



**TOWN OF GRANITE QUARRY
BOARD OF ALDERMEN
REGULAR MEETING MINUTES
Monday, December 13, 2021
7:00 p.m.**

Present: Mayor Bill Feather, Mayor-elect Brittany Barnhardt, Mayor Pro Tem John Linker, Alderman Jim Costantino, Alderman Kim Cress, Alderman Doug Shelton

Staff: Town Manager Larry Smith, Town Clerk Aubrey Smith, Town Attorney Chip Short, Finance Officer Shelly Shockley, Fire Chief / Public Works Director Jason Hord, Police Chief Mark Cook, Town Planner Steve Blount

Call to Order: Mayor Feather called the meeting to order at 7:00 p.m.

Moment of Silence: Mayor Feather led a moment of silence.

Pledge of Allegiance: The Pledge of Allegiance was led by Mayor Feather.

1. Approval of the Agenda

ACTION: Mayor Pro Tem Linker made a motion to approve and follow the agenda as presented. Alderman Costantino seconded the motion. The motion passed 4-0.

2. Approval of the Consent Agenda

A. Approval of the Minutes

1) Regular Meeting Minutes November 8, 2021

B. Departmental Reports (*Reports in Board packet*)

C. Financial Reports (*Reports in Board packet*)

D. Certification of Fire Roster

ACTION: Alderman Costantino made a motion to approve the consent agenda. Alderman Cress seconded the motion. The motion passed 4-0.

3. Citizen Comments

- Graham Young, 1207 Edgewater Court- spoke on behalf of the Timber Run Homeowners' Association on traffic flow in and out of the Timber Run subdivision. He handed out a prepared presentation that summarized their concerns. The HOA requested speed bumps or speed tables and included examples of options in the handout. The total cost was estimated to be around \$6,500.
 - Mayor Pro Tem Linker suggested addressing the issue in Board Comments.

4. Town Manager's Update

Manager Smith reviewed highlights from his report in the agenda packet including the proposed budget and planning calendar for the upcoming year. He requested feedback from the Board be sent to him.

Old Business

5. Ordinance 2021-18

Driveway Standards Text Amendment

Additional feedback from the engineer was received and is in the process of being reviewed. Staff requested that the item be continued until the January meeting.

ACTION: Alderman Costantino made a motion to continue this item until the January 2022 Board Meeting. Alderman Cress seconded the motion. The motion passed 4-0.

Organizational Business

6. Swearing in of Newly Elected Officials Rowan County Clerk of Court Jeffrey R. Barger

The oaths of office were administered by Jeffrey Barger, Rowan County Clerk of Court.

A. Brittany Barnhardt, Mayor

Mayor Feather stepped down and Mayor Barnhardt took over as presiding officer for the meeting.

B. Kim Cress, Alderman

C. John Linker, Alderman

Mayor Barnhardt recognized Alderman John Linker to present a plaque to Mayor Feather on behalf of the Board, staff, and citizens for his committed service.

7. Election of Mayor Pro-Tempore

ACTION: Alderman Costantino made a motion to elect John Linker as Mayor Pro-Tempore. Alderman Cress seconded the motion. The motion passed 4-0.

8. Swearing in of Mayor Pro-Tempore Rowan County Clerk of Court Jeffrey R. Barger

The oath of office for Mayor Pro-Tempore John Linker was administered by Jeffrey Barger, Rowan County Clerk of Court.

By consensus the Board recessed the meeting for a brief reception at 7:17 p.m.

Mayor Barnhardt called the meeting back into order at 7:37 p.m.

9. Resolution 2021-18

Check Signatures

A resolution updating the signatures from the former Mayor and Mayor Pro Tem to the newly elected Mayor and Mayor Pro Tem was presented.

ACTION: Alderman Costantino made a motion to adopt Resolution 2021-18 enacting updated town check signatures. Mayor Pro Tem Linker seconded the motion. The motion passed 4-0.

10. Appointment of Committee Representatives and Alternates

A. Transportation Advisory Committee, Cabarrus-Rowan MPO

B. Centralina (formerly CCOG) Board of Delegate Representatives

ACTION: Mayor Pro Tem Linker made a motion to appoint Mayor Barnhardt as the Cabarrus Rowan MPO TAC representative and Alderman Costantino as the alternate representative. Alderman Cress seconded the motion. The motion passed 4-0.

ACTION: Mayor Pro Tem Linker made a motion to appoint Mayor Barnhardt to the Centralina Board of Delegates and Alderman Costantino as the alternate. Alderman Shelton seconded the motion. The motion passed 4-0.

New Business

11. Audit Presentation

Tony Brewer, CPA

Mr. Brewer addressed the Board regarding the FY20/21 Audit Report and reviewed an audit summary sheet that he handed out. Mr. Brewer shared highlights from the report including the following:

- The Town received an unqualified, or clean, opinion
- General Fund highlights:
 - Ad valorem tax collections were up ~ \$44,000
 - Unrestricted intergovernmental revenues were up ~ \$70,000
 - Overall total revenues were up ~ \$165,000, mainly due to receiving \$91,000 of COVID relief funds as well as increases in local option sales tax
 - Expenditures up \$200,000 mainly due to expenditures in PD, expenditures in the recreation department, and new debt payment for prior street improvements
 - For the year revenues were greater than expenditures by \$96,000 vs. a decrease of \$118,000 in 2020
 - \$336,000 operating transfer to capital projects that happened in 2020 compared to an \$86,000 transfer in 2021
- Capital Projects as of June 30, 2021
 - Town Hall and street projects were completed
 - Granite Lake Project stood at 12% complete
 - industrial development project was 87%
- Other noteworthy items:
 - Available or unassigned fund balance remains steady at 66%
 - Debt decreased \$100,000 due to principal payments
 - Collection rate above state average (average 96%, Town 98.2%)
- New requirements from the Local Government Commission:
 - Will no longer issue unit, or white, letters
 - Auditors are now required to report financial indicators of concern require notification
 - New requirement for governing body to submit response to indicators. Must be signed by majority of members and submitted within 60 days with plan to address areas of concern. The Town does not have to answer anything for FY20/21.

Alderman Shelton asked for clarification on responses to the audit findings. Mr. Brewer stated that LGC's website provided templates for the responses.

Mr. Brewer thanked Manager Smith and staff for making everything available and transparent for the audit.

12. Public Hearing

SB300 UDO Updates

Planner Blount referenced his memo in the agenda packet regarding updating language regarding criminal enforcement in the UDO.

Opened: Mayor Barnhardt opened the public hearing at 8:01 p.m.

Comments: None

Closed: Mayor Barnhardt closed the public hearing at 8:02 p.m.

Mayor Pro Tem Linker asked Attorney Short what choice the Board had. Attorney Short responded that the Board needed to do what Planner Blount was asking whether now or in the future if the Board wanted an ordinance to be criminally enforced. He restated that this was replacing the blanket statement that all ordinances could be charged as a misdemeanor with individualized statements for the criminal enforceability of specific applicable ordinances.

Statement of Consistency and Reasonableness:

In voting to adopt the proposed text amendment to the Unified Development Ordinance, the Granite Quarry Board of Aldermen does find this decision to be in the best interest of the public and to be consistent in general with policies stated in the Town's Comprehensive Plan.

ACTION: Alderman Costantino a motion to approve (*Ordinance 2021-19 to amend the text of the Unified Development Ordinance by updating language regarding criminal enforcement and approving the statement of consistency and reasonableness as written*). Mayor Pro Tem Linker seconded the motion. The motion passed 4-0.

Mayor Pro Tem Linker thanked Planner Blount on behalf of the Board for his service and helping get the town ahead of the curve.

13. Ordinance 2021-20

SB300 Code of Ordinance Updates

Statement of Consistency and Reasonableness:

In voting to adopt the proposed text amendment to the Code of Ordinances, the Granite Quarry Board of Aldermen does find this decision to be in the best interest of the public and to be consistent in general with policies stated in the Town's Comprehensive Plan.

ACTION: Alderman Shelton made a motion to approve (*Ordinance 2021-20 to amend the text of the Code of Ordinances by updating language regarding criminal enforcement and approving the statement of consistency and reasonableness as written*). Alderman Costantino seconded the motion. The motion passed 4-0.

14. Budget Amendment #5

Board Training

ACTION: Alderman Shelton made a motion to approve (*Budget Amendment #5 to decrease Governing Body – Board Contingency (01-4110-97) and increase Governing Body - Training (01-4110-31) by \$175.00 for additional training for Board members*). Alderman Costantino seconded the motion. The motion passed 4-0.

15. Board Comments

- Mayor Pro Tem Linker asked Mr. Young, who represented Timber Run's Homeowners' Association, for more information regarding the issue raised during public comments.
 - Mr. Young provided background information on the issue.
 - Mayor Pro Tem Linker asked Attorney Short whether the Town assisting in the manner requested for a specific neighborhood would set a precedent. Attorney Short responded that the Board would not be legally bound, but it could become a political issue. He also cited a liability for the town with maintenance of the speed bumps.
 - Alderman Costantino asked whether traffic enforcement would help the issue.

- Alderman Shelton asked if there was any data on who was speeding and why. He stated a desire for more information on the source before work began on a solution.
- Mr. Young stated the Timber Run HOA would be willing to share the cost.
- Mayor Pro Tem Linker suggested beginning with a more visible police presence enforcing traffic laws.
- Manager Smith and Chief Cook will meet with Mr. Young tomorrow at 10:00 a.m.
- Alderman Costantino suggested changing the regular meeting time from 7:00 p.m. to 6:00 p.m.

ACTION: Alderman Costantino made a motion to change the regular meeting time from 7:00 p.m. to 6:00 p.m. Alderman Cress seconded the motion. The motion passed 4-0.

16. Announcements and Date Reminders

A. Weekdays	December		Food Drive – Drop Off in Town Hall Lobby
B. Thursday	December 16	7:30 a.m.	Rowan Chamber Power in Partnership
C. Monday	December 20	5:00 p.m.	Parks, Events, and Recreation Committee
D. Monday	December 20	5:30 p.m.	Zoning Board of Adjustment
E. Tuesday	December 21	3:30 p.m.	Revitalization Team
F. Thursday	December 23		Office Closed
G. Friday	December 24		Office Closed, Christmas Eve
H. Saturday	December 25		Christmas
I. Monday	December 27		Office Closed
J. Friday	December 31		Office Closed
K. Saturday	January 1		New Year's Day
L. Monday	January 3	6:00 p.m.	Planning Board
M. Saturday	March 5		<i>Save the Date</i> – Volunteer & Staff Banquet

Adjournment

ACTION: Alderman Costantino made a motion to adjourn. Alderman Cress seconded the motion. The meeting ended at 8:33 p.m.

Respectfully Submitted,

Aubrey Smith
Town Clerk



RESOLUTION 2021-18

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE TOWN OF GRANITE QUARRY, NORTH CAROLINA, ENACTING UPDATED TOWN CHECK SIGNATURES

WHEREAS, the Town of Granite Quarry has established a bank account and investment accounts authorized by G.S. 159-31 and 20 NCAC 7; and

WHEREAS, G.S. 159-25(b) requires that all checks for disbursement shall have two signatures; and


WHEREAS, all checks for disbursement of Town funds shall bear the signature of the Finance Officer and Mayor, or one of the below listed persons in either's absence.

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Granite Quarry the following named persons, whose signatures are shown below, are approved for the signing of checks from the General Fund account, Grant Project Funds, and Capital Project Funds, as well as making changes to investment accounts held at F & M Bank for the Town of Granite Quarry effective immediately:

Shelly Shockley, Finance Officer
Brittany H. Barnhardt, Mayor
John Linker, Mayor Pro-Tempore
Aubrey Smith, Town Clerk

**RESOLVED, APPROVED, AND EFFECTIVE UPON ADOPTION BY THE BOARD OF ALDERMEN OF
THE TOWN OF GRANITE QUARRY, NORTH CAROLINA, ON THIS 13th DAY OF December 2021.**

ATTEST:


Aubrey Smith, Town Clerk




Brittany H. Barnhardt, Mayor

ORDINANCE NO. 2021-19

**AN ORDINANCE AMENDING TEXT OF THE TOWN OF GRANITE QUARRY'S
UNIFIED DEVELOPMENT ORDINANCE**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF GRANITE
QUARRY:**

Section 1. That the Unified Development Ordinance of the Town of Granite Quarry, North Carolina, is hereby amended by amending text of Appendix A; Chapter 15. Administration; Sec. 15.4. Penalties.; subsections A. and B., which such sections shall read as follows:

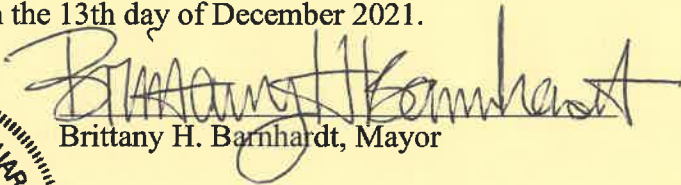
- A. Nothing in this Ordinance, nor shall enforcement of one remedy provided herein prevent the enforcement of any other remedy or remedies provided herein or in other ordinances or laws. In addition to the remedies provided for herein, any violation of the terms of this Ordinance shall subject the violator to all available penalties and remedies.
- B. In case any structure or use is erected, constructed, reconstructed, altered, repaired, converted or maintained in violation of this Ordinance as herein provided, an action for injunction or other appropriate action to prevent such violation may be instituted by the Administrator, the Rowan County Building Inspector, any other appropriate Town authority, or any person who may be damaged by such violation.

Section 2. That the Unified Development Ordinance of the Town of Granite Quarry, North Carolina, is hereby amended by amending text of Appendix A; Chapter 15. Administration; Sec. 15.4.1 Criminal Penalties, which such section shall read as follows:

15.4.1 Deleted

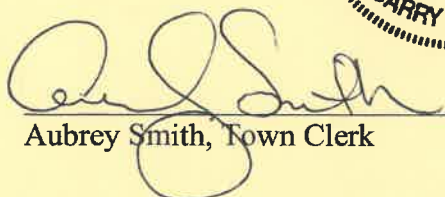
Section 3. All ordinances in conflict herewith are repealed to the extent of any such conflict.

Section 4. This ordinance is effective on the 13th day of December 2021.

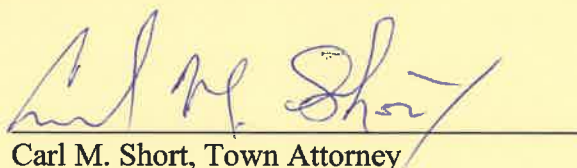

Brittany H. Barnhardt, Mayor



ATTEST:


Aubrey Smith, Town Clerk

APPROVED AS TO FORM:


Carl M. Short, Town Attorney

ORDINANCE NO. 2021-20

AN ORDINANCE AMENDING TEXT OF THE TOWN OF GRANITE QUARRY'S CODE OF ORDINANCES

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF GRANITE QUARRY:

Section 1. That the Code of Ordinances of the Town of Granite Quarry, North Carolina, is hereby amended by amending text of Chapter 1 General Provisions; Section 1-6 General penalty; enforcement of ordinances; continuing violations subsections (a), (b), and (m); which such sections shall read as follows:

(a) Where specified in each individual ordinance herein, each violation of this Code or any other town ordinance shall constitute a misdemeanor as provided by G.S. 14-4, except as otherwise provided by statute, and violations of such provisions of this Code or any town ordinance shall be punished by fine or imprisonment as provided by law. Each day any violation of this Code or any town ordinance shall continue shall constitute a separate offense, except as may be specifically provided.

(b) Violations of this Code or any town ordinance shall constitute either a misdemeanor (where specifically noted in the individual ordinance) or, at the election of the town, shall subject the offender to a civil penalty upon the issuance of a citation for said violation as hereinafter provided. The civil penalty, if not paid to the town within 15 days of the issuance of a citation, may be recovered by the town in a civil action in the nature of debt. Unless otherwise provided by a specific provision of this Code or any town ordinance, said civil penalties shall be in the amount of \$50.00 for each violation and each day any single violation continues shall be a separate violation.

(m) The existing ordinances of the town, a violation of which shall subject the offender to civil penalties and/or criminal penalty provisions of law, are as follows:

(1) The Code of Ordinances (civil or criminal as specified).

(2) The Unified Development Ordinance (UDO) of the town (civil only).

Section 2. That the Code of Ordinances of the Town of Granite Quarry, North Carolina, is hereby amended by amending text of Chapter 6 Building and Building Regulations; Section 6-61 Alternative Remedies; subsection a., which such section shall read as follows:

- a. Nothing in this article nor any of its provisions shall be construed to impair or limit in any way the power of the town to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise nor shall enforcement of one remedy provided herein prevent the enforcement of any other remedy or remedies provided herein or in other ordinances or laws. In addition to the remedies provided for

herein, any violation of the terms of this article shall subject the violator to the penalties and remedies as set forth in section 1-6.

Section 3. That the Code of Ordinances of the Town of Granite Quarry, North Carolina, is hereby amended by amending text of Chapter 10 Environment; Section 10-26 Procedure is alternative; which such section shall read as follows:

Nothing in this article nor any of its provisions shall be construed to impair or limit in any way the power of the town to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise nor shall enforcement of one remedy provided herein prevent the enforcement of any other remedy or remedies provided herein or in other ordinances or laws. In addition to the remedies provided for herein, any violation of the terms of this article shall subject the violator to the penalties and remedies, as set forth in section 1-6.

Section 4. That the Code of Ordinances of the Town of Granite Quarry, North Carolina, is hereby amended by amending text of Chapter 16 Offenses and miscellaneous provision; Section 16-2 Noise; subsection (e), which such section shall read as follows:

(e) Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be punished in the discretion of the court by fine or imprisonment, or by both.

Section 5. That the Code of Ordinances of the Town of Granite Quarry, North Carolina, is hereby amended by amending text of Chapter 16 Offenses and miscellaneous provision; Section 16-3 Firearms and explosives; subsections (a) and (b), which such section shall read as follows:

(a) It shall be unlawful for any person to shoot any kind of firearm or explosive within the town without first having obtained express permission from the board of aldermen. This section shall not be interpreted so as to prohibit the use of firearms for self-protection.

(b) Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be punished in the discretion of the court by fine or imprisonment, or by both.

Section 6. All ordinances in conflict herewith are repealed to the extent of any such conflict.

Section 7. This ordinance is effective on the 13th day of December 2021.



Brittany H. Barnhardt, Mayor

ATTEST:

Aubrey Smith, Town Clerk

APPROVED AS TO FORM:

Carl M. Short, Town Attorney

Town of Granite Quarry

**FISCAL YEAR 2021-2022
BUDGET AMENDMENT REQUEST #5**

December 13, 2021

PURPOSE: To decrease Governing Body – Board Contingency (01-4110-97) and increase Governing Body - Training (01-4110-31) by \$175.00 for additional training for Board members.

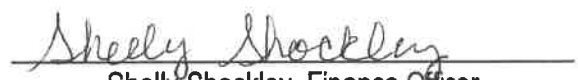
General Fund – Fund 01

Expenses:

GL Acct #	Account Description	Increase (Decrease):
01-4110-31	Governing Body – Training	\$ 175.00
01-4110-97	Governing Body – Board Contingency	(\$ 175.00)
Total Increase/Decrease:		\$ 0.00

The above Budget Amendment was approved / denied by the Manager or Board on 12/13/2021


Brittany Barnhardt, Mayor


Shelly Shockley, Finance Officer