

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, AUGUST 8, 2022 – 6:00 PM**

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

CALL TO ORDER & WELCOME

The Stanly County Board of Commissioners (the "Board") met in regular session on Monday, August 8, 2022 in the Gene McIntyre Meeting Room, Stanly Commons. Chair Jordan called the meeting to order at 6:02 p.m. with Commissioner Lawhon giving the invocation and leading the pledge of allegiance.

APPROVAL / ADJUSTMENTS TO THE AGENDA

Chair Jordan requested that a NC DOT Resolution be added as item # 13 on the agenda with the consent agenda moved to item # 14. Commissioner Efird moved to approve the addition of the resolution, seconded by Commissioner Furr. The motion passed by a 5 - 2 vote.

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

Nos: Commissioner Barbee, Commissioner Lawhon

Commissioner Furr then moved to approve the agenda as amended, seconded by Commissioner Efird and passed by unanimous vote.

SCHEDULED AGENDA ITEMS

1. PUBLIC COMMENT

None.

2. Public Hearing and Adoption of Stanly County Industrial Pretreatment Sewer Use Ordinance

Presenter: Duane Wingo, Utilities Director

Utilities Director Wingo presented the ordinance stating that its purpose is to provide the Utilities Department with the ability to issue pretreatment permits to industries which discharge sewer flows to the West Stanly and Badin waste water treatment plants, as well as end users connected to the county sewer collection systems which discharge into the City of Albemarle's waste water treatment plant. The adoption of the ordinance is required by the EPA and the NCDEQ for all waste water treatment facilities accepting sewer discharges from industries classified as categorical industrial users.

Staff requested the Board conduct a public hearing to receive comments on the ordinance followed by the Board taking action to approve it and the associated surcharge fee schedule.

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

By motion, Vice Chair Almond moved to approve the Stanly County Industrial Pretreatment Sewer Use Ordinance and fee schedule as presented, seconded by Commissioner Efird and carried by unanimous vote.

See Exhibit A

Stanly County Industrial Pretreatment Sewer Use Ordinance (SUO)

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

3. Public Hearing for Consideration of Road Name

Presenter: Rebecca Burgess, Database Coordinator

The Communications Department received a request from Mr. Brian Franklin to name a private drive which extends east from Stony Road near the intersection of Running Creek Church Road and name it Hope Town Road.

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

By motion, Vice Chair Almond moved to approve the name of Hope Town Road, seconded by Commissioner Lawhon and passed by unanimous vote.

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

4. Board Appointments - Board of Adjustment

Presenter: Bob Remsburg, Planning Director

Current Board of Adjustment members, Billy Franklin Lee and Michael D. Efird, have terms which expired June 30, 2023. Shannon Maynard, who was serving as an alternate, has resigned due to moving out of county. Mr. Lee and Mr. Efird have agreed to serve again if reappointed.

It was requested the Board appoint two (2) regular members and one (1) alternate to the Board of Adjustment with each serving a three (3) year term ending June 30, 2025.

By motion, Vice Chair Almond moved to reappoint Frank Lee and Michael Efird as regular members and appoint Judy Nelms as the alternate, with each serving a three (3) year term expiring June 30, 2025. The motion was seconded by Commissioner Lawhon and passed by a 7 - 0 vote.

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

5. Tax Collector's Annual Settlement for FY 2021-2022

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 2021-22 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. Following Mr. Swaringen's presentation, it was requested the Board take action to accept the annual settlement report as presented and charge the Tax Collector with the collection of taxes for FY 2022-23.

Following a brief period of questions, Commissioner Lawhon moved to accept the annual settlement report as presented and charge the Tax Collector with the collection of the current fiscal year property taxes, seconded by Vice Chair Almond and passed by a 7 - 0 vote.

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

6. Stanly County Tax Foreclosure Contract

Presenter: Clinton Swaringen, Tax Administrator

The Tax Administration Office requested approval to hire a new attorney to represent the county on property tax foreclosure matters. All local attorneys received a letter of invitation from the county with one (1) bid received from Attorney Connie Edwards Josey of First Street Legal at a cost of \$300 per hour plus reimbursement for all out-of-pocket costs associated with the work.

It was requested the Board approve First Street Legal to complete the property tax foreclosure work on behalf of the county.

Commissioner Lawhon moved to approve First Street Legal as requested, seconded by Vice Chair Almond and carried by unanimous vote.

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

7. COVID-19 & Monkey Pox Update

Presenter: David Jenkins, Health & Human Services Director

HHS Director Jenkins provided an update on the most recent COVID-19 statistics in the county including the number of cases, hospitalizations, deaths and number of vaccinations administered. According to current CDC guidelines, Stanly County is considered to be at a high community level of spread for the virus. He also provided information on the Monkey pox virus including the number of cases in the United States as well as North Carolina and the symptoms associated with the virus.

Director Jenkins responded to Board questions following the presentation with no further action taken.

8. Department Head Presentation - Sheriff's Office

Presenter: Jeff Crisco, Sheriff

Sheriff Crisco's presentation included a brief history of the Stanly County Sheriff's Office followed by an overview of the department's mission, the challenges being faced and various accomplishments that have taken place during his tenure in office. He expressed his appreciation of the department's staff and thanked the Board for their continued support.

Following the presentation, Sheriff Crisco entertained a brief period of questions and comments from the Board. No further action was taken.

9. Enhanced Voluntary Agricultural District Program Application

Presenter: Molly Alexi, County Extension Director & Amanda Kirby, Soil & Water District Director

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For Board consideration, County Extension Director Molly Alexi presented the Enhanced Voluntary Ag-District (EVAD) application for Joshua and Rebecca Gibson. The Gibsons' property has a farm ID and is eligible to enroll in the EVAD program. However, the Board previously tabled this item during the July 11, 2022 meeting pending a Board of Adjustment hearing to determine whether or not the property qualified as a bona fide farm from a land use and zoning perspective. At the Board of Adjustment meeting on July 13, 2022, it was determined that the property is a bona fide farm from a land use and zoning perspective.

With no questions from the Board, Vice Chair Almond moved to approve the Gibsons' EVAD application as presented, seconded by Commissioner Ascianto and carried by a 7 - 0 vote.

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

10. Criteria to Use Design-Build Construction Delivery Method - New Emergency Management Training Center

Presenter: Andy Lucas, County Manager

For Board consideration, County Manager Lucas presented the proposed criteria for the design-build construction delivery method for the new Emergency Management Training Center to be constructed in partnership with the NC Department of Insurance. Once approved, it is anticipated that the RFQ will be posted later in the week for the project.

Following brief discussion, Commissioner Ascianto moved to adopt the criteria as presented, seconded by Commissioner Efird and passed by unanimous vote.

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

11. Opioid Settlement Funding Appropriation Resolution

Presenter: Andy Lucas, County Manager

With the county having received \$179,380 thus far from the national opioid settlement and in anticipation of receiving another \$394,490 in FY 2022-23, the Health & Human Services Board recently discussed and recommends allocating \$60,000 of these funds to support transitional housing through Gateway of Hope/Legacy House. The agency was previously funded using monies received from a \$1 million HRSA grant with those funds expiring August 31, 2022. As such, staff recommended that \$60,000 from the national opioid settlement be used for a one (1) year period beginning September 1, 2022 until August 31, 2023.

It was requested that the Board review and approve the opioid funding appropriation resolution as presented to allocate these funds.

Following brief discussion, Vice Chair Almond moved to approve the \$60,000 allocation as requested, seconded by Commissioner Furr and carried by a 7 - 0 vote.

See Exhibit B
Opioid Settlement Funding Budget Appropriation Resolution

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

12. Juvenile Crime Prevention Council (JCPC) Appointment

Presenter: Andy Lucas, County Manager

Due to the recent resignations of Ms. Jackie DeSantis and Ms. Shelly Lee from the JCPC, there are two (2) vacant County Commissioner seats on the council. At the JCPC meeting in May 2022, the council reviewed the application of Ms. Robbin Meyers and is recommending her appointment to fill one (1) of these vacancies until June 30, 2023.

By motion, Commissioner Ascitutto moved to appoint Ms. Robbin Meyers as recommended, seconded by Vice Chair Almond and carried by a 7 - 0 vote.

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

13. NC DOT Resolution

Presenter: Andy Lucas

County Manager Lucas noted the two (2) previous NCDOT presentations concerning the intersection of NC Hwy 73 and Millingport Road and the decision to install an all-way stop due to the number of traffic accidents that have occurred in recent years. Although the project is complete, NCDOT has stated their willingness to construct a roundabout at the intersection to replace the all-way stop based on feedback received from the community.

With a cost to construct the roundabout of approximately \$3 million, NCDOT requested Board consideration in adopting a resolution in support of their application to seek financing for the project via high impact, low cost grant funds from the state and federal government. If received, the project would take approximately three (3) years to complete.

The Board discussed the request at length with Chair Jordan stating that following the NCDOT presentation in July 2022, there was some confusion as to whether or not the county has any decision making authority when it comes to the project. He explained that although the county has no authority, the NCDOT is willing to seek funding for a roundabout if the Board and residents prefer it instead of the all-way stop. He then noted his support of the resolution.

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Vice Chair Almond stated that even though the Board is being asked to support the project, the Board yields no influence on the NCDOT's final decision. County Manager Lucas agreed adding that the request is to support their application for funding only.

By motion, Chair Jordan moved to review and consider approval of the resolution with the motion seconded by Commissioner Asciutto to allow for further discussion.

Commissioner Asciutto stated that in order to be fiscally conservative with taxpayer dollars, he cannot support the resolution since the NCDOT has shown that an all-way stop provides the same safety features as a roundabout and is much less expensive to build. Commissioner Lawhon stated his non-support of the resolution since the NCDOT did not seek the county's input before and feels they are asking for it now due to the backlash they have received. Vice Chair Almond and Commissioner Barbee echoed similar comments stating their non-support as well adding that even if the Board approves the resolution, there is no guarantee that the NCDOT will receive funding for the project.

With no further discussion, Chair Jordan called for the vote. The motion to approve the resolution failed by a 1 - 6 vote.

Ayes: Chair Jordan

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

**See Exhibit C
(Proposed)**

**Resolution in Support of A NC Department of Transportation Project
for a Roundabout at the NC 73 & Millingport Road Intersection**

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

14. CONSENT AGENDA

Commissioner Asciutto moved to approve the consent agenda as presented, seconded by Vice Chair Almond and passed by unanimous vote.

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

A. Minutes - July 11th work session & regular meeting

B. IT - Budget Amendment for Zoom Phone

- C. Sheriff's Office - Budget amendment # 2023-07**
- D. Sheriff's Office - Budget amendment # 2023-08**
- E. DSS - Insurance Settlement Funds**
- F. DSS - Low-Income Household Water Assistance Program (LIHWAP)**
- G. DSS - Chafee (LINKS) Transitional Funds**
- H. DSS - SNAP ARPA Funds**
- I. Utilities - Award of the Badin Inn Water Main Extension Project and Budget Amendment**
- J. Utilities - Budget Amendment West Stanly WWTP 2.5 MGD Expansion USDA Application**
- K. Utilities - Stony Gap Road Water Main Extension Capital Project Ordinance and Budget Amendments**
- L. Utilities - Meadow Creek Church Road Capital Project Ordinance and Budget Amendments**
- M. Library - Budget amendment # 2023-09**
- N. Library - Budget amendment # 2023-12**
- O. Finance - Opioid Settlement Funds**
- P. Finance - Vehicle tax refunds for July 2022**
- Q. Airport - Budget Amendment # 2023-19**
- R. Facilities - Request to sell Surplus on Gov Deals**
- S. EMS Budget Amendment # 2023-02**
- T. EMA Budget Amendment # 2023-11**
- U. EMS - Budget Amendment # 2023-10**
- V. Senior Services - Budget Amendment-FCSP**

BOARD COMMENTS, ANNOUNCEMENTS & COMMITTEE REPORTS

Commissioner Asciutto congratulated Rhett Lowder, a former North Stanly High School pitcher and now sophomore at Wake Forest, for being named the 2022 Atlantic Coast Conference Pitcher of the Year. He also commended Megan Sullivan and staff at the Stanly County History Center on the ribbon cutting for their new exhibit and Big Truck Day event held the previous weekend.

Commissioner Efird encouraged those that can to participate in the local school supply drives that are taking place with school starting later this month.

Vice Chair Almond thanked Commissioner Efird for leading the Board's July meeting during his and Chair Jordan's absence. He also noted that he and Commissioner Barbee will tour the Senior Center and invited others to attend. He also noted that a reception for Library Director

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Melanie Holles will be held on Friday, August 12th at the library and congratulated her on her new position with Cabarrus County.

Chair Jordan noted he absence from the July meeting was due to being on vacation. He also mentioned a "Back to School" motorcycle ride on Saturday, August 13th with proceeds going towards the purchase of supplies for the local schools.

ADJOURN

With no additional discussion, Vice Chair Almond moved to adjourn, seconded by Commissioner Ascianto and passed with a 7 - 0 vote at 7:26 p.m.

Thomas S. Jordan, III, Chair

Tyler Brummitt, Clerk