

Bill Lawhon
Commissioner

Brandon King
Commissioner

Mike Barbee
Commissioner

Patty Crump
Commissioner



Peter Asciutto
Commissioner

Scott Efird
Commissioner

Trent Hatley
Commissioner

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 5, 2023 – 6:00 PM**

CALL TO ORDER & WELCOME

The Stanly County Board of Commissioners (the "Board") met in regular session on Tuesday, September 5, 2023 in the Gene McIntyre Meeting Room, Stanly Commons. Chair Efird called the meeting to order at 6:00 p.m. with Commissioner King giving the invocation and leading the pledge of allegiance.

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	

APPROVAL/ ADJUSTMENTS TO THE AGENDA

With no changes requested, Commissioner Lawhon moved to approve the agenda as presented, seconded by Commissioner Crump and carried by unanimous vote.

SCHEDULED AGENDA ITEMS

1. Recognition of Allen Dennis

Presenter: Chris Moon, Inspections Director

Inspections Director Chris Moon recognized Allen Dennis who was recently named North Carolina's Electrical Inspector of the Year by the association. Director Moon also noted that this is the first time an inspector from Stanly County has received this honor.

2. PUBLIC COMMENT

The following individuals addressed the Board during public comment:

- Nancy Bryant of Old Thompson Road, Norwood, encouraged the Board to stop the developmental sprawl that is taking place in the county and to not allow developers to destroy

any more of the beautiful green space. She understands that as the population increases more housing is needed, but noted that there are ways to build and develop the land that will not destroy its rural beauty.

- Ron Bryant of Old Thompson Road, Norwood, stated that based on his 25 years of experience in working with local and state developers to form plans and restrictions to regulate development, he has seen the negative results of the compromises that were made. As an example, he noted the unregulated development that is coming from Charlotte along Highway 24-27 which has now reached Locust and will continue unless the county puts restrictions in place to prevent it.

3. NCDOT FY25 5310 Capital Purchase of Service Grant Public Hearing and Program Resolution Presenter: Pamela Sullivan, Senior Services Director

The Senior Services Department applied for a FY25 NCDOT Capital Purchase of Service Grant for \$60,000 to expand transportation services for adults 65 years and older in the county. This grant will allow them to purchase additional transportation service from SCUSA beyond the level that the HCCBG funding allows. The ten (10%) required local match will come from HCCBG funds that the Senior Services Department already receives.

As part of the application process, it was requested the Board conduct the required public hearing followed by approval of the program resolution and grant application.

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

Vice Chair Barbee moved to approve the program resolution and application for the FY25 NCDOT Capital Purchase of Service Grant as requested, seconded by Commissioner Crump and passed by unanimous vote.

See Exhibit A **Public Transportation Program Resolution** **FY 2025 Resolution**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mike Barbee, Commissioner
SECONDER:	Patty Crump, Commissioner
AYES:	Lawhon, King, Barbee, Crump, Ascuitto, Efid, Hatley

4. Merger/Regionalization Grants for Town of Norwood Water and Sewer Systems Presenter: Duane Wingo, Utilities Director

Stanly County Utilities has secured two (2) American Rescue Plan grants from the NC Department of Environmental Quality (NCDEQ) to conduct a comprehensive Merger/Regionalization Feasibility (MRF) study which will focus on Norwood's Water Treatment Facility, Water Distribution System, Sewer Treatment Facility and Sewer Collection System. NCDEQ has approved both grant applications for \$75,000 each which will cover 100% of the expenses associated with the water and sewer components of the study with no county funds

required. The primary objective of these studies is to explore the possibility of merging Norwood's water distribution, sewer collection systems and the associated facilities for each with Stanly County Utilities. Following completion of the studies, Stanly County and the Town of Norwood will have the option to either proceed with potential agreements or decline them based the study's outcome.

In order to accept the grant funds, Director Wingo presented two (2) resolutions required by NCDEQ for Board approval as well as two (2) acceptance letters for signature by the County Manager.

With no questions from the Board, Commissioner Crump moved to approve both resolutions and authorize County Manager Lucas to sign the acceptance letters as requested, seconded by Commissioner Asciutto and passed by a 7 - 0 vote.

See Exhibit B
Resolutions by the Stanly County Board of Commissioners

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

5. Merger / Regionalization City of Locust Sewer Collection System

Presenter: Duane Wingo, Utilities Director

Stanly County Utilities has secured an American Rescue Plan grant from the NC Department of Environmental Quality (NCDEQ) to conduct a comprehensive Merger/Regionalization Feasibility (MRF) study which will focus on the City of Locust's Sewer Collection System. NCDEQ has approved a grant allocation for \$100,000 to cover 100% of the cost to conduct the study with no county funds required. As with the Town of Norwood, the primary objective of the grant is to explore the possibility of merging Locust's sewer collection system with Stanly County Utilities. Following completion of the study, Stanly County and the City of Locust will have the option to either proceed with a mutual agreement or decline based the outcome.

In order to accept the grant funds, Director Wingo presented the resolution required by NCDEQ for Board approval in addition to the acceptance letter for signature by the County Manager.

Following a brief period of questions, Commissioner Lawhon moved to approve the resolution and authorize County Manager Lucas to sign the letter of acceptance, seconded by Commissioner Asciutto and passed by unanimous vote.

Exhibit C
Resolution by Stanly County Board of Commissioners

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

6. Opioid Settlement Funding Appropriation Resolution - SPARE Partnership

Presenter: Dave Jenkins, Health & Human Services Director

Director Jenkins' provided an overview of the SPARE (Stanly Peer and Recovery Experts) Program which is an education based opioid addiction recovery initiative for inmates in the Stanly County Jail. The programs are led by Certified Peer Support Specialists (CPSS) consisting of a work group from Project Lazarus with a program that focuses on goal setting, crisis planning and overdose prevention education, as well as the coordination of community resources for successful reentry upon release and continued support for up to one (1) year thereafter. Other partners involved with the program include the Stanly County Sheriff's Office, EMS and health department staff.

Following a review of the program, the Health & Human Services Board recommended use of Opioid Settlement Funds in the amount of \$63,500 for a twelve (12) month period to fund small group instruction, peer counseling for recovery support and overdose prevention education. Additionally, these funds will also cover overtime pay for bailiffs and detention officers, provide compensation for peer and recovery support staff and program supplies.

Following the presentation, Director Jenkins and the Project Lazarus staff members responded to questions concerning eligibility for the program, how Project Lazarus was selected versus other local agencies and details of the program itself.

Commissioner Crump noted her support in funding the program due to having worked closely with Robbie Cagle in the past with at-risk teens and is grateful to see her in this roll now.

With no further discussion, Commissioner Crump moved to approve the resolution to allocate \$63,500 in Opioid Settlement Funds for recovery support services and reentry programming through the SPARE Jail Program as requested, seconded by Commissioner Asciutto and passed by a 7 - 0 vote.

See Exhibit D

A Resolution by the County of Stanly To Direct the Expenditure of Opioid Settlement Funds

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

7. ZA23-07-Text Amendments to the Zoning & Subdivision Ordinances

Presenter: Bob Remsburg, Planning Director

At the conclusion of the August 9th special called meeting, the Board authorized staff to advertise a second public hearing for ZA23-07 on September 5th to further consider establishing the lot size for parcels zoned RA and designated as a Rural Preservation Area to be in the range of no less than 1.5 acres and no more than 5 instead of the 5 acre minimum originally advertised.

Director Remsburg introduced the item by providing a brief recap of the request and responded to a brief period of questions from the Board.

Chair Efird noted the guidelines for the public hearing then declared the hearing open. The following individuals addressed the Board:

- Tom Hearne of West South Street, Albemarle, spoke in support of the text amendment stating that it is a critical time for the county as to whether or not it will retain its rural nature or allow sprawling developments to come in. He encouraged the Board to do what's best for the county by adopting the 5 acre minimum lot size requirement.
- Gary Hatley of Highway 73 / Finger Road, spoke on behalf of NC Farm Bureau in favor of a 5 acre minimum lot size and applauded the Board's work to preserve farmland and agriculture in the county.
- Dustin Souther of Rogers Road, Richfield, noted his support of the amendment and expressed concerns with developers who buy land making it too expensive for the average person to afford. He encouraged the Board to pass the 5 acre minimum lot size requirement as a means of discouraging developers from continuing to do so.
- Wayne Coble, a Concord resident and property owner in Stanly County, expressed his support of having regulations and restrictions put in place to maintain natural spaces, but also feels that 5 acres will keep many from being able to afford housing. He suggested the Board postpone a decision until other alternatives are considered.
- Kelly Hart of River Road, Midland and member of the Land Use Plan Committee, reminded the Board of the amount of time and thought that went into developing the land use plan including the 5 acre minimum lot size requirement and encouraged the Board to adopt it as part of the County's zoning ordinance.
- Anthony Graves of Jordan Pine Drive, Endy, noted that there are valid arguments on both sides of the issue and that it is difficult to conduct a conversation when so much misinformation is being distributed to the public. He noted his appreciation of the Board and feels they will do the right thing for the county.
- Dakeita Vanderburg, a Cabarrus County resident and member of the Centralina Association of Realtors, cautioned the Board that if 5 acres is approved, the dream of owning or building a home for many will go away and asked the Board to consider 2 or 3 acres instead. She also expressed concerns with the overreach of government related to property owners' rights.

- Hub Huneycutt of Huneycutt Road, Millingport, encouraged the Board to listen to what people are saying and to remember the farmers and builders in order to do the right thing.
- Shane Almond of New London, stated his support of the 5 acre minimum as a means to slow down growth in the county since many of the local schools are at capacity and because the volunteer fire departments and infrastructure cannot support the growth that is occurring.
- Roddey Dowd, Jr. of Old Sandbar Road, Oakboro, expressed his support of the 5 acre minimum lot size in order for the county to have a plan in place to prevent developers from continuing to buy large tracts of land.
- Colleen LaRock of Oakboro, commended the Board on their work to put a plan in place. However, as a realtor she noted concerns with the 5 acre requirement and encouraged the Board to consider compromising on a smaller amount which will work for many people.
- Michelle Steeley of the Centralina Association of Realtors, requested the acreage be reduced to 1.5 - 2 acres to help keep the overall cost of housing more affordable.
- Ronnie Burleson, a farmer from the Millingport area, thanked the Board for considering a plan to preserve farmland.
- Ellen Gaskins of Five Point Road, Locust, spoke in support of the 5 acre minimum lot size requirement due to school overcrowding with several schools having a "D" rating as a result of the growth taking place.
- Luke Furr of Old Mill Road, Albemarle and local farmer, noted his disappointment in seeing all of the development in the county which have resulted in a loss of crops and revenue for farmers.
- Travis Morehead of Keystone Drive, Albemarle and Three Rivers Land Trust, noted his support of Kelly Hart's earlier comments and requested the Board adopt the 5 acre minimum lot size requirement to reduce the growth occurring in the county and provide for more controlled growth in the municipalities.
- Jeff Claiborne of Church Street, Albemarle, expressed his support of the amendment noting that with development comes an increase in crime and the need for more infrastructure as well. He also feels the proposed amendment will support and protect our local farmers.
- John Morgan of Della Lane, Albemarle, noted his support of the 5 acre minimum lot requirement as well.
- Christina Barnhart of Mattie Lane, Midland, expressed her support of the amendment adding that since purchasing her home, the Garmon Mills subdivision is now being built behind her home with no buffer required.
- Amandy Cody of Pauls Crossing Road, Richfield, thanked the Board members who voted against the previous 5 acre proposal in order to consider lowering this amount to a more reasonable 1.5 acres. She also expressed concerns that if the proposed amendment is to protect the farmers, then why are several local farmers leasing their property for solar farms instead of farming it? She also questioned the make-up of the land use committee and its lack of diversity. She encouraged the Board to consider every angle and potential outcome before making a decision on the amendment.
- Walter Furr noted his support of the text amendment in order to slow down the growth since the county is unable to provide the infrastructure needed to support it.

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- Joshua Ballinger of Meadowrock Drive, Albemarle, stated that he moved to Stanly County from Charlotte to get away from the city. He encouraged the Board to keep Stanly County small by supporting the text amendment.
- Jason Phibbs of Clodfelter Road, Albemarle, stated that the issue before the Board is whether or not the citizens' voices are heard and based on the comments received the people want a rural community with rural landscapes.
- Hannah Lear of Millingport, noted her support of the 5 acre minimum lot size.
- Tracy Thompson of Bear Creek Road, New London, supports the 5 acre minimum lot requirement to slow down growth and keep the soil clean.
- Steve Helms of Fred Road, Stanfield is a small builder/developer who spoke against the 5 acre minimum since it will result in a dramatic increase in the cost to build a home with no affordable housing being available since 70% of the county is located in the RA district and Rural Preservation area.
- Cody Brooks of Efird Road, Albemarle, noted his support of the 5 acre minimum lot size as a means to protect timberland in the county, which just like farming, is an active and sustainable resource that many landowners depend on for their livelihood.
- Travis Alley of Austin Road, New London and a local builder, spoke on behalf of the Stanly County Homebuilders Builders Association expressing their concerns regarding home affordability if the amendment passes and is unsure that the 5 acre minimum lot size requirement is the answer.
- Noah Shaver of Herron Grove Road, noted plans to build a home with his fiancée but is concerned that if the 5 acre minimum lot size requirement passes, they will be unable to afford to do so.
- Kyle Almond of Bear Creek Road, Albemarle, stated that he has noticed an increase in the number of fire trucks on his road every day that are responding to calls in the area and feels the 5 acre minimum lot size is needed to slow down the growth.

Recess

Chair Efird called for a short recess at 8:03 p.m. and reconvened the meeting at 8:11 p.m.

Kim Kivak of Pleasant Avenue, Stanfield, stated that she is a new to Stanly County from Charlotte and lives in a development where neighbors know each other and protect what they have. Although she is unsure that 5 acres is the right answer, she does not want the bad things that come with too much growth.

With no one else coming forward, the hearing was closed.

Commissioner Lawhon began the discussion by sharing information on the number of existing lots in the county that are less than one (1) acre as well as the number of residences constructed since 2020 on what is now in a Rural Preservation Area or a RA (Residential-Agricultural) zoning district on less than one (1) acre of property. He then polled the audience to determine how many were in favor of increasing the minimum lot size to more than 0.92 acres, with the majority standing in support of doing so, versus keeping it at 0.92 acres as it is now. He expressed his dislike of developments where houses are built 10-15 feet apart and used the Morgan Hills development in Albemarle as an example. He stated that in order to slow down developers, he feels the minimum lot size needs to be increased, but that 5 acres is

a little too much. He then stated his support of a 3 acre minimum lot size in addition to increasing the Family Subdivision square footage from 40,000 to 60,000.

By motion, Commissioner Lawhon moved to approve ZA23-07 text amendment to increase the minimum lot size for parcels zoned RA and designated as Rural Preservation Area to 3 acres and to add language allowing for Family Subdivisions with a lot size of no less than 60,000 square feet, seconded by Commissioner Asciutto. Commissioner Lawhon then amended his motion to include increasing the side setback requirement for parcels zoned RA to 25 feet as well. The motion was again seconded by Commissioner Asciutto to allow for discussion.

Commissioner Asciutto noted that the majority of those in attendance are here because of all of the residential developments coming into the county. He provided examples of developments throughout the county and the various lots sizes associated with them as well as the number of houses that could potentially be built if ZA23-07 is or is not adopted. Commissioner Asciutto then stated his support of the 3 acre minimum lot size which he feels will maintain the rural feeling that most seem to want.

Vice Chair Barbee explained that just as with the current land use plan, the one from 2002 noted the Charlotte sprawl that was coming to the county. Committee members at the time encouraged the Planning Board and Board of Commissioners to protect our rural areas and direct growth to the municipalities. By the time the plan was adopted, the proposed 3 acre minimum lot size was reduced to 30,000 square feet adding that if the county had adhered to the 3 acre minimum lot size as recommended, we would not be facing these issues now. He expressed his support for the 5 acre minimum lot size and feels he would be letting the public down if he supports anything less.

Commissioner Crump used Charlotte Pipe as an example noting the amount of work that went into completing the facility, and what if now that it's finished it was bulldozed to build a housing development. She compared this with what is happening to the farmland in Stanly County. With agriculture being the number one industry in the county, she feels something aggressive must be done to ensure the farmland is saved until a plan for conservation is in place. With the majority of those she has spoken with supporting the 5 acre minimum lot size requirement, she will support it as well.

With no further discussion, Chair Efird restated the motion to approve text amendment ZA23-07 to amend Section 701 of the Zoning Ordinance to increase the minimum lot size for parcels zoned RA (Residential Agricultural) and designated as a Rural Preservation Area to 3 acres, increase the side setback requirement for parcels larger than 40,000 square feet and zoned RA to 25 feet, and to add language to the Subdivision and Zoning Ordinances allowing for Family Subdivisions with a minimum lot size of 60,000 square feet. The motion passed by a 4 - 3 vote.

Ayes: Chair Efird, Commissioner Asciutto, Commissioner Hatley, Commissioner Lawhon

Nos: Vice Chair Barbee, Commissioner Crump, Commissioner King

RESULT:	APPROVED [4 TO 3]
MOVER:	Bill Lawhon, Commissioner
SECONDER:	Peter Asciutto, Commissioner
AYES:	Lawhon, Asciutto, Efird, Hatley
NAYS:	King, Barbee, Crump

8. Opioid Settlement Funding Appropriation Resolution - Gateway of Hope

Presenter: Commissioner Trent Hatley

During the past twelve months, Gateway of Hope has continued to provide recovery support housing for those in active opioid misuse recovery. It was recommended the County continue to contract with them for another twelve (12) month period via the Opioid Settlement Special Revenue Fund from September 6, 2023 until August 31, 2024.

Commissioner Hatley presented the request followed by a motion to approve the opioid settlement funding appropriation resolution to allocate \$63,600 for recovery housing support to Gateway of Hope, seconded by Commissioner King.

Prior to the vote, Commissioner Asciutto stated that the Consolidated Health & Human Services Board plans to discuss this request at their meeting on Thursday, and due to concerns that Gateway has not been fiscally responsible with the funds previously allocated by the County and the concerns expressed by health department staff regarding the potential use of Medication Assisted Treatment (MAT), he cannot support the request.

Commissioner King noted his support of the funding request adding that Gateway helps to change people's lives by educating them versus the use of MAT.

Commissioner Hatley noted his support of the request stating that he has spoken with the new director who has assured him that everything is under control.

With no further discussion, Chair Efird called for a vote. The motion to approve the opioid settlement funding appropriation resolution to allocate \$63,600 for recovery support to Gateway of Hope passed by a 6 - 1 vote. (Commissioner Asciutto voting against.)

See Exhibit E

A Resolution by the County of Stanly To Direct the Expenditure of Opioid Settlement Funds

RESULT:	APPROVED [6 TO 1]
MOVER:	Trent Hatley, Commissioner
SECONDER:	Brandon King, Commissioner
AYES:	Lawhon, King, Barbee, Crump, Efird, Hatley
NAYS:	Asciutto

9. Stanly Community College Board of Trustees Appointment

Presenter: Andy Lucas, County Manager

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Due to the recent resignation of Stanly Community College Board of Trustee member, Kathy Burr, it was requested that a replacement trustee be appointed to serve her unexpired term ending June 30, 2024.

Chair Efird opened the floor for nominations. Commissioner Lawhon nominated Courtney Lisk followed by Vice Chair Barbee nominating Melvin Poole. With no other names presented, the nominations were closed.

Following are the votes as recorded:

- Courtney Lisk- Chair Efird, Commissioner Asciutto, Commissioner Hatley, Commissioner Lawhon
- Melvin Poole - Vice Chair Barbee, Commissioner Crump, Commissioner King

Ms. Courtney Lisk was appointed by majority vote.

RESULT:	APPROVED [4 TO 3]
MOVER:	Bill Lawhon, Commissioner
SECONDER:	Peter Asciutto, Commissioner
AYES:	Lawhon, Asciutto, Efird, Hatley
NAYS:	King, Barbee, Crump

10. Centralina Workforce Development Board Appointment

Presenter: Andy Lucas, County Manager

Due to one of the County's Private Sector representatives, Oune Keovoravong, having recently resigned her seat on the Centralina Workforce Development Board (CWDB), it was requested the Board appoint a replacement to serve her unexpired term ending June 30, 2024.

For consideration, Darryl Smith, Developmental Partner with Michelin USA was vetted and recommended by the CWDB to fill this seat.

With no questions from the Board, Commissioner King moved to appoint Darryl Smith as requested, seconded by Commissioner Lawhon and passed by unanimous vote.

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

11. CONSENT AGENDA

Commissioner King moved to approve the consent agenda as presented, seconded by Commissioner Hatley and passed by a 7- 0 vote.

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

- A. Minutes- Work session & regular meeting of August 7th and special meetings of August 9th & 17th**
- B. Sheriff's Office - Request approval of the IMS Medical Plan for FY2023-24**
- C. Sheriff's Office - Budget Amendment # 2024-14**
- D. Sheriff's Office - Budget Amendment # 2024-15**
- E. Sheriff's Office - K9 Bodie Retirement**
- F. EMS - Budget Amendment # 2024-11**
- G. EMS - Budget Amendment 2024-17**
- H. EMS - Budget Amendment 2024-19**
- I. EMS - Budget Amendment # 2024-12**
- J. Health - Budget Amendment # 2024-13**
- K. Health Department - Budget Amendment # 2024-16**
- L. DSS - Budget Amendment # 2024-18**
- M. Juvenile Crime Prevention Council Application**
- N. Facilities - Request to sell surplus on Gov Deals**
- O. City of Locust Fireworks Display**
- P. Finance - Vehicle tax refunds for August 2023**

BOARD COMMENTS, ANNOUNCEMENTS & COMMITTEE REPORTS

Chair Efird thanked Mr. Shaver and the others who addressed the Board during the public hearing for ZA23-07. He added that the decisions made by the Board are not taken lightly and that the Board has struggled with this for several months in order to try and make the best decision for the county. He also expressed his sympathy to the family of Kevin Lopez, a 13-year old from Locust who recently drown.

ADJOURN

Commissioner King moved to adjourn the meeting, seconded by Commissioner Crump and carried by a 7 - 0 vote at 8:47 p.m.

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T. Scott Efirm, Chair

Tyler Brummitt, Clerk