter Asciutto, Commissioner
SECONDER:	Mike Barbee, Commissioner
AYES:	Almond, Asciutto, Barbee, Efird, Furr, Lawhon
ABSENT:	Jordan

5. Public Meeting and Resolution for USDA Loan Application for West Stanly 2.5 MGD Expansion Project

Presenter: Duane Wingo, Utilities Director

Stanly County is in the process of completing a USDA loan application for the West Stanly WWTP expansion project. As part of the process, the USDA requires a public hearing to be held to allow for public comment on the application. The notice of the public hearing was published in the Stanly News & Press on June 26, 2022 with the hearing scheduled for the Board's July 11, 2022 meeting. In addition to the public hearing, Board approval of a resolution authorizing staff to moved forward with loan application was presented.

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

By motion, Commissioner Asciutto moved to adopt the resolution as presented, seconded by Commissioner Lawhon and passed by unanimous vote.

See Exhibit A Resolution By Stanly County Board of Commissioners

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Peter Asciutto, Commissioner
SECONDER:	Bill Lawhon, Commissioner
AYES:	Almond, Asciutto, Barbee, Efird, Furr, Lawhon
ABSENT:	Jordan

6. Stanly County Industrial Pretreatment Sewer Use Ordinance and Fee Schedule Adoption

Presenter: Duane Wingo, Utilities Director

This item was tabled until the August 8th meeting.

RESULT:	TABLED [UNANIMOUS]	Next: 8/8/2022 6:00 PM
MOVER:	Lane Furr, Commissioner	
SECONDER:	Mike Barbee, Commissioner	
AYES:	Almond, Asciutto, Barbee, Efird, Furr, Lawhon	
ABSENT:	Jordan	

7. ZA22-10 Terry and James Peck - Rezoning 28252 NC24/27 Albemarle

Presenter: Andy Lucas, County Manager

At the Board's regular meeting on May 16, 2022, Ms. Terry Peck requested the rezoning of a 15,088 square foot area of a 6.15 acre parcel located at 28252 Hwy 24/27, Albemarle from RA (Residential Agricultural) to R20 (Residential). Mr. and Mrs. Peck currently use the home as a rental property with a tenant that has lived there for several years. The purpose of the rezoning is to allow the Pecks to subdivide the parcel and get close to the minimum allowed lot size for the R20 zoning district and utilize the remaining acreage as County RA (Residential Agricultural). Section 701 of the Stanly County Zoning Ordinance allows for lots zoned as County R20 to be a minimum of 15,000 square feet when water or sewer are available, which applies to this property. There are no plans to further subdivide the property or add to the current home, and the proposed lot lines will allow the existing structure to meet the setbacks required for R20 zoning. There is a mobile home at the rear of the 6.15 acre parcel which will not be included in the newly zoned portion.

During the meeting, Board members expressed concerns with reducing the lot size to 15,000 square feet since that would not allow enough space for a septic system repair field. Discussion continued with questions concerning the age of the septic system and the options of either extending the survey line on the adjoining parcel to include a minimum of 20,000 square feet or having a deeded easement prepared, both of which would allow the space needed for the repair field.

The Board tabled the item until additional information could be obtained from the surveyor, Dent Turner, before making a decision. The Pecks have since had the survey updated to include the additional space for a total of 20,368 square feet and submitted it for Board review.

Following a review of the survey, Commissioner Asciutto moved to approve the rezoning request at 28252 NC 24/27 Highway, Albemarle from RA to R20 due to the property being located in a growth area, is served by public water and is consistent with the land-use plan. The motion was seconded by Commissioner Lawhon and carried by 7 - 0 vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Peter Asciutto, Commissioner
SECONDER:	Bill Lawhon, Commissioner
AYES:	Almond, Asciutto, Barbee, Efird, Furr, Lawhon
ABSENT:	Jordan

8. ZA22-11 Daryll Thomas, Sherwood Forest rezoning RA to R20

Presenter: Andy Lucas, County Manager

At the June 6, 2022 meeting, Mr. Thomas requested the rezoning of the Sherwood Forest subdivision owned by Uwharrie Harristown Land Trust from RA (Residential Agricultural) to R20 (Residential). This subdivision was platted and filed in 1988 and consisted of 37 lots with four (4) contiguous lots containing 2.91 acres that were conveyed to the Moses family previously and are not part of this request. When this parcel was originally approved as a major subdivision in 1988, the zoning ordinance allowed the lot sizes in the RA district to be as small as 15,000 square feet if public water and sewer were available. All lots platted in Sherwood

Forest exceed 20,000 square feet. When the zoning ordinance was updated approximately 20 years ago, the minimum lot size for a RA district in a watershed was increased to 40,000 square feet which now makes the platted lots nonconforming. Section 703 of the County Zoning Ordinance requires that vacant lots be recombined to meet the current zoning ordinance minimum lot size requirements which would require a new subdivision design and new plat to be filed unless the property is rezoned to R20 with no manufactured homes allowed.

The Watershed Ordinance requires that single-family residential areas not exceed two (2) homes per acre density averaged over the project. The current Sherwood Forest subdivision plat meets the Watershed Ordinance requirements with an average of 0.64 acres per lot or 0.54 acres per lot if the right-of-way areas are deducted. If rezoned to R20, the subdivision will be in compliance with the Watershed, Subdivision and Zoning Ordinances.

Mr. Thomas has indicated that he will likely sell the property to a developer who would be required to have roads and utilities fully engineered to meet current standards.

At the previous meeting, Board members expressed concerns with the development's close proximity to the airport and the noise associated with the aircraft and whether or not public utilities are available to serve the property. The Board tabled a decision until Stanly County Utilities could determine this.

Utilities Director Duane Wingo has since provided a letter stating both are available once the owner/developer constructs the line to tap on.

Discussion continued with questions as to whether or not the owner/developer can be required to hook-up to the public utilities and the distance from the development to the utility lines.

Following discussion, Commissioner Asciutto moved to approve the rezoning of the 33 parcels off Martin Road, New London from RA to R20. The project eliminates a non-conforming lot situation and allows the development of housing on existing parcels in a growth area with public water and sewer available. The motion failed for lack of a second.

Commissioner Furr then moved to deny the request to rezone 33 parcels off Martin Road, New London from RA to R20 adding that the project should be required to combine the lots to meet the current RA zoning district requirement for 40,000 square foot lots in a watershed area. The motion was seconded by Vice Chair Almond. Prior to the vote, Mr. Thomas addressed the Board in favor of the request.

Commissioner Efird called for the vote. The motion to deny was approved by a 5 - 1 vote. (Commissioner Asciutto voting against.)

RESULT:	DEFEATED [1 TO 5]
MOVER:	Lane Furr, Commissioner
SECONDER:	Zach Almond, Vice Chairman
AYES:	Asciutto
NAYS:	Almond, Barbee, Efird, Furr, Lawhon
ABSENT:	Jordan

9. USDA Interpretation Resolution

Presenter: Commissioner Bill Lawhon

The USDA recently announced that it will interpret the prohibition of discrimination based on gender in Title IX to include discrimination based on sexual orientation and gender identity. Per

July 11, 2022

the USDA, this interpretation will impact funding associated with the food & nutrition program for elementary and secondary education students if local school systems do not comply with the new ruling/interpretation.

A resolution in opposition to this recent interpretation was provided for Board consideration due to the USDA not providing adequate protection for the First Amendment rights of students and school staff. Students and staff may have to violate their religious beliefs to comply with this new ruling.

Following a brief period of comments, Commissioner Lawhon moved to approve the resolution, seconded by Commissioner Barbee and passed by a 5 - 1 vote. (Commissioner Asciutto voting against.)

See Exhibit B
Resolution of Stanly County Board of Commissioners Regarding The US Department of
Agriculture (USDA)
Interpretation of Discrimination Based on Sexual Orientation and the Impact to Funding
Associated with the
Supplemental Nutrition Assistance (SNAP) Program

RESULT:	APPROVED [5 TO 1]
MOVER:	Bill Lawhon, Commissioner
SECONDER:	Mike Barbee, Commissioner
AYES:	Almond, Barbee, Efird, Furr, Lawhon
NAYS:	Asciutto
ABSENT:	Jordan

10. NCACC Annual Conference & Legislative Goals Conference Delegates

Presenter: Andy Lucas, County Manager

The NCACC requested that each county designate one (1) voting delegate to represent their county at the upcoming NCACC Annual Conference Business Session on Saturday, August 13th in Cabarrus County and the Legislative Goals Conference in Wake County on November 16-17, 2022.

Following brief discussion, Commissioner Lawhon moved that Commissioner Mike Barbee attend the NCACC Annual Conference Business Session, and Vice Chair Almond attend the Legislative Goals Conference. The motion was seconded by Commissioner Barbee and passed by unanimous vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Lawhon, Commissioner
SECONDER:	Mike Barbee, Commissioner
AYES:	Almond, Asciutto, Barbee, Efird, Furr, Lawhon
ABSENT:	Jordan

11. Convention & Visitors Bureau Board Delegate Appointment

Presenter: Andy Lucas, County Manager

Due to a current vacancy on the CVB board for a county representative, it was requested that Agri-Civic Center Director Amanda Griffey be appointed to fill this seat. County Manager Lucas stated that in the past, this seat has been filled by the person serving as the Agri-Civic Center Director. Ms. Griffey was contacted and has agreed to serve if appointed.

Following brief discussion, Commissioner Asciutto moved to appoint Ms. Griffey as requested, seconded by Commissioner Furr and passed by a 6 - 0 vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Peter Asciutto, Commissioner
SECONDER:	Lane Furr, Commissioner
AYES:	Almond, Asciutto, Barbee, Efird, Furr, Lawhon
ABSENT:	Jordan

12. CONSENT AGENDA

By motion, Commissioner Asciutto moved to approve the consent agenda as presented, seconded by Commissioner Lawhon and passed by a 6 - 0 vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Peter Asciutto, Commissioner
SECONDER:	Bill Lawhon, Commissioner
AYES:	Almond, Asciutto, Barbee, Efird, Furr, Lawhon
ABSENT:	Jordan

A. Minutes

B. Finance - Monthly Financial Report Ending May 2022

C. Resolution of Support to Ratify Centralina Regional Council's Amended Charter

D. Finance - Vehicle tax refunds for June 2022

E. Facilities - Request to sell surplus on Gov Deals

F. Planning - Interlocal Agreement for the Town of Norwood

Presenter: Bailey Emrich

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Peter Asciutto, Commissioner
SECONDER:	Bill Lawhon, Commissioner
AYES:	Almond, Asciutto, Barbee, Efird, Furr, Lawhon
ABSENT:	Jordan

BOARD COMMENTS, ANNOUNCEMENTS & COMMITTEE REPORTS

Commissioner Asciutto stated that while recently visiting the Charlotte Farmer's Market recently, two (2) local Stanly County farms there, Windy Hill Farms and Celtic Frost Herbs. Also while traveling in Middleton, Virginia, he noticed several new housing developments that were under construction in the area and how they are facing the same issues as Stanly County when it comes to balancing growth and land preservation.

Commissioner Barbee noted the ground breaking ceremony for American Racing Headers on Tuesday, July 12th at the Riverstone Industrial Park in Stanfield. Commissioner Lawhon added that it was three (3) years ago that the county first met with company representatives to discuss their potential relocation to Stanly County and is thankful to have them here.

Commissioner Efird noted that the Dixie Youth Baseball League's state tournament was recently held in Locust and its positive economic impact for the county.

ADJOURN

With no further discussion, Commissioner Barbee moved to adjourn the meeting, seconded by Commissioner Furr and carried by unanimous vote at 7:36 p.m.

Thomas S. Jordan, III, Chair

Tyler Brummitt, Clerk