Tommy Jordan
Chairman

Zach Almond
Vice Chairman

Bill Lawhon
Commissioner

Lane Furr
Commissioner

Mike Barbee
Commissioner

Peter Asciutto
Commissioner

Scott Efird
Commissioner

STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
MONDAY, DECEMBER 6, 2021 – 6:00 PM

Attendee Name	Title	Status	Arrived
Tommy Jordan	Chairman	Present	
Zach Almond	Vice Chairman	Present	
Bill Lawhon	Commissioner	Present	
Lane Furr	Commissioner	Present	
Mike Barbee	Commissioner	Present	
Peter Asciutto	Commissioner	Present	
Scott Efird	Commissioner	Present	
Andy Lucas	County Manager	Present	
Tyler Brummitt	Clerk	Present	
Jenny Furr	Attorney	Present	

WELCOME & CALL TO ORDER

The Stanly County Board of Commissioners (the "Board") met in regular session on Monday, December 6, 2021 in the Gene McIntyre Meeting Room, Stanly Commons. The County Manager, acting as temporary Chairman, called the meeting to order at 6:00 p.m. for the purpose of reorganization of the Board.

ELECTION OF CHAIRMAN

The County Manager opened the floor for nominations for Chairman pursuant to NCGS 153A-39. Commissioner Almond nominated Commissioner Jordan. With no other nominations presented, Commissioner Lawhon moved to close the nominations, seconded by Commissioner Efird and carried by unanimous vote. Commissioner Jordan was elected Chairman by unanimous vote. County Manager Lucas congratulated Chairman Jordan nd turned the proceedings over to him.

ELECTION OF VICE CHAIRMAN

Chairman Jordan opened the floor for nominations for Vice Chairman pursuant to NCGS 153A-39. Commissioner Lawhon nominated Commissioner Almond. With no other names presented, Commissioner Efird moved to close the nominations, seconded by Lane Furr and passed by unanimous vote. Commissioner Almond was elected Vice Chairman by a 7 - 0 vote.

APPROVAL OF BONDS

By motion, Commissioner Lawhon moved to approve the following public official bonds, seconded by Vice Chairman Almond and carried by unanimous vote.

Bond Type	**Amount**	**Expiration Date**
Tax Administrator (Clinton Swaringen)	$100,000	October 28, 2022
Finance Officer (Toby Hinson)	$150,000	June 30, 2022
Register of Deeds (Suzanne Lowder)	$ 50,000	December 1, 2022
Sheriff (Jeff Crisco)	$ 5,000	December 3, 2022

2022 COUNTY COMMISSIONER BOARD & COMMITTEE ASSIGNMENTS

Vice Chairman Almond presented the following slate of nominees:

Economic Development Commission, 2 Commissioners -	Commissioner Mike Barbee Commissioner Bill Lawhon
Health & Human Services Board, 2 Commissioners -	Chairman Tommy Jordan Commissioner Scott Efird
Member, Library Board of Trustees -	Vice Chairman Zach Almond
Member, Airport Authority -	Commissioner Scott Efird
Alternate, Airport Authority -	Chairman Tommy Jordan
Chairman, Fire District Commission -	Commissioner Lane Furr
Member, Senior Services Board -	Vice Chairman Zach Almond
Member, Rural Planning Organization (RPO) -	Commissioner Peter Asciutto
Alternate, Rural Planning Organization (RPO) -	Commissioner Bill Lawhon
Member, Stanly Water & Sewer Authority -	Commissioner Lane Furr
Alternate, Stanly Water & Sewer Authority -	Commissioner Mike Barbee
Member, Centralina Council of Governments -	Commissioner Peter Asciutto
Alternate, Centralina Council of Governments -	Vacant

Vice Chairman Almond moved to approve the assignments as presented, seconded by Commissioner Furr and passed by a 7 - 0 vote.

2022 BOARD OF COMMISSIONERS REGULAR MEETING SCHEDULE

Chairman Jordan presented the following dates for Board consideration and approval:

Monday, January 3rd and Tuesday, January 18th*

Monday, February 7th and Monday, February 21st

Monday, March 7th and Monday, March 21st
Monday, April 4th and Monday, April 18th
Monday, May 16th
Monday, June 6th
Monday, July 11th
Monday, August 8th
Tuesday, September 6th**
Monday, October 3rd and Monday, October 17th
Monday, November 7th and Monday, November 21st
Monday, December 5th
* Rescheduled due to Martin Luther King Jr. holiday on Monday, January 17th
**Rescheduled due to the Labor Day Holiday on Monday, September 5th

Commissioner Efird moved to approve the meeting dates as presented, seconded by Vice Chairman Almond and carried by unanimous vote.

ANNOUNCEMENT
Chairman Jordan announced that during any regular meeting of the Board, the County Commissioners in order to act in their capacity as Board of Governors for the Greater Badin Water & Sewer District or for the Piney Point Water District, may at their discretion, recess the Commissioners' regular meeting and reconvene as the Board of Governors of either of the above two (2) entities in order to conduct business matters related to that entity. This concluded the matters related to the Board's reorganization.

APPROVAL / ADJUSTMENTS TO THE AGENDA

INVOCATION & PLEDGE OF ALLEGIANCE
Commissioner Efird gave the opening invocation and led the pledge of allegiance.

APPROVAL / ADJUSTMENTS TO THE AGENDA
With no amendments requested, Commissioner Lawhon moved to approve the agenda as presented, seconded by Commissioner Furr and carried by unanimous vote.

SCHEDULED AGENDA ITEMS

1. PUBLIC COMMENT

The following individuals addressed the Board:
- Thomas Townsend of Norwood noted his support of the "Individual Freedom Over Personal Vaccine Status" resolution on the agenda and proposed several revisions for Board consideration.
- Joshua Ballinger of Albemarle noted his support of the resolution and encouraged the Board to support it as well.
- Patty Crump of Norwood noted her concerns with the new SEL (Social Emotional Learning) curriculum recently voted in by the school board.

- Kelly Lowder of New London noted his support of the personal vaccine status resolution and encouraged the Board to support it as well.

2. Stanfield Recreational Grant Request

Presenter: Bridgette Helms, Town of Stanfield Administrator

Town Administrator Bridgette Helms presented Stanfield's request in seeking a $10,000 grant from the County to purchase new playground equipment for the Pete Henkel Park. The town plans to match these funds with $16,493 of their own funding in addition to $25,000 received from a NC Parks & Recreation Trust Fund (PARTF) grant to cover the cost of the equipment. Following the presentation, Ms. Helms entertained questions from the Board.

By motion, Commissioner Asciutto moved to approve the request, seconded by Commissioner Furr and passed by a 7 - 0 vote.

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

3. Department Head Presentation - Social Services

Presenter: Dolly Clayton, Social Services Director

Social Services Director Dolly Clayton gave a detailed presentation on the services and programs provided by DSS for clients. Following her presentation, Ms. Clayton entertained questions from the Board with no further action being taken.

4. COVID-19 Update

Presenter: Dave Jenkins, Health & Human Services Director

HHS Director Jenkins presented the latest COVID-19 statistics for Stanly County. The presentation included the number of daily cases, hospitalizations, deaths, number of those partially and fully vaccinated. He also provided information related to the booster shots, those who are eligible to receive them and information on the recently discovered Omicron variant. The presentation was for information only with no action taken.

5. Public Hearing for Consideration of Road Name: Lucky Buck Trail

Presenter: Rebecca Burgess, Data Base Coordinator

Data Base Coordinator Rebecca Burgess provided a brief review of the request from Richard (Rick) Laton, Jr. to name a private drive located off of NC 138 Highway between Chapel Road and Silver Springs Road. Following the presentation, it was requested the Board conduct the required public hearing and approve the name Lucky Buck Trail.

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

By motion, Vice Chairman Almond moved to approve the name Lucky Buck Trail, seconded by Commissioner Lawhon and passed by unanimous vote.

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

6. Lou Donaldson Blvd Resolution and Public Hearing

Presenter: Bob Remsburg, Planning Director

The Town of Badin has requested that NC DOT designate a portion of NC 740 through Badin as Lou Donaldson Boulevard. Lou Donaldson, known as "Sweet Papa Lou, is a well-known be-bop jazz musician who was born and raised in Badin. At age 95, he is now semi-retired but has continued to promote his hometown through the years. He has been inducted into the International Jazz Hall of Fame and is a Jazz Master as designated by the National Endowment of the Arts. Mr. Remsburg noted that the designation will affect the portion of NC 740 from Shaver Road north to Barnhardt Road for a total of five (5) miles and will not result in changes to any addresses for businesses or residences along this section of highway. Since this designation will extend beyond the town's limits, NC DOT requested the Board hold a public hearing and adopt a resolution of support for the renaming.

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

Commissioner Asciutto moved to approve the resolution of support to designate a portion of NC 740 as Lou Donaldson Boulevard as requested, seconded by Commissioner Efird and carried by a 7 - 0 vote.

See Exhibit A
A Resolution by the County of Stanly Honoring Lou Donaldson and
In Support of Naming a Portion of NC 740 Highway in His Honor

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

7. ZA21-11 BRD Land & Development - City Lake Drive

Presenter: Bob Remsburg, Planning Director

BRD Land & Investment submitted a request to rezone a 100.67 acre parcel on City Lake Drive owned by F. Eugene Starnes, Jr. and Patricia Starnes Bramlett from R20 and RA to R10 Long Lake Neighborhood Conditional District (Tax record # 23160, PIN 653801160306). The rezoning is to allow for construction of a 186 lot single-family "cluster" subdivision on the property. The preliminary plan for the project places the homes close together to avoid costs for infrastructure development. Water and sewer service will be provided by the County Utilities Department. The developer will pay for the infrastructure to be completed including a new pump station which will replace the existing county-owned pump station on NC 73 Hwy. All homes will be at least 1400 square feet in size with a minimum lot size of 6,000 square feet and an average lot size of 9,000 square feet. Depending on market conditions, homes are expected to be priced in the range of $250,000 - $350,000. The Planning Board unanimously recommended approval of the Conditional Zoning subject to the list of conditions adopted as part of the approval. Mr. Remsburg noted that the Board of Commissioners has the authority to amend any of the recommended conditions with the approval of the developer. Following the presentation, Mr. Remsburg responded to questions concerning the number of houses anticipated to be built in the subdivision as well as any environmental impacts discovered thus far. Following discussion, it was requested the Board conduct the public hearing for the rezoning request, review the conditions of the request and either approve or deny it.

Chairman Jordan declared the public hearing open. During the hearing, the following individuals coming forward:
- Matthew Kirchner, representing BRD Land & Investment, spoke in favor of the request and responded to questions concerning similar developments completed by the company. He and Mr. Remsburg also addressed questions regarding the new pump station to be constructed, the development's impact on Highway 73 traffic and width of the roads with the development.
- Chris Bramlett, co-owner of the property, spoke in favor of the request and provided a brief history of the property.
- Joseph Burleson, a local developer with Whitley Realty, spoke in favor of the request since the development will bring growth to an area of the county that has not seen the progress western Stanly County has experienced in recent years.

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

By motion, Commissioner Furr moved that ZA 21-11, a request by BRD Land & Development to change the zoning of a 100.67 acre lot owned by Eugene Starnes and Patricia Bramlett from R20 to R10 Long Lake Neighborhood Conditional District with the conditions as agreed upon, be approved. This development is in a growth area, has water and sewer service available and is therefore consistent with the Land-Use Plan. Commissioner Asciutto seconded the motion.

Prior to a vote, Commissioner Efird noted concerns with the houses located in the northern section of the development having access to the amenities on the south end and requested a sidewalk be added to allow safe access/passage. He also requested the 25 foot easement that starts with the right-of-way be increased to 30 feet. Mr. Kirchner agreed to both changes subject to NCDOT's approval.

With a motion and a second for approval, Commissioner Furr and Commissioner Asciutto amended their motions to include both of the requested changes. With no further discussion, Chairman Jordan called for a vote. The motion carried by unanimous vote.

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

8. Resolution - Individual Freedom over Personal Vaccine Status

Presenter: Andy Lucas, County Manager

Prior to the presentation, Chairman Jordan requested Vice Chairman Almond temporarily conduct the meeting in order for him to participate in the discussion. Vice Chairman Almond agreed to do so and introduced the item.

As directed by President Biden, the federal Occupational Safety and Health Administration (OSHA) recently released an emergency temporary standard (ETS) requiring all employers with 100 or more employees to mandate the COVID vaccine or require weekly COVID testing and masks by January 4, 2022. With the implementation of the ruling having been stayed by the 5th Circuit Court of Appeals in Kentucky, the ETS is now on hold until the courts rule.

At the request of multiple Board members, County Manager Lucas presented a resolution in opposition to the mandate and urged the Board's support of it. With no additional funding provided to employers by OSHA or the federal government to implement the mandate, it would be costly and difficult for government and private sector employers to put in place.

The Board discussed the resolution at length with Chair Jordan, Commissioner Barbee and Commissioner Asciutto proposing revisions to it. With the Board in agreement with the changes, Commissioner Barbee amended his motion to include the requested changes. Chairman Jordan seconded the motion to allow for continued discussion.

Commissioner Asciutto stated his non-support of the resolution because he considers COVID-19 to be a public health issue and the reason staff is against the mandate is due to the additional paperwork and inconvenience caused by implementing it.

Chairman Jordan stated his support of the vaccine as well as an individual or employer's right to require it but feels that it is not the government's place to do so.

Commissioner Lawhon stated he feels vaccinations are a personal choice and that no government on any level has the right to mandate them.

With no further discussion, Vice Chairman Almond called for the vote. The motion to adopt the resolution passed by a 6 - 1 vote (Commissioner Asciutto voting against).

See Exhibit B

Resolution in Support of Individual Freedom Over Personal

Vaccination Status

RESULT:	**APPROVED AS AMENDED [6 TO 1]**
MOVER:	Mike Barbee, Commissioner
SECONDER:	Tommy Jordan, Chairman
AYES:	Lawhon, Barbee, Jordan, Furr, Efird, Almond
NAYS:	Asciutto

9. Reaffirmation of the Code of Ethics

Presenter: Andy Lucas, County Manager

Per NCGS 160A-86, the County must reaffirm its code of ethics by December 31st of each year.

By motion, Commissioner Efird moved to reaffirm the code of ethics as requested, seconded by Commissioner Furr and carried by a 7 - 0 vote.

See Exhibit C
Reaffirmation of the Code of Ethics

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

10. CONSENT AGENDA

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

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

A. Minutes- Regular meeting of November 15, 2021

B. Finance - Vehicle tax refunds for November 2021

C. Transportation - 2021 SSP Updates

D. EDC - Building Reuse Budget Amendment

E. Planning - Interlocal Agreement for Norwood Zoning Enforcement

F. Airport - Budget Amendment # 2022-40 for Insurance Claim Payment

G. Sheriff's Office - Budget Amendment # 2022-42 for Medical Supplies

H. Sheriff's Office - K9 Retirement

I. DSS - Low-Income Household Water Assistance Program (LIHWAP)

BOARD COMMENTS, ANNOUNCEMENTS & COMMITTEE REPORTS

Commissioner Furr stated that after recently playing the part of Santa, he was asked to donate his hair to "Locks of Love" and plans to grow it out over the next several months to do so. He then noted his support of the Individual Freedom over Personal Vaccine Status resolution.

Commissioner Lawhon provided statistics on the number of new home building permits issued through November 2021 compared to last year which has seen a dramatic increase. He then wished everyone a Merry Christmas and Happy New Year.

Commissioner Almond also wished everyone a Merry Christmas as well.

Commissioner Asciutto thanked the Board for the discussion that took place during the meeting which he felt was very productive. He also wished everyone Merry Christmas.

Commissioner Efird noted the overall increase in commercial development throughout the county in recent months which is great to see. He congratulated Chairman Jordan and Vice Chairman Almond on being elected to serve in 2022 and wished everyone a Merry Christmas and Happy New Year.

Commissioner Barbee thanked those of the public who attended the meeting in support of our individual freedoms and wished everyone a Merry Christmas as well.

Chairman Jordan stated that he was honored to participate in several of the local Christmas parades. He again noted his support of the resolution adding that it is a personal choice for individuals and businesses and should not be mandated by government.

ADJOURN

With no further discussion, Commissioner Lawhon moved to adjourn the meeting, seconded by Commissioner Furr and carried by a 7 - 0 vote at 8:29 p.m.

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Thomas S. Jordan, III, Chair **Tyler Brummitt, Clerk**