Bill Lawhon
*Chairman*

Mike Barbee
*Commissioner*

Tommy Jordan
*Vice Chairman*

Lane Furr
*Commissioner*

Peter Asciutto
*Commissioner*

Scott Efird
*Commissioner*

Zach Almond
*Commissioner*

STANLY COUNTY
NORTH CAROLINA
*Water. Air. Land. Success.*

**STANLY COUNTY**
**BOARD OF COMMISSIONERS**
**REGULAR MEETING MINUTES**
**MONDAY, NOVEMBER 1, 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, November 1, 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 the invocation and leading the pledge of allegiance.

**APPROVAL / ADJUSTMENTS TO THE AGENDA**

With no amendments requested, Commissioner Efird moved to approve the agenda as presented, seconded by Vice Chair Jordan and carried by unanimous vote.

**SCHEDULED AGENDA ITEMS**

## 1. PUBLIC COMMENT

None.

**2. Senior Services Advisory Board Appointments**

Presenter: Pamela Sullivan, Senior Services Director

The Senior Services Advisory Board has four (4) members whose terms ended October 31, 2021. The members are Gail Barbee (Locust), Chris Vaughn (Medical), Ann Lowder (Norwood) and Kent Trull (Legal), all of whom have agreed to serve again if reappointed. It was requested the Board reappoint each for another three (3) year term ending October 31, 2024.

By motion, Vice Chair Jordan moved to reappoint Gail Barbee, Chris Vaughn, Ann Lowder and Kent Trull as requested, seconded by Commissioner Barbee and passed by unanimous vote.

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

### 3. EDC - Capital Project Ordinance/Budget Amendment for Riverstone Infrastructure Improvements

Presenter: Candice Lowder, EDC Director

Additional infrastructure improvements are needed at the Riverstone Industrial Park to support the American Racing Headers project. These improvements include widening and paving the access road and extending the water line to the end of the parcel where the company plans to construct the new facility. Board action was requested to approve a capital project ordinance and the associated budget amendments to establish a project fund in the amount of $663,267 which also includes the acceptance of grant funds from the Rural Infrastructure Authority for $300,000 and the Golden Leaf Foundation for $200,000. The remaining $163,267 will be appropriated from the General Fund for the required local match.

Vice Chair Jordan moved to approve the capital project ordinance and associated budget amendments to accept the grant funds and appropriate the required local match as presented. The motion was seconded by Commissioner Almond and carried by a 7 - 0 vote.

**See Exhibit A**
**Stanly County Capital Project Ordinance**
**Riverstone Industrial Park Project**
**&**
**Budget Amendments #2022-34 &2022-35**

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

### 4. COVID-19 Update

Presenter: Dave Jenkins, Consolidated Health & Human Services Director

HHS Director Jenkins presented the latest COVID-19 data for Stanly County. The presentation included the number of daily cases, hospitalizations, deaths, number of those that are partially and fully vaccinated with the county's current positivity rate reflecting a downward trend at 5.6%. Information was also provided concerning the booster shots and those who are eligible to receive them. Following the presentation, Mr. Jenkins responded to Board questions with no action taken.

**5. ZA 21-10 Austin Road Telecommunications Tower Overlay District**

Presenter: Bob Remsburg, Planning Director

Cellco Partnership requested the rezoning of a portion of a 37.6 acre parcel owned by Lynn Bowers Hunter located on Austin Road (Tax record 2413) be assigned the Telecommunications Tower Overlay District in order to place a 195' tall monopole tower. The property is zoned RA (Residential Agricultural) and is primarily open land. The overlay district would only be applied to a 10,000 square foot portion of the property. All required documentation was obtained including setbacks, fall zones and vegetative buffers with access to the site being a 30' access easement from Austin Road. The paperwork submitted by Cellco indicates that there are no available towers for co-location and documentation indicates a gap of coverage in this area as well. With no opposition to the rezoning at the October 11, 2021 Planning Board meeting, the board unanimously recommended approval of the request. Following the presentation, Planning Director Remsburg responded to questions concerning the maximum monopole height limit and the reasons for the recent increase in the number of cell tower requests.

Chair Lawhon declared the public hearing open. During this time, Victoria Farmer representing Cellco-Verizon Wireless, addressed the Board in favor of the request. With no one else to speak for or against, the hearing was closed.

Commissioner Efird moved that ZA 21-10, a request by Cellco Partnership to apply the Telecommunications Tower Overlay District to a 10,000 square foot portion of a parcel owned by Lynn Hunter on Austin Road, be approved. This proposed tower location meets the requirements of the zoning ordinance and is consistent with the promotion of growth and development as prescribed by the Stanly County Land-Use Plan. Vice Chair Jordan seconded the motion which passed by unanimous vote.

On a related issued, Vice Chair Jordan requested Board discussion on the possibility of forming a committee, consisting of 3 County Commissioners and 3 Planning Board members, which will hear all future rezoning requests for cell towers rather than having them come before the Planning Board and County Commissioners. He then moved to form the committee with Commissioner Asciutto seconding the motion to allow for discussion.

Vice Chair Jordan stated that in order to establish the criteria for all cell tower applications, the committee would hold a series of public meetings over the next several months to receive input from citizens. The Planning Board and County Commissioners would then review the proposed criteria with a public hearing conducted prior to final adoption. Once adopted, the committee would then be responsible for hearing all rezoning requests for Telecommunications Tower Overlay Districts with the authority to take action on them.

Following a brief period of discussion, Vice Chair Jordan amended his previous motion to form the committee and include Commissioner Barbee, Commissioner Efird and himself as the three

(3) county commissioners to serve on it. The amended motion was seconded by Commissioner Asciutto and carried by unanimous vote.

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| **RESULT:** | **APPROVED [6 TO 0]** |
| **MOVER:** | Scott Efird, Commissioner |
| **SECONDER:** | Tommy Jordan, Vice Chairman |
| **AYES:** | Lawhon, Barbee, Jordan, Furr, Efird, Almond |
| **RECUSED:** | Asciutto |

**6. Liberty Hill Booster Station Recommendation to Award, Budget Amendment and Revised Project Ordinance**

Presenter: Duane Wingo, Utilities Director

Stanly County Utilities received the certified bid tabulations and recommendation to award from Chambers Engineering for the new Liberty Hill Booster Station. The bid opening was held on October 21, 2021 with seven (7) bids received. The low bidder was the NJR Group, Inc. from Stanly County in the amount of $1,412,050.50. The Liberty Hill Pump Station Project is needed to accommodate the increased water demands on the West Stanly Distribution System brought about by the relocation of Charlotte Pipe & Foundry near Oakboro and their stated industry demand requirements. These requirements make it necessary to replace the existing pump station with a new booster pump station located on Newsome Road off NC Highway 24/27.

A project ordinance was previously approved by the Board to complete the engineering design and construction administration for the project. A revised project ordinance and accompanying budget amendments were presented for Board consideration with a request that General Fund Balance be used to cover construction costs until a loan is secured for the project. Once secured, the loan proceeds will be used to reimburse the General Fund for any expenditures to date. Based on the projected sale of water to Charlotte Pipe & Foundry, the revenue generated would be sufficient to pay the debt service on the loan.

For Board consideration and approval, staff recommended the project be awarded to NJR Group, Inc., and requested approval of the revised project ordinance, budget amendments # 2022-30 and 2022-31 and the General Fund reimbursement resolution.

Following a brief period of questions concerning future use of the current Liberty Hill Pump Station and the NJR Group, Inc., Vice Chair Jordan moved to award the project to NJR Group, Inc., approve the revised project ordinance, budget amendments 2022-30 & 2022-31, and the General Fund reimbursement resolution as presented. Commissioner Barbee seconded the motion which carried by a 7 - 0 vote.

**See Exhibit B**
**Stanly County Revised Capital Project Ordinance**
**Liberty Hill Water Booster Pump Station Replacement Project,**
**Budget Amendments # 2022-30 & 2022-31 & the General Fund Reimbursement Resolution**

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

**7. Bost Road Water Main Extension Recomendation to Award and Budget Amendment**

Presenter: Duane Wingo, Utilities Director

Stanly County Utilities received the certified bid tabulations and recommendation from Chambers Engineering for the Bost Road Water Main Extension Project. The bid opening was conducted on October 14, 2021 with three (3) bids received. The low bidder was the RNF Construction, LLC from York, South Carolina in the amount of $312,265.05. The project was re-bid when the apparent low bidder failed to acknowledge an addendum attached to the contract on the previous bid in September 2021. Due to substantial increases in the cost of PVC piping materials and supply chain delays, the cost has greatly increased from the original budget estimate. A project ordinance with accompanying budget amendments was presented for Board approval with General Fund Balance used to cover construction costs.

For Board consideration and approval, staff recommended the project be awarded to RNF Construction, LLC, and requested approval of the revised project ordinance and associated budget amendments # 2022-32 & # 2022-33.

By motion, Commissioner Almond moved to approve the award of the project to RNF Construction LLC, approve the revised project ordinance and associated budget amendments as presented, seconded by Commissioner Furr and carried by a 7 - 0 vote.

**See Exhibit C**
**Stanly County Revised Capital Project Ordinance**
**& Budget Amendments # 2022-32 & 2022-33**

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

**8. Public Safety Radio Replacement Financing Public Hearing & Bank Resolution**

Presenter: Andy Lucas, County Manager

Per NCGS 160A-20, a public hearing is required prior to the County entering into an installment financing agreement with a financial institution that requires LGC approval. The notice for public hearing was published in the October 16/17 weekend edition of the Stanly News & Press. It was requested the Board conduct the required public hearing, then approve the bank financing resolution to enter into the agreement with Pinnacle Bank.

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

With no questions from the Board, Vice Chair Jordan moved to approve the financing resolution with Pinnacle Bank as presented, seconded by Commissioner Almond and passed by a 7 - 0 vote.

**See Exhibit D**
**Financing Resolution with Pinnacle Bank**

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

## 9. CONSENT AGENDA

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

**A. Minutes- Work session & regular meeting of October 18, 2021**

**B. DSS - CARES General Assistance - Budget amendment # 2022-28**

**C. EMS - Surplus Ambulance Donation**

**D. Utilities - Richfield Grant NCDEQ SRF Project Ordinance and Budget Amendment**

**BOARD COMMENTS, ANNOUNCEMENTS & COMMITTEE REPORTS**

Commissioner Asciutto congratulated several athletes at Graystone and West Stanly High School on their recent achievements.

Commissioner Efird noted that Thursday, November 11th is Veterans Day with a parade in Oakboro at 11:00 a.m. to honor veterans in the community and encouraged everyone to attend.

Commissioner Barbee congratulated the West Stanly Women's softball team members who received their state championship rings during Friday night's football game.

Vice Chair Jordan thanked county staff for their work in gathering the information and preparing the agenda packets for the Board meetings. He also encouraged everyone to continue to take the necessary precautions to stay safe even as the number of COVID-19 cases continues to decline in the county.

Commissioner Almond noted that more than 3,000 people attended New London's Fall Festival on Saturday and congratulated the town on a great job.

Commissioner Furr noted his participation and the tremendous turn out for the trunk or treat events hosted by the Sheriff's Office and City of Locust over the weekend. Also Hinson's Auction House will hold a fundraising event on November 9th with the funds raised going to St. Jude's Hospital and encouraged everyone to attend.

**ADJOURN**

With no further discussion, Commissioner Furr moved to adjourn the meeting, seconded by Commissioner Almond and passed by a 7 - 0 vote at 6:58 p.m.

**________________________________** **________________________________**

**W. D. Lawhon, Jr., Chair** **Tyler Brummitt, Clerk**