

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, JULY 19, 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	Present	
Jenny Furr	Attorney	Present	

CALL TO ORDER & WELCOME

The Stanly County Board of Commissioners (the "Board") met in regular session on Monday, July 19, 2021 in the Gene McIntyre Meeting Room, Stanly Commons. Chair Lawhon called the meeting to order at 6:00 p.m. with Commissioner Almond giving an invocation and leading the pledge of allegiance.

APPROVAL / ADJUSTMENTS TO THE AGENDA

With no changes requested to the agenda, Commissioner Efird moved to approve it as presented, seconded by Commissioner Almond and passed by unanimous vote.

SCHEDULED AGENDA ITEMS

1. PUBLIC COMMENT

None.

2. Airport Authority Board Member Actions

Presenter: Ken Swaringen, Airport Director

July 19, 2021

Due to Walter Scott Booth's resignation from the Airport Authority effective July 31, 2021, it was requested the Board appoint a replacement to serve the remainder of his term until March 31, 2023.

Chair Lawhon opened the floor for nominations. Commissioner Furr nominated Brad Holbrooks followed by Commissioner Barbee nominating Art Whittaker. With no additional names presented, nominations were closed.

Chair Lawhon called for the vote in support of nominee Brad Holbrooks.

Ayes: Chair Lawhon, Vice Chair Jordan, Commissioner Almond, Commissioner Asciutto, Commissioner Efird, Commissioner Furr

No: Commissioner Barbee

Brad Holbrooks was declared the new Airport Authority member effective August 1, 2021.

RESULT:	APPROVED [6 TO 1]
MOVER:	Lane Furr, Commissioner
SECONDER:	Peter Asciutto, Commissioner
AYES:	Lawhon, Jordan, Furr, Asciutto, Efird, Almond
NAYS:	Barbee

3. EDC Board Appointments

Presenter: Candice Lowder, EDC Director

Five (5) current EDC board members terms will expire August 12, 2021. They are Randy Parker (District 1), Steve Bradley (District 2), Wes Morgan (District 3), Greg Underwood (District 4) and William Huneycutt (District 5). It was requested the Board appoint five (5) members, one for each district, with new terms expiring May 31, 2023.

District 1: Vice Chair Jordan nominated Phillip Austin. With no other nominations, Mr. Austin was appointed by unanimous vote.

District 2: Commissioner Efird nominated Steve Bradley. With no other nominations, Mr. Bradley was appointed by unanimous vote.

District 3: Commissioner Efird nominated Wes Morgan. With no other nominations, Mr. Morgan was appointed by unanimous vote.

District 4: Commissioner Almond nominated Greg Underwood. With no other nominations, Mr. Underwood was appointed by a 5 - 2 vote.

Ayes: Chair Lawhon, Commissioner Almond, Commissioner Asciutto, Commissioner Barbee, Commissioner Furr

Nos: Vice Chair Jordan, Commissioner Efird

District 5: Commissioner Almond nominated Will Huneycutt. With no other nominations, Mr. Huneycutt was appointed by unanimous vote.

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

4. Centralina Workforce Development Board

Presenter: Candice Lowder, EDC Director

Kristy Huneycutt, HR Manager for Preformed Line Products, was nominated to fill the vacant private sector seat for Stanly County on the Centralina Workforce Development Board (CWDB). Board action was requested to appoint her to this position for a 2-year term expiring June 30, 2023.

With no questions from the Board, Commissioner Almond moved to approve Ms. Huneycutt's appointment, seconded by Commissioner Furr and passed by a 7 - 0 vote.

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

5. Board of Adjustment Appointments - July 2021

Presenter: Bailey Emrich, Planner 1

Three (3) of the current Board of Adjustment members terms expired June 30, 2021. The members are Brenda Farmer, Cynthia Fish and David Dulin. Both Brenda Farmer and Cynthia Fish have indicated their willingness to serve again if reappointed. Mr. Dulin did not seek reappointment. It was requested the Board take action to appoint three (3) members to the Board with each serving a 3-year term ending June 30, 2024.

Commissioner Ascitutto nominated Cynthia Fish. With no other nominations, Ms. Fish was appointed by unanimous vote.

Commissioner Efird nominated Brenda Farmer. With no other nominations, Ms. Farmer was appointed by unanimous vote.

Commissioner Ascitutto nominated Rick Johnson. With no other nominations, Mr. Johnson was appointed by unanimous vote.

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

6. ZA21-04 Airport Overlay District revisions

Presenter: Bob Remsburg, Planning Director

July 19, 2021

The Stanly County Airport Authority requested the text of the Airport Overlay District section in the Stanly County Zoning Ordinance be updated. This update effects Section 613 of the ordinance which would be replaced with the new language based on a recently adopted overlay district for the Chester/Catawba Airport in South Carolina and was suggested by the consultant advising the Airport Authority. The most significant change is having the Board of Adjustment serve in this capacity for the Airport Overlay District instead of the Airport Authority.

In conjunction with the text change, it was also noted that a map change is needed. Upon review of the information, it was found that the map of the Airport Overlay District was never updated following expansion of the airport runway in 1992. The increase in the overlay district affects 171 different property owners who were notified by mail of the Planning Board and Commissioners meetings to address any questions or concerns. The primary effect on the new parcels is height limits for trees, towers, and other tall structures more than 150 feet tall. Adoption of both the text and map amendments are a requirement by the FAA to allow the airport to continue operating and will not result in any changes to flight patterns or noise levels at the airport or surrounding areas. Following the presentation, Mr. Remsburg responded to Board questions.

Chair Lawhon declared the public hearing open. With no one coming forward the hearing was closed.

By motion, Commissioner Efird moved to approve ZA 21-04 Text and Map Amendments for the Airport Overlay District as proposed to meet the regulations of the Federal Aviation Administration and to promote economic development through the continued operation of the Stanly County Airport, seconded by Vice Chair Jordan and carried by a 7 - 0 vote.

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

7. ZA21-06 Text Amendment - Temporary Uses

Presenter: Bob Remsburg, Planning Director

Director Remsburg noted that the Stanly County Zoning Ordinance currently does not allow for temporary uses of properties for particular purposes such as construction yards, seasonal/holiday sales lots, or one-time/short term events. The need for this recently arose due to a proposed pipeline construction yard for Piedmont Natural Gas. With the project expected to take two (2) years to complete and involves the lease of 20-30 acres of land, the existing language in the ordinance allows for a construction trailer but does not permit a large construction yard. Since the land will be restored to its original use, it would not be wise to rezone the property now, then rezone it again to its original use upon completion of the project. The Planning Board reviewed the suggested language adding a provision for a one (1) year, renewable limitation for some temporary uses. The Board liked the flexibility given to the Zoning Administrator since the requests could vary substantially. Any temporary use that is of such "size, scale, duration or other considerations" would be required to obtain a Special Use

Permit. The Planning Board unanimously recommended adoption of the proposed language to add Section 407.4 to allow for Temporary Uses. Following the presentation, Mr. Remsburg entertained questions from the Board.

Chair Lawhon declared the public hearing open. With no one coming forward to speak the hearing was closed.

Commissioner Furr moved that ZA21-06 - Text Amendment to Section 407.4 of the Stanly County Zoning Ordinance for certain temporary uses, be approved. This amendment will provide a method for the approval of certain short-term uses on properties without a permanent rezoning and instructs the Zoning Administrator or the Board of Adjustment to set reasonable requirements for these uses. Vice Chair Jordan seconded the motion which passed by unanimous vote.

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

8. ZA21-07 Text Amendment - Barns and Sheds

Presenter: Bob Remsburg, Planning Director

Currently, the Stanly County Zoning Ordinance does not allow for sheds or barns on residential lots unless a primary structure (usually a home) already exists or is permitted for construction. Requests are received on a weekly basis by Planning staff to allow for a shed or barn on parcels to be used for storage of household goods or for equipment to maintain the parcel such as a tractor and bush hog. Planning staff and the Planning Board have concluded that allowing sheds or barns on parcels 3 acres or larger for these purposes should be allowed and added as a primary use to properties zoned RA, RR, R40, R20, and R10. If approved, the amendment will allow for the placement of one (1) shed or barn up to 2500 square feet to be used for storage, farm or garden uses, or for equipment to maintain the property. The general reason for not allowing sheds or barns in the past was to prevent dilapidated structures and the risk of these structures turning into residences or for business uses. The proposed limits included in the text amendment are to prevent inappropriate uses from occurring, and any use besides storage or gardening would be a violation of the ordinance and subject to normal zoning violation processes. The Planning Board unanimously voted to recommend approval of this text amendment. Following the presentation, Mr. Remsburg responded to Board questions.

The Board discussed specific details of the amendment including exceptions to it and the process of applying for a variance. During discussion Commissioner Barbee noted concerns with the 3 acres or greater requirement since he feels it limits the number of individuals the amendment would apply to. He then requested the Board consider revising the amendment to allow for parcels of two (2) or more acres instead.

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Following discussion, Commissioner Barbee moved to reduce the minimum acreage requirement from three (3) or more acres to two (2) or more acres. Vice Chair Jordan seconded the motion. The motion failed by a 5 - 2 vote.

Ayes: Vice Chair Jordan, Commissioner Barbee

Nos: Chair Lawhon, Commissioner Almond, Commissioner Asciutto, Commissioner Efird, Commissioner Furr

With no additional questions from the Board, Chair Lawhon declared the public hearing open. With no one speaking for or against, the hearing was closed.

Vice Chair Jordan moved to approve the addition of ZA 21-07 to the zoning ordinance as presented to allow for sheds and barns where the parcel contains 3 acres or more to promote continued economic growth and maintenance of the properties, seconded by Commissioner Almond. The motion passed by a 6 - 1 vote.

(Commissioner Barbee voting against.)

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

9. ZA21-08 Flood Damage Prevention Ordinance revision

Presenter: Bob Remsburg, Planning Director

Planning Director Remsburg presented minor amendments to the Flood Damage Prevention Ordinance for Board approval. Although the ordinance was updated recently, the NC Department of Public Safety has since updated their required language for the Flood Damage Ordinances across the state. These are minor changes with an added definition and statutory reference, a simplified statement related to special flood hazard areas and makes a clarification regarding fill in special flood hazard areas. The Planning Board unanimously recommended approval of these required revisions.

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

By motion, Commissioner Almond moved to approve ZA21-08 as written to comply with the requirements of the NC Department of Public Safety, seconded by Commissioner Furr and carried by a 7 - 0 vote.

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

10. Contract to Assist w/Securing Broadband Funding

Presenter: Andy Lucas, County Manager

July 19, 2021

For Board consideration and approval, County Manager Lucas presented a contract with Broadband Catalysts which outlined the scope of work to be done in order to aid the county in the pre-planning, mapping and submission of the required GREAT grant application. The cost for these services can be covered by the EDC's existing FY 2021-22 budget. If the county received a grant award, the additional fees for grant administration and the County's required match would be paid from American Rescue Plan funds currently set aside in a Special Revenue Fund. It was requested the Board authorize staff to execute the contract with Broadband Catalysts based on the scope of work presented.

Vice Chair Jordan moved to authorize staff to execute the contract as requested, seconded by Commissioner Almond and passed by unanimous vote.

**See Exhibit A
Stanly County Broadband Planning Project - Statement of Work**

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

11. CONSENT AGENDA

By motion, Commissioner Ascitutto moved to approve the consent agenda as presented, seconded by Commissioner Furr and passed by a 7 - 0 vote.

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

A. Minutes- Meetings of June 7th, 14th, 21st and June 24th.

B. Finance - Monthly Financial Report for May 2021

C. Health Dept. - Budget Amendment #2022-06

D. Senior Services - Budget Amendment #2022-04

E. Senior Services - Budget Amendment # 2022-05

F. Sheriff's Office - Budget Amendment # 2022-01

G. Sheriff's Office - Budget Amendment # 2022-02

H. Sheriff's Office - Budget Amendment # 2022-03

I. Sheriff's Office - Budget Amendment # 2022-06

J. Sheriff's Office - Red Cross Town Duty agreement

K. Sheriff's Office - Richfield Town Duty agreement

L. Sheriff's Office - New London Town Duty agreement

M. Finance - Vehicle Refunds for June 2021

BOARD COMMENTS, ANNOUNCEMENTS & COMMITTEE REPORTS

Commissioner Almond noted the large attendance at Oakboro's 4th of July celebration and thanked everyone who helped to organize it.

Vice Chair Jordan reiterated Commissioner Almond's comments regarding Oakboro's July 4th celebration. He also asked for everyone's patience and support as the County continues to work toward enhancing Broadband in the county and extended his thoughts and prayers to the Albemarle Fire Department members who are currently battling COVID-19.

Commissioner Barbee expressed his condolences to a good friend whose son was recently killed in an accident.

Commissioner Efirm congratulated Stanly Community College on their 50th anniversary noting several events taking place as part of the celebration.

Commissioner Ascianto extended his thoughts and prayers to the Albemarle Fire Department members as well. He also noted that covid-19 cases are on the rise in the County with the majority of those affected being non-vaccinated. To encourage individuals to get vaccinated, he noted that Vac N' Dash will sponsor a "vacci-dash" event at Eastgate Cinemas on Friday.

Chair Lawhon reported that residential building permits have increased by 90% compared to the same period last year. He also noted that the health department reported 19 new COVID cases from the weekend which is the highest number since May and encouraged everyone to get vaccinated. He also extended his thoughts and prayers to the Albemarle Fire Department members as well.

ADJOURN

Commissioner Almond moved to adjourn the meeting, seconded by Commissioner Furr and passed by unanimous vote at 7:15 p.m.

W. D. Lawhon, Jr., Chair

Tyler Brummitt, Clerk