

- 6. Public Hearing** **Rezoning of 354 186 RL to RH**
 After deliberation, at its September 6, 2022 meeting, the Planning Board continued the item until its October meeting.

ACTION REQUESTED: Motion to continue the public hearing for the rezoning request of parcel 354 186 until the October meeting.

- 7. Public Hearing** **UDO Amendment – ZBA Duties**
ACTION REQUESTED: Motion to approve Ordinance 2022-10 amending Sec. 15.5.3 of the UDO and adopt the Statement of Consistency and Reasonableness as presented.

- 8. Budget Amendment** **CLUP/UDO**
ACTION REQUESTED: Motion to adopt Budget Amendment (1A / 1B / 1C) to fund the CLUP/UDO updates.

- 9. Discussion** **Filling a Board Vacancy**

- 10. Presentation** **Mural / Art at Granite Lake Park**
ACTION REQUESTED: Motion to approve funding and design.

- 11. Proclamations**
- | | | | |
|----|-------------------------------|--------------|--|
| A. | Breast Cancer Awareness Month | October | |
| B. | Fire Prevention Week | October 9-15 | |

12. Board Comments

- 13. Announcements and Date Reminders**
- | | | | | |
|----|-----------|--------------|-----------|--|
| A. | Wednesday | September 14 | 5:00 p.m. | Centralina Executive Board Meeting |
| B. | Thursday | September 15 | 7:30 a.m. | Power in Partnership Breakfast |
| C. | Monday | September 19 | 5:00 p.m. | Parks, Events and Recreation Committee |
| D. | Tuesday | September 20 | 3:30 p.m. | Revitalization Team |
| E. | Wednesday | September 28 | 5:30 p.m. | CRMPO TAC Meeting |
| F. | Monday | October 3 | 6:00 p.m. | Planning Board |
| G. | Saturday | October 8 | | Fiddlers Convention |

Adjourn

Agenda Item Summary

Regular Meeting
September 12, 2022
Agenda Item 1

Summary:

The Board may discuss, add, or delete items from the Regular Meeting agenda.

Action Requested:

Motion to adopt the September 12, 2022 Board of Aldermen Meeting Agenda (as presented / as amended).

Approval of Agenda

Motion Made By:

Jim Costantino
John Linker
Doug Shelton

Second By:

Jim Costantino
John Linker
Doug Shelton

For:

Jim Costantino
John Linker
Doug Shelton

Against:

Jim Costantino
John Linker
Doug Shelton

In case of tie:

Mayor Brittany Barnhardt

For
Against

Agenda Item Summary

Regular Meeting
September 12, 2022
Agenda Item 2

Summary:

The Board may discuss, add, or delete items from the Consent Agenda.

A. Approval of the Minutes

- 1) Regular Meeting August 8, 2022
- 2) Strategic Planning Meeting August 18, 2022

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

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

D. Committee Appointment – Zoning Board of Adjustment

Action Requested:

Motion to approve the consent agenda (as presented / as amended).

Approval of Consent Agenda

Motion Made By:

- Jim Costantino
- John Linker
- Doug Shelton

Second By:

- Jim Costantino
- John Linker
- Doug Shelton

For:

- Jim Costantino
- John Linker
- Doug Shelton

Against:

- Jim Costantino
- John Linker
- Doug Shelton

In case of tie:

Mayor Brittany Barnhardt

- For
- Against



**TOWN OF GRANITE QUARRY
BOARD OF ALDERMEN
REGULAR MEETING MINUTES
Monday, August 8, 2022
6:00 p.m.**

Present: Mayor 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, Interim Planner Bill Bailey, Police Chief Mark Cook

Call to Order: Mayor Barnhardt called the meeting to order at 6:00 p.m.

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

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

1. Approval of the Agenda

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

2. Approval of the Consent Agenda

A. Approval of the Minutes

1) Regular Meeting July 11, 2022

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

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

D. Zoning Board of Adjustment Rules of Procedure Updates

E. Termination of State of Emergency

ACTION: Mayor Pro Tem Linker made a motion to approve the consent agenda. Alderman Shelton seconded the motion. The motion passed 4-0.

3. Citizen Comments – There were no citizen comments.

4. Town Manager's Update

Manager Smith shared that a request for sponsorship was received today from the Granite Quarry Civitan Club for the Fiddlers Convention. Last year the Board waived the Funding of Non-Profit Organizations Policy to fund the request for the same \$100 amount the Board has given for the last several years. The \$100 was earmarked in this year's budget. He asked for Board direction on whether they wanted to go ahead with the \$100 sponsorship now or wait and add the request to next meeting's agenda.

ACTION: Mayor Pro Tem Linker made the motion to approve (*\$100 sponsorship of the Fiddlers Convention*). Alderman Costantino seconded the motion. The motion passed 4-0.

Manager Smith gave kudos to Finance Officer Shockley for her work on the town's finances. The auditor praised her saying that the town is no longer working on getting finances straightened out but is now creating a model for others.

Manager Smith referred to the Preliminary Budget vs. Revenue document included in the agenda packet that he was asked to prepare. The document showed pre-audited figures. Alderman Shelton had questions about information on the document including the restricted police funds. Manager Smith responded that they were that was the unspent balance of the police budget. Alderman Shelton stated he thought the Board had amended the Agreement to unrestrict those funds after the significant surplus year. Manager Smith explained that the Towns agreed to not automatically reappropriate the full amount of unspent funds each year, which was overinflating the budget, but the funds were established in the Restricted Intergovernmental grouping in the budget. Whether we can unrestrict them fully is one of the things the Town hopes to address in the JPA Agreement / Formula Review goal.

Manager Smith stated that the strategic planning goals and project tracking sheet were included in the agenda packet. He stated if it helps put into context why we say no more than 3-5 goals, that a similar Strategic Planning process he is involved with using consultants has taken around 15 months and he thinks was about \$50,000. And that is just one of the goals on the tracking list we are trying to take on in-house with much less resources than our peer municipalities. He encouraged the Board to keep the number of goals manageable for us to be able to accomplish them. Mayor Barnhardt stated she liked the project tracking sheet and thought it was a great tool to use every month to show the Board all of the goals and what was being achieved.

Manager Smith gave kudos to the Mayor and Mayor Pro Tem for speaking at the Rowan Municipal Association meeting. There were many common concerns so, barring objection, staff will reach out to the person Chairman Edds recommended, the headhunter for many site selection consultants, as well as a few people who could speak on the staffing and workforce turnover. Manager Smith stated municipalities would be polled to see if they would be willing to pay over the amount of the meal to help cover the cost some speakers charge.

Mayor Pro Tem Linker questioned the grant-related expenditures in the Financial Reports. Finance Officer Shockley clarified it was a transfer to the general fund.

Old Business

5. Public Hearing

Ord 2022-09 Site Plan Review Process

A. Staff Presentation

Planner Bailey shared that he had been tasked with looking at the way the town processed site plans and major subdivisions. The current process involves the Planning Board and Board of Aldermen and is allowed by 160D but discouraged. The ideal process would be that the specific requirements

would be laid out in the ordinances and professional staff would check to make sure all requirements were met. The proposed amendments would base the review on the ordinance. This would be a technical rather than political review.

Alderman Costantino questioned who would make the decision. Planner Bailey stated the final decision would be made by staff based on the ordinance. Mayor Barnhardt asked if it was N-Focus's professional opinion that it would be wise to make this change before the CLUP and UDO updates were made. Planner Bailey deferred to N-Focus CEO Rick Flowe. Mr. Flowe stated it was a "reasonable band-aid". He went on to state the Board should adopt what was recommended to get the decision out of the subjective arena. He stated when Board members are asked to make legislative decisions, they are wearing an administrative hat and any decision they made would be appealable.

Planning Board Chairman Richard Luhrs passed out a handout (*attached*) to the Board and stated he would like to read it into record. He spoke about the reasoning for the Planning Board decision including that none of the Technical Review Committee members were residents of the town.

B. Public Hearing

1) **Opened:** Mayor Barnhardt opened the public hearing at 6:45 p.m.

- There were no public comments.

2) **Closed:** Mayor Barnhardt closed the public hearing at 6:45 p.m.

C. Board Discussion and Decision

Board discussion included a question from the Mayor on whether a board member could sit on the Technical Review Committee (TRC). Attorney Short stated that they could. Manager Smith reminded the Board about board member's non-technical input into technical discussions in the past that caused major enough issues that the Board directed no board member be involved in that aspect of development discussions. Mayor Barnhardt recognized Mr. Flowe who restated that the amendment would remove elected and appointed board members from administrative decisions. He stated he had seen the Planning Board serve as one arm of the TRC that would provide input back to the TRC, just without making a formal vote.

Alderman Shelton stated he would like to say no today and have this brought back up after amendments were made to the UDO in the future. Mayor Barnhardt stated a desire to see the item tabled until a decision on CLUP and UDO updates had been made.

ACTION: Alderman Costantino made a motion to table the item. The motion died for lack of a second.

There were questions on how long the item should be tabled. The Board decided by consensus to revisit the item again after item 9: CLUP / UDO Options on tonight's agenda.

6. Adoption

Bicycle and Pedestrian Plan

Staff asked that the Board adopt the Bicycle and Pedestrian Plan with any changes based on the DOT review.

ACTION: Alderman Costantino made a motion to approve (*the Bicycle and Pedestrian Plan with any changes based on the DOT review*). Mayor Pro Tem Linker seconded the motion. The motion passed 3-1 with Alderman Shelton opposed.

Alderman Shelton stated they were being asked to vote on the plan while still waiting for DOT comments.

7. Discussion Strategic Planning Goals

Manager Smith shared the slides for the draft version of the Strategic Planning Goals that were included in the agenda packet. Indicators of progress were added. He requested feedback or approval of the Goals and Implementation Strategies final draft. The next step will be to finalize the core values.

ACTION: Alderman Costantino made a motion to approve (*the Goals and Implementation Strategies final draft*). Alderman Shelton seconded the motion. The motion passed 4-0.

8. Discussion Project Work Plan Priorities

Manager Smith summarized that the Board asked for the project tracking sheet to be placed back on this agenda for Board review and prioritization. Mayor Barnhardt stated having the PARTF grant in place and moving forward with park plans was important to her. She added that she was also interested in prioritizing finding the best fit for platforms for the town with social media.

Manager Smith stated currently it was an overly ambitious list, so staff was trying to prioritize the projects that are already in motion. Once a game plan was in place, staff will bring the list back to the Board and ask what can be cut.

9. Discussion CLUP / UDO Proposal Options

Mayor Barnhardt asked that the CLUP / UDO Proposal Options be added to the August agenda for discussion. She stated there was board contingency funding and that the payment could be made over the course of two fiscal years.

Attorney Short stated that putting the process (*Item 5 Site Plan Review Process*) in place that was being discussed would relieve the Board of liability, but it was assuming that the town had done all the planning that it needed to do. He stated he would like to see the proposal passed but didn't believe the town was ready for that. He stated that the ideal situation would be that an applicant could put everything on an application and then a list could be checked off.

Alderman Shelton stated that it (CLUP / UDO) should be funded with a budget amendment and not the full Board Contingency. It could be funded with funds freed up by ARPA.

The Town Manager's memo from 7/11/2022 that was included in the August agenda packet as well identified the three options from the N-Focus proposal:

- Option A: Comprehensive Land Use Plan only \$39,800.00
- Option B: Unified Development Ordinance \$34,600.00
- Option C: Joint Project (CLUP & UDO) \$65,500.00 (noted this would be a 12% discount)

The Town Manager's memo also stated that "should the BOA choose to, it could therefore move/add the \$22,037 originally budgeted for the Civitan payout to the \$40,331 Contingency and have \$62,368 toward the \$65,500 Option C (-\$3,132)."

Alderman Costantino stated the town had a lot going on and needed to do this.

ACTION: Alderman Costantino made a motion to approve it (*CLUP / UDO updates*). Mayor Pro Tem Linker seconded the motion. The motion passed 4-0.

During discussion before the vote Alderman Shelton asked if it should be done piecemeal (*Options A or B*) or at one time (*Option C*). Mayor Barnhardt, Mayor Pro Tem Linker, and Alderman Costantino stated that it shouldn't be done in pieces. Alderman Shelton asked if the motion should be amended to include the funding source. Mayor Barnhardt stated a budget amendment would be brought back before the Board and that the motion was just for staff to take action.

Item 5 was revisited per the Board's earlier vote.

ACTION: Alderman Shelton made a motion to accept the Planning Board's recommendation to disprove (*Ordinance 2022-09 amending the site plan approval process*) and adopt the Statement of Consistency and Reasonableness as presented. Alderman Costantino seconded the motion.

Attorney Short suggested that no action had to be taken. Alderman Shelton rescinded his motion. No action was taken.

Attorney Short left the meeting at 7:24 p.m.

New Business

10. Discussion

Town Square

Manager Smith shared a presentation that showed key points from the Downtown Master Plan and DOT's recommendation as well as the challenges and takeaways on the town square project.

Staff requested that the Board receive the presentation, review, and confirm key "must haves" for any improvements to the Town Square infrastructure.

11. Proclamation

National Day of Service and Remembrance

Mayor Barnhardt acknowledged the proclamation for National Day of Service and Remembrance.

12. Board Comments

- Alderman Costantino made a statement that he would like to see sculptures around town like in Salisbury.

13. Announcements and Date Reminders

A.	Wednesday	August 10	5:00 p.m.	Centralina Board of Delegates Meeting
B.	Thursday	August 11	6:00 p.m.	Community Appearance Commission
C.	Monday	August 15	5:00 p.m.	Parks, Events and Recreation Committee
D.	Monday	August 15	5:30 p.m.	Zoning Board of Adjustment
E.	Tuesday	August 16	3:30 p.m.	Revitalization Team
F.	Thursday	August 18	9:30 a.m.	BoA Special Meeting – Strategic Planning
G.	Wednesday	August 24	5:30 p.m.	CRMPO TAC Meeting
H.	Monday	September 6	6:00 p.m.	Planning Board
I.	Thursday	September 8	6:00 p.m.	Community Appearance Commission

Adjournment

ACTION: Alderman Costantino made a motion to adjourn. Mayor Pro Tem Linker seconded the motion. The motion passed 4-0.

The meeting ended at 7:39 p.m.

Respectfully Submitted,

Aubrey Smith

Town Clerk



**TOWN OF GRANITE QUARRY
BOARD OF ALDERMEN
SPECIAL MEETING
STRATEGIC PLANNING
MEETING MINUTES
Thursday, August 18, 2022, 9:30 a.m.**

Present: Mayor 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, Finance Officer Shelly Shockley

Call to Order: Mayor Barnhardt called the meeting to order at 9:34 a.m.

1. Approval of the Agenda

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

2. Discussion

Strategic Planning

Manager Smith reviewed a PowerPoint presentation he prepared summarizing discussion and questions the Board has had so far. The presentation highlighted community input from the master plans which identified the town square infrastructure/streetscape, connectivity of parks, trail improvements, strategic properties, park restrooms, and park equipment as priorities. Multipliers were identified as safety, master plan tie-in, accessibility (DEI), visual impact, timetable, grant compatibility/matchability, “best bang for the buck”, and improvement to maintenance or long-term funding.

Because the Parks and Rec Master Plan identified streets and sidewalks as the most impactful high-priority projects, Manager Smith presented a potential solution to pay off the street loan. Doing so would save the Town around \$20,000 and also resolve the constraints on annual funding for normal maintenance, repair, and capital improvement projects on streets and sidewalks that the town otherwise continues to face for the next 5 years from the loan's debt service. The estimated payoff amount as of 8/18/2022 was identified as \$251,539. Individual board members voiced a desire not to move forward with using the funds freed up by ARPA to pay off the debt.

Mayor Barnhardt asked the Board members to share their individual ideas and priorities.

Mayor Pro Tem Linker

- From the Bike and Ped Plan - connectivity; sidewalk on Kerns Street
- From the Downtown Master Plan – sidewalks, curb & gutter, downtown streetscapes

- From the Parks and Rec Master Plan – Legion Building, bridge at Civic Park, playground equipment, shelter upgrades
- Need to figure out who would administer the grants and funding for ongoing park maintenance

Alderman Costantino

- Highway 52 streetscape
- Sidewalks to the development underway beside J.H. Cook
- Legion Building updates
- New bridge

Alderman Shelton

- Stated a desire to see visual projects completed in the current fiscal year
- Bridge at Civic Park
- Overflow parking paved in next paving cycle (Civic Park)
- Improve Civic Park paths
- Upgrade and personalize downtown street signs; wayfinding signs

Alderman Cress

- Bridge at Civic Park
- Sidewalks on Highway 52
- Playground equipment
- Tennis courts
- Industrial park
- Walking trails torn up and redone
- Ball field

Mayor Barnhardt

- Bridge
- Mural in downtown
- Stadium seating for amphitheater, possibly in outfield of current ball field
- Civic Building
- Town Square
- Quarries – partnership for potential trail, walkout area, connection to greenway

After discussion, the common areas of interest were identified as sidewalks, a new bridge at the Civic Park, a downtown mural, and overflow parking at the Civic Park. The projects with a lower cost were the downtown mural, downtown street signs, the bridge at the Civic Park, and overflow parking at the Civic Park.

Manager Smith stated that sidewalks and the town square project would potentially qualify for legislative infrastructure funding and shared that the right consulting firm would have contacts in the legislature and be able to help find grant funding. He cautioned that the bridge would require engineering input and need a consultant with expertise in the area. Alderman Cress added that bridges across creeks required input from DNR/DEQ and had many restrictions, regulations, and issues based on his experience installing a bridge over a creek at the Lake Park. The Board members discussed different options for projects and reached a consensus that a Request for Qualifications (RFQ) would need to be drawn up to start the process to find the right consulting firm. Manager Smith will draft an RFQ for Board review before the Board's regular meeting in September.

Mayor Barnhardt asked if the mural, signs, and sidewalks could be accomplished now. Manager Smith responded that if a board member wanted to run with the mural project, that would be ideal. Mayor Barnhardt volunteered.

There was additional discussion on adding the downtown and Kerns Street sidewalks into the RFQ. Manager Smith stated it was possible and, worst case, if no responses were received the scope could be amended.

Adjourn

ACTION: Alderman Shelton made a motion to adjourn. Alderman Costantino seconded the motion. The motion passed 4-0. The meeting ended at 11:11 a.m.

Respectfully Submitted,

Aubrey Smith

Town Clerk

DRAFT



Town of Granite Quarry Fire Department

Established May 15th, 1950

PO Box 351

www.granitequarrync.gov

Granite Quarry, NC

704/279-5596



Board Report September/2022 Chief Hord

Emergency Calls for Service August 2022

39 calls in district

- 27 - EMS (including strokes, falls, diabetic, CPR and other medical needs)
- 3 - Service assignment/ Public service assistance
- 2 - Cancelled
- 1 - Structure Fire
- 4 - Fire Alarms
- 1 - Gas Leak
- 1 - Lightning Strike

17 calls to Salisbury

- 7 - Alarm/Structure, EMS calls canceled en-route
- 4 - EMS
- 1 - Motor Vehicle Accident
- 1 - Gas Leak
- 2 - Move Ups
- 2 - Structure Fires

10 calls to Rockwell Rural

- 2 - EMS
- 2 - Structure fires
- 4 - Cancelled en route
- 1 - Gas Leak
- 1 - Service Assignment

3 calls to Union

- 1 - Structure Fire
- 1 - Fire alarm
- 1 - EMS

2 calls to Faith

- 1 - Cancelled
- 1 - EMS

5 calls to Rockwell City

- 4 - Cancelled en route
- 1 - Fire Alarm

1 call to South Salisbury cancelled en route

TOTAL – 77

ACTIVITIES

- Daily activities included apparatus & equipment checks, training, station maintenance, pre-plan development, hose and hydrant maintenance, water points, emergency response, public education, inspections, and the assistance of other divisions within the Town of GQ.
- Rigorous cleaning/decontamination, due to suggested COVID response as needed.
- Monthly training included E.M.T, continuing education, and Joint Training with Faith F.D.
- Multiple days of ladder training, water point training, hose evolutions, extrication tool familiarization, and district familiarization. Weekly shift training/ officer's choice.
- Car Seat Check Station on Thursday from 1 p.m. to 4 p.m. – 2 seats installed/checked.
- Grounds care on Thursdays

E-571

- Mileage – 18952.0
- Hours – 1679.0

E-572

- Mileage – 39767.2
- Hours – 3212.1

R-57

- Mileage – 37488.3
- Hours – 3421.4

SQ-57

- Mileage – 4523
- Hours - 591



July Work 2022 Public Works Report

- Normal Maintenance Duties Daily- (parks, cleaning, mowing, edging, service on equipment, limbs & sweeping)
- PM check on generator
- Nature trail maintenance weekly
- Installed new street signs – continues
- Filled various potholes
- Brush cut various right of ways
- Sprayed various right of ways
- Water pump on JD-X485 Mower
- Clutch on Scag zero turn
- Placed goose decoys at Lake Park
- Rearranged upstairs Christmas light area upstairs
- Mulched Civic Park

2007 Ford Truck	Mileage – 63,507	+250 miles
1995 Ford Dump Truck	Mileage – 42,750	+102 miles
2009 Ford Truck	Mileage – 91,730	+173 miles
2019 Ford Truck F350	Mileage –16,793	+671 miles
2022 Chevy Silverado	Mileage – 3,834	+2,413 miles



PROTECTING QUALITY OF LIFE

Alliance Code
Enforcement LLC

Monthly Report
Town of Granite Quarry

Updated
September 1, 2022

MH - Minimum Housing / OL - Overgrown Lot / JV - Junk Vehicle / JP - Junk Pile (open storage) / AC - Animal Control / ZV - Zoning Violation / Open Red - Open Active Case / Open Yellow - Open Inactive Case / Abated Green - Case Closed & Cleared / Unfounded Blue - No Violation Found, Case Closed / NOV - Notice of Violation / NOH - Notice of Hearing / FOF - Finding of Fact		
ADDRESS	VIOLATION	STATUS
308 Legion St	JP	09/15
518 Railroad St	MH	Still working to find a family member to contact about the property
305 Yadkin St	JP/JV/OL	09/20
518 S Main St	JP/JV	Constantly Monitored
111 W Lyerly St	MH	09/15
504 S Salisbury Ave	MH	Burn Scheduled
720 S Salisbury Ave	ZV	Hearing 9/14
1280 Dunns Mtn Rd	ZV	9/20
1190 Summer Ln	MH/JP/JV	9/20
315 N Oak St	MH/OL	Sending out a final notice
225 Hill St	JV	ABATED
344 Brookwood Dr	MH/OL	Hearing 9/14
720 S Main St	ZV	Hearing 9/07
302 W Peeler St	JV	09/20
341 Brookwood Dr	JP/OL	Hearing 9/14
107 N Walnut St	ZV	ABATED
221 S Oak St	MH	Hearing 9/07
1207 S Claiborne Rd	OL	ABATED
1211 S Claiborne Rd	OL	ABATED
617 Pine Hill Dr	JV	ABATED
823 Pine Hill Dr	JV	ABATED
722 Pine Hill Dr	JV	ABATED
503 Rown St	JV	ABATED
118 S Walnut	JV	ABATED
0 S Oak St	ZV	ABATED
604 N Salisbury	JV	9/20
315 N Salisbury	JP	Hearing 9/07
106 E Church St	OL	ABATED
114 N Oak St	OL	ABATED



PROTECTING QUALITY OF LIFE

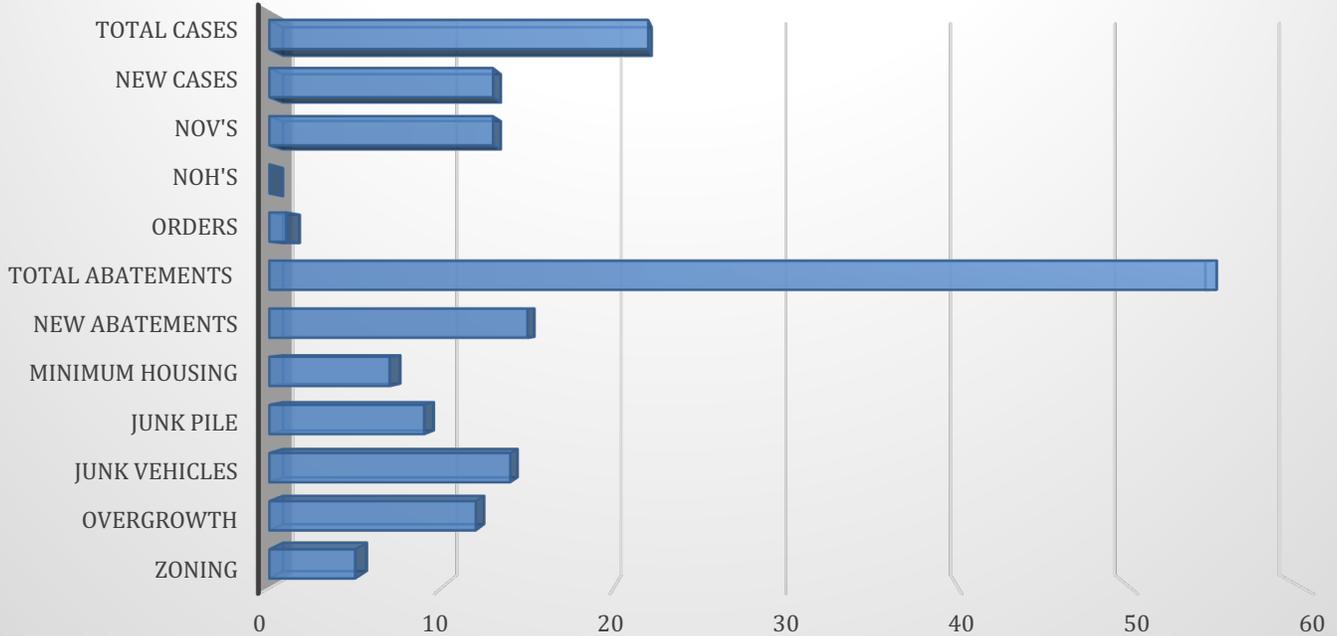
Alliance Code
Enforcement LLC

Monthly Report
Town of Granite Quarry

Updated
September 1, 2022

555 Hummingbird Ln	OL	Property in ETJ but working to get it abated
723 N Salisbury Ave	OL	ABATED
240 N Salisbury Ave	OL	ABATED
702 W Campbell Ave	JP	09/15
203 E Church St	JP/JV	09/15
150 Queeners Ct	JP/JV	Property in ETJ but working to get it abated
211 N Oak St	OL	ABATED
411 S Main St	JV	09/15

By the Numbers



	Zoning	Overgrowth	Junk Vehicles	Junk Pile	Minimum Housing	New Abate-ments	Total Abate-ments	Orders	NOH's	NOV's	New Cases	Total Cases
■ Amounts	5	12	14	9	7	15	55	1	0	13	13	22

Planning Department Monthly Report August 2022

Permits

- 5 Permit Applications
 - 5 Permits approved
 - 00 Permits denied

Date	Address	Permit	Status
8/1/2022	310 Hill Street	New generator & concrete pad	Issued
8/8/2022	712 Weldon Lane	Addition in rear	Issued
8/22/2022	729 S Main Street	Accessory Building/Storage Building	Issued
8/25/2022	120 Trailwood Court	Solar Panels	Issued
8/25/2022	304 Phillip Drive	Solar Panels	Issued

Planning/Zoning Inquiries

Date	Inquiry	Zoning	Comments
8/1/2022	Recombination	RL	
8/15/2022	Subdivision	RL	Exempt plat

Planning Board. Met 8/1/22 – Heard rezoning application for 817 N. Salisbury Avenue.

Zoning Board of Adjustment. Met 8/15/22 – Reviewed drafted updates for Rules of Procedure and considered application for new member.



Granite Quarry-Faith Joint Police Authority

P.O. Box 351 • 143 North Salisbury Ave, Granite Quarry, NC 28072
Office: (704)279-2952 • Fax: (704)279-6648



Police Department Report

September 2022

- Call volume report for the month of August 2022:

- Date of Report: 09/06/2022

- Total calls for service/activities – 1439
- Calls for service/activities Granite Quarry: 1248
- Calls for service/activities Faith: 191
- Incident Reports- 16
- Arrest Reports- 4
- Crash Reports- 7
- Traffic Citations- 36

- See Attached for Total Calls for Service.

- The following is the ending and average mileage for each vehicle by month:

131 Chevy Impala-	End-	77,175
141 Ford Taurus-	End-	82,456
161 Ford Utility-	End-	74,233
171 Ford Utility -	End-	54,143
172 Ford Utility -	End-	88,239
173 Ford Utility -	End-	44,091
181 Ford F150 -	End-	78,027
191 Dodge Durango -	End-	42,976
201 Ford Utility-	End-	24,310
211 Ford Utility-	End-	13,418
212 Ford Utility-	End-	31,848

- Other Information:

- Drug Collection Box. August 2022: 11.36 pounds collected.
- August CID Report. 5 Cases assigned; 1 Case cleared; 31 follow-ups conducted; 98 open assigned cases.
- Officers completed 76 hours of in-service or continuing education training in August.

GQPD**Number of Events by Nature**

CFS Aug 2022 Granite Quarry

Nature	# Events
103A4 ADMIN (OTHER)	1
104B01 ATM ALARM	1
104C2 COMMERCIAL BURG (INTRUSI	3
105A1 ANIMAL-LOST-STRAY-UNWANT	1
105C1 ANIMAL-CRUELTY	1
106B3 PAST SEXUAL ASLT-CHILD	3
106B5 PAST ASSAULT	1
111B1 PAST DAMAGE TO PROPERTY	2
111D1 DAMAGE TO PROPERTY	3
111D2 MISCHIEF-DAMAGE TO PROP	1
113B2 OTHER NOISE COMPLAINT	1
113D1 DISTURBANCE / PHYSICAL	1
113D2 DISTURBANCE / VERBAL	3
114D2 VERBAL DOMESTIC	2
114D3 PHYSICAL FAMILY DOMESTIC	1
114D4 VERBAL FAMILY DOMESTIC	2
116D1 DRUGS (USE-POSSESSION)	2
118B1 FRAUD-PAST CRIMINAL	2
118B2 FRAUD-PAST FORGERY	2
123B3 FOUND PERSON	3
123D1 MISSING PERSON (AT RISK)	1
125B2 LOCKOUT - ROUTINE	2
125D1 CHECK WELFARE-URGENT	5
125D2 LOCKOUT - URGENT	1
127D2 SUICIDE THREAT	1
129B1 SUSPICIOUS PERSON (PAST)	1
129C1 SUSPICIOUS PERSON	10
129C3 SUSPICIOUS VEHICLE	7
129C5 SUSPICIOUS CIRCUMSTANCE	2

Nature	# Events
130B1 LARCENY (ALREADY OCC)	1
130B3 THEFT FROM VEH (PAST)	2
131B1 TRAFFIC ACCIDENT - PD	1
132A1 ABANDONED VEHICLE	1
132B1 MINOR TRAFFIC VIOLATION	1
132B3 STALLED VEHICLE	1
132C1 SEVERE TRAFFIC VIOLATION	4
132C2 HAZARDOUS ROAD CONDITION	2
132C3 HAZARDOUS VEHICLE	1
133D1 TRESPASSING	2
135C1 SHOTS FIRED (HEARD)	2
135O1 WEAPONS - REFERRAL	1
25B3 PSYCH. (SUICIDE THREAT)	1
25D3 PSYCHIATRIC (NOT ALERT)	1
69D6 STRUCTURE FIRE/TRAPPED	1
911 HANG UP	13
ASSIST EMS	1
ASSIST FIRE DEPT	2
BUSINESS OR HOUSE CHECK	1034
COMMUNITY PROGRAM	4
DELIVER MESSAGE	11
ESCORT FUNERAL OR OTHER	1
FOLLOWUP	30
FOOT PATROL	1
GENERAL INFORMATION	11
MISDIAL	3
PARK CHECK	1
REPOSSESSION	2
SCHOOL SECURITY CHECK	8
SUBPOENA SERVICE	3
TRAFFIC CHECK	6
TRAFFIC CONTROL	6

Nature	# Events
TRAFFIC STOP	20
VEHICLE ACCIDENT PROP DAMAGE	3
Total	1248

GQPD

Number of Events by Nature

CFS Aug 2022 Faith

Nature	# Events
110B2 PAST RESIDENTIAL B&E	1
113D1 DISTURBANCE / PHYSICAL	1
118B2 FRAUD-PAST FORGERY	1
119A2 PAST THREAT	1
119C1 STALKING - JUST OCCURED	1
125B2 LOCKOUT - ROUTINE	1
129C1 SUSPICIOUS PERSON	7
129C5 SUSPICIOUS CIRCUMSTANCE	1
130B1 LARCENY (ALREADY OCC)	1
130C3 THEFT FROM VEH-JUST OCC	1
132C2 HAZARDOUS ROAD CONDITION	1
911 HANG UP	1
ASSIST EMS	1
BUSINESS OR HOUSE CHECK	143
CIVIL PROCESS	1
COMMUNITY PROGRAM	1
DELIVER MESSAGE	6
ESCORT FUNERAL OR OTHER	1
FOLLOWUP	2
LAW CALL	1
MISDIAL	3
SCHOOL SECURITY CHECK	1
TRAFFIC CHECK	3
TRAFFIC CONTROL	5
TRAFFIC STOP	2
VEHICLE ACCIDENT PROP DAMAGE	3
Total	191



Finance Department

Breakdown by Department:
As of August 31, 2022

Department	Budgeted	Encumbered	YTD	
Revenues:	<u>2,960,383</u>		<u>1,433,070</u>	<u>48%</u>
Total Revenues:	\$ 2,960,383		\$ 1,433,070	48%
Expenses:				
Governing Body	122,527	5,575	13,430	16%
Administration	621,023	500	95,393	15%
Public Works	329,175	3,520	57,066	18%
Police	910,616	18,825	155,687	19%
Fire	598,990	8,902	113,498	20%
Streets	126,102	-	14,590	12%
Sanitation	175,000	-	29,885	17%
Parks & Recreation	<u>76,950</u>	<u>275</u>	<u>7,302</u>	<u>10%</u>
Total Expenses:	\$ 2,960,383	\$ 37,597	\$ 486,851	18%
Expense to Revenue:				34%

Please see the Budget Vs. Actual Report attached for individual line items

Revenues:					
Account	Budget	YTD	Variance	%	Notes
01-3100-12 Taxes - Budget Year	1,121,777	721,030	(400,747)	64%	1
01-3100-17 Tax Penalties & Interest	3,700	277	(3,423)	7%	
01-3101-12 Taxes - Prior Years	7,000	577	(6,423)	8%	
01-3102-12 Vehicle Tax	142,823	27,324	(115,499)	19%	
01-3230-31 Local Option Sales Tax	963,578	167,860	(795,718)	17%	
01-3231-31 Solid Waste Disposal Tax	2,374	522	(1,852)	22%	
01-3316-32 Powell Pave & Patch Funds	89,302	-	(89,302)	0%	
01-3322-31 Beer & Wine - State	12,762	-	(12,762)	0%	
01-3324-31 Utilities Franchise Tax	137,447	-	(137,447)	0%	
01-3330-84 County First Responders	4,020	670	(3,350)	17%	
01-3413-89 Miscellaneous Revenue	2,900	1,300	(1,600)	45%	
01-3431-41 Police Authority Revenue_Faith	146,000	-	(146,000)	0%	
01-3431-45 Police Report Revenue	100	5	(95)	5%	
01-3431-89 Police Miscellaneous	1,100	339	(761)	31%	
01-3451-85 Property Damage Claims	-	2,700	2,700	100%	2
01-3471-51 Environmental Fee Collection	178,500	20,642	(157,858)	12%	
01-3491-41 Subdivision & Zoning Fees	5,500	2,692	(2,808)	49%	
01-3613-41 Parks Miscellaneous	21,000	3,275	(17,725)	16%	
01-3713-33 Sal. Water/Sewer Reimbursement	50,000	-	(50,000)	0%	
01-3831-89 Interest on Investments	3,000	1,623	(1,377)	54%	
01-3834-41 Park Shelter Rentals (Maint)	3,750	2,260	(1,490)	60%	3
01-3835-80 Police Surplus Items Sold	1,350	-	(1,350)	0%	
01-3835-81 Surplus items Sold	1,000	15	(985)	2%	
01-3837-31 ABC Net Revenue-Co.	11,400	-	(11,400)	0%	
01-3982-96 Transfer In - ARPA Fund	-	479,958	479,958	100%	
01-3991-99 Fund Balance Appropriated	50,000	-	(50,000)	0%	4
	2,960,383	1,433,070	(1,527,313)	48%	

Notes:

- 1 A majority of Ad Valorem Taxes are received in the first few months of the fiscal year
- 2 Storm damage to Lake Park fence covered by insurance
- 3 Includes GQ Civitans annual rental fee of \$1,200
- 4 Rowan County Fire Dept .25 Cent Appropriation (\$50,000) allocated in 01-4340-29

Governing Body:						
Account	Budget	Encum.	YTD	Variance	%	Notes
01-4110-02 Mayor/Aldermen Salary	18,745	-	-	18,745	0%	
01-4110-09 FICA Expense	1,434	-	-	-	0%	
01-4110-14 Insurance - Workers Comp	50	-	33	17	67%	5
01-4110-18 Professional Services	20,000	5,500	5,500	9,000	55%	6
01-4110-26 Office Expense	900	75	14	811	10%	
01-4110-31 Training & Schools	900	-	-	900	0%	
01-4110-40 Dues & Subscriptions	13,565	-	5,400	8,165	40%	
01-4110-45 Insurance & Bonds	1,814	-	1,814	-	100%	5
01-4110-60 Special Projects	24,438	-	568	23,870	2%	
01-4110-61 Grants - Nonprofit Grant Program	350	-	100	250	29%	
01-4110-97 Board Contingency	40,331	-	-	40,331	0%	
	122,527	5,575	13,430	103,522	16%	

Notes:

- 5 Paid once annually at the beginning of the Fiscal Year
- 6 Field audit complete, remaining audit balance is encumbered

Administration:						
Account	Budget	Encum.	YTD	Variance	%	Notes
01-4120-00 Salaries - Regular	292,500	-	38,407	254,093	13%	
01-4120-03 Salaries - Longevity	850	-	-	850	0%	
01-4120-07 401K Expense	14,625	-	1,920	12,705	13%	
01-4120-09 FICA Expense	22,442	-	2,877	19,565	13%	
01-4120-10 Retirement Expense	35,584	-	4,659	30,925	13%	
01-4120-11 Group Insurance	37,000	-	8,349	28,651	23%	
01-4120-14 Insurance - Workers Comp	500	-	409	91	82%	7
01-4120-17 Insurance - HRA/Admin Cost	1,200	-	200	1,000	17%	
01-4120-18 Professional Services	81,500	-	15,161	66,339	19%	
01-4120-22 Banquet Expense	1,700	-	-	1,700	0%	
01-4120-26 Office Expense	9,500	500	407	8,593	10%	
01-4120-31 Training & Schools	7,000	-	1,562	5,438	22%	
01-4120-32 Telephone/Communications	4,500	-	724	3,776	16%	
01-4120-33 Utilities	4,800	-	726	4,074	15%	
01-4120-34 Printing	6,000	-	950	5,050	16%	
01-4120-37 Advertising	3,000	-	363	2,637	12%	
01-4120-40 Dues & Subscriptions	3,300	-	380	2,920	12%	
01-4120-44 Contracted Services	19,500	-	5,508	13,992	28%	
01-4120-45 Insurance & Bonds	5,200	-	5,177	23	100%	7
01-4120-62 Committees - CAC	700	-	-	700	0%	
01-4120-68 Tax Collection	16,775	-	7,387	9,388	44%	8
01-4120-71 Water Line - Principal	51,536	-	-	51,536	0%	
01-4120-72 Water Line - Interest	1,311	-	228	1,083	17%	
	621,023	500	95,393	525,130	15%	

Notes:

- 7 Paid once annually at the beginning of the Fiscal Year
- 8 Percentage of Ad Valorem Taxes, highest collections in the first few months of the fiscal year

Public Works:						
Account	Budget	Encum.	YTD	Variance	%	Notes
01-4190-00 Salaries - Regular	134,500	-	19,223	115,277	14%	
01-4190-02 Salaries - Part-Time	45,000	-	7,290	37,710	16%	
01-4190-03 Salaries - Longevity	1,150	-	-	1,150	0%	
01-4190-07 401K Expense	6,725	-	961	5,764	14%	
01-4190-09 FICA Expense	13,820	-	2,028	11,792	15%	
01-4190-10 Retirement Expense	16,455	-	2,327	14,128	14%	
01-4190-11 Group Insurance	25,500	-	5,290	20,211	21%	
01-4190-14 Insurance - Workers Comp	6,500	-	5,876	624	90%	9
01-4190-20 Motor Fuel	16,500	-	3,270	13,230	20%	
01-4190-21 Uniforms	1,600	-	104	1,496	7%	
01-4190-24 Maint & Repair - Bldgs/Grounds	11,000	2,800	2,375	5,825	47%	10
01-4190-25 Maint & Repair - Vehicles	4,500	-	113	4,387	3%	
01-4190-29 Supplies & Equipment	11,000	-	990	10,010	9%	
01-4190-31 Training & Schools	250	-	-	250	0%	
01-4190-32 Telephone/Communications	850	-	124	726	15%	
01-4190-33 Utilities	3,500	-	515	2,985	15%	
01-4190-34 Printing	25	-	2	23	8%	
01-4190-35 Maint & Repairs - Equipment	8,000	-	1,152	6,848	14%	
01-4190-40 Dues & Subscriptions	200	-	32	168	16%	
01-4190-44 Contracted Services	17,500	720	832	15,948	9%	
01-4190-45 Insurance & Bonds	4,600	-	4,563	37	99%	9
	\$329,175	3,520	57,066	268,589	18%	

Notes:

- 9 Paid once annually at the beginning of the Fiscal Year
- 10 Storm damage to Lake Park fence reimbursed by insurance

Police:						
Account	Budget	Encum.	YTD	Variance	%	Notes
01-4310-00 Salaries - Regular	494,750	-	67,631	427,119	14%	
01-4310-02 Salaries - Part-Time	5,000	-	555	4,445	11%	
01-4310-03 Salaries - Longevity	2,550	-	-	2,550	0%	
01-4310-07 401K Expense	24,738	-	3,382	21,356	14%	
01-4310-09 FICA Expense	38,426	-	5,222	33,204	14%	
01-4310-10 Retirement Expense	64,848	-	8,819	56,029	14%	
01-4310-11 Group Insurance	91,111	-	18,001	73,110	20%	
01-4310-14 Insurance - Workers Comp	10,278	-	8,669	1,609	84%	11
01-4310-20 Motor Fuel	36,000	-	5,413	30,587	15%	
01-4310-21 Uniforms	4,400	170	250	3,980	10%	
01-4310-25 Maint & Repair - Vehicles	6,000	300	2,048	3,652	39%	
01-4310-26 Office Expense	1,500	-	52	1,448	3%	
01-4310-29 Supplies & Equipment	16,890	3,355	6,654	6,881	59%	
01-4310-31 Training & Schools	5,500	-	-	5,500	0%	
01-4310-32 Telephone/Communications	8,000	-	1,250	6,750	16%	
01-4310-33 Utilities	1,725	-	258	1,467	15%	
01-4310-34 Printing	1,000	-	118	882	12%	
01-4310-35 Maint & Repair - Equipment	2,000	-	-	2,000	0%	
01-4310-40 Dues & Subscriptions	3,650	-	507	3,143	14%	
01-4310-44 Contracted Services	23,250	-	12,860	10,390	55%	12
01-4310-45 Insurance & Bonds	14,000	-	14,000	-	100%	11
01-4310-54 Cap Outlay - Vehicles	50,000	15,000	-	35,000	30%	13
01-4310-55 Cap Outlay - Equipment	5,000	-	-	5,000	0%	
	910,616	18,825	155,687	736,104	19%	

Notes:

- 11 Paid once annually at the beginning of the Fiscal Year
- 12 Includes annual attorney contract and CAD system user fees paid once at the beginning of the Fiscal Year
- 13 Vehicle upfit encumbered

Fire:						
Account	Budget	Encum.	YTD	Variance	%	Notes
01-4340-00 Salaries - Regular	134,000	-	20,902	113,098	16%	
01-4340-02 Salaries - Part-Time	225,000	-	33,014	191,986	15%	
01-4340-03 Salaries - Longevity	2,200	-	-	2,200	0%	
01-4340-07 401K Expense	7,645	-	1,187	6,458	16%	
01-4340-09 FICA Expense	27,632	-	4,086	23,546	15%	
01-4340-10 Retirement Expense	18,813	-	2,884	15,929	15%	
01-4340-11 Group Insurance	28,000	-	6,130	21,870	22%	
01-4340-14 Insurance - Workers Comp	9,000	-	8,527	473	95%	14
01-4340-17 Firemen's Pension Fund	1,800	-	160	1,640	9%	
01-4340-20 Motor Fuel	8,000	-	1,431	6,569	18%	
01-4340-21 Uniforms	3,000	-	-	3,000	0%	
01-4340-25 Maint & Repair - Vehicles	10,000	-	9,010	990	90%	15
01-4340-26 Office Expense	150	-	-	150	0%	
01-4340-29 Supplies & Equipment	80,000	8,902	12,885	58,213	27%	16
01-4340-31 Training & Schools	2,500	-	550	1,950	22%	
01-4340-32 Telephone/Communications	4,500	-	704	3,796	16%	
01-4340-33 Utilities	6,300	-	962	5,338	15%	
01-4340-34 Printing	275	-	31	244	11%	
01-4340-35 Maint & Repair - Equipment	6,500	-	402	6,098	6%	
01-4340-40 Dues & Subscriptions	3,675	-	157	3,518	4%	
01-4340-44 Contracted Services	10,000	-	945	9,055	9%	
01-4340-45 Insurance & Bonds	10,000	-	9,532	468	95%	14
	598,990	8,902	113,498	476,590	20%	

Notes:

- 14 Paid once annually at the beginning of the Fiscal Year
- 15 Intake relief valves on E571
- 16 Rescue 57 items - Fire Stipend

Streets:						
Account	Budget	Encum.	YTD	Variance	%	Notes
01-4510-18 Professional Services	1,000	-	877	123	88%	17
01-4510-29 Supplies & Equipment	2,400	-	-	2,400	0%	
01-4510-39 Maint & Repair	10,000	-	1,000	9,000	10%	
01-4510-58 Cap Outlay - Bldg/Infrastructure	9,000	-	7,160	1,841	80%	18
01-4510-71 Debt Service - Principal	50,000	-	-	50,000	0%	
01-4510-72 Debt Services - Interest	7,225	-	-	7,225	0%	
01-4510-99 Unappropriated Fund Balance	9,677	-	-	9,677	0%	
01-4511-33 Utilities - Street Lights	36,500	-	5,554	30,946	15%	
01-4511-58 Cap Outlay - Bldg/Infrastructure	300	-	-	300	0%	
	126,102	-	14,590	111,512	12%	

Notes:

- 17 Powell Bill maps paid for once annually
- 18 Snow Plow

Sanitation:						
Account	Budget	Encum.	YTD	Variance	%	Notes
01-4710-44 Contracted Services	175,000	-	29,885	145,115	17%	
	175,000	-	29,885	145,115	17%	

Notes:

Parks & Rec:						
Account	Budget	Encum.	YTD	Variance	%	Notes
01-6130-24 Maint & Repair - Bldgs/Grounds	26,000	-	4,182	21,818	16%	
01-6130-29 Supplies & Equipment	8,400	-	674	7,726	8%	
01-6130-32 Telephone/Communications	1,650	-	-	1,650	0%	
01-6130-33 Utilities	16,900	-	2,240	14,661	13%	
01-6130-44 Contracted Services	1,500	-	-	1,500	0%	
01-6130-62 Committees - PERC	22,500	275	206	22,019	2%	
	76,950	275	7,302	69,373	10%	

Notes:

FEMA Granite Lake Project						
Account	Budget	Encum.	YTD	Variance	%	Notes
<u>Revenues:</u>						
04-3613-26 FEMA Grant	576,286	-	502,170	74,116	87%	
04-3613-36 NC DEM Grant	192,095	-	167,390	24,705	87%	
Total Revenues:	768,381	-	669,560	(98,821)	87%	
<u>Expenses:</u>						
04-6130-18 Professional Services	174,250	8,213	166,037	-	100%	19
04-6130-69 Cap Outlay - Construction	547,619	-	503,524	44,095	92%	20
04-6130-97 Contingency	46,512	-	-	46,512	0%	
Total Expenses:	768,381	8,213	669,560	90,607	88%	

Notes:

- 19 Awaiting final engineering invoices, entire engineering services contract encumbered
- 20 Final amounts for construction

ARPA FUND						
Account	Budget	Encum.	YTD	Variance	%	Notes
<u>Revenues:</u>						
07-3301-23 ARPA Funds	959,917	-	959,917	-	100%	21
Total Revenues:	959,917	-	959,917	-	100%	
<u>Expenses:</u>						
07-4110-61 Grant Related Expenditures	959,917	-	959,917	-	100%	21
Total Expenses:	959,917	-	959,917	-	100%	

Notes:

- 21 Project complete and 100% of funds are unrestricted. GPO will be closed out upon Audit completion.

Interest on Investments by Month														
FY 2022-2023														
Acct#	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	Interest YTD	Invested Balance
Certificates of Deposits:														
XX7779	418.18	432.13	-	-	-	-	-	-	-	-	-	-	850.31	250,431.38
	418.18	432.13	-	-	-	-	-	-	-	-	-	-	\$ 850.31	\$ 250,431.38
Money Market Accounts:														
XX9011	126.75	124.59	-	-	-	-	-	-	-	-	-	-	251.34	702,529.17
XX1186	5.32	5.32	-	-	-	-	-	-	-	-	-	-	10.64	62,655.04
ARPA	19.23	Closed	-	-	-	-	-	-	-	-	-	-	19.23	-
	151.30	129.91	-	-	-	-	-	-	-	-	-	-	\$ 281.21	\$ 765,184.21
NC Capital Management Trust:														
XX4319	65.72	396.81	-	-	-	-	-	-	-	-	-	-	462.53	1,851,507.43
	65.72	396.81	-	-	-	-	-	-	-	-	-	-	\$ 462.53	\$ 1,851,507.43
Totals													\$ 1,594.05	\$ 2,867,123

Total Invested Balance	\$ 2,867,123
Cash Balance (As of 8/31/22)	\$ 525,738
Minus Outstanding Transactions (As of 8/31/22)	\$ (32,086)
Total Reconciled Cash Balance	\$ 493,652
Total Available Funds	\$ 3,360,775

Agenda Item Summary

Regular Monthly Meeting

September 12, 2022

Agenda Item **2D**

ZBA Appointment Recommendation

Summary

The Zoning Board of Adjustment reviewed the application of Jeff Cannon at its 8/15/2022 meeting and recommended that Jeff Cannon be appointed to the Town Seat currently occupied by Brittany Barnhardt and to extend the term expiration to 7/31/2025.

**Note:* Both Mayor Barnhardt and Alderman Shelton are currently serving one-year terms on the ZBA so the Board can continue to meet while their replacements are found.

Attachments

- Clerk Application Summary
- Application of Jeff Cannon

Action Requested:

Motion to appoint Jeff Cannon to the Town Seat currently occupied by Brittany Barnhardt and to extend the term expiration to 7/31/2025.

Motion Made By:	
Jim Costantino	<input type="checkbox"/>
John Linker	<input type="checkbox"/>
Doug Shelton	<input type="checkbox"/>
Second By:	
Jim Costantino	<input type="checkbox"/>
John Linker	<input type="checkbox"/>
Doug Shelton	<input type="checkbox"/>
For:	
Jim Costantino	<input type="checkbox"/>
John Linker	<input type="checkbox"/>
Doug Shelton	<input type="checkbox"/>
Against:	
Jim Costantino	<input type="checkbox"/>
John Linker	<input type="checkbox"/>
Doug Shelton	<input type="checkbox"/>
In case of tie:	
Mayor Brittany Barnhardt	
For	<input type="checkbox"/>
Against	<input type="checkbox"/>

SUMMARY

TO: Zoning Board of Adjustment; Board of Aldermen
FROM: Town Clerk Aubrey Smith
RE: **Summary of Application Review**
DATE: 8/15/2022



The current Committee Membership Recruiting and Appointment Policy, adopted by the Board of Aldermen 9/8/2020, directs the Clerk to conduct an administrative review of an application, comparing with:

- Any ordinance requirements for qualifications;
- The current compositions of the applicable committee's membership for diversity of backgrounds and residence locations with a goal of fair representation of the town's jurisdiction.

Ordinance Requirements

UDO 15.5.1 Establishment.

- A. A zoning Board of Adjustment is hereby established. This board shall consist of 7 members as follows:
1. Four (4) members shall reside within the municipal corporate limits and shall be appointed by the Town Board of Aldermen;
 2. Three (3) members shall reside within the town's one-mile extraterritorial jurisdictional area and shall be appointed by the Rowan County Board of Commissioners.
 3. The members of the zoning Board of Adjustment already serving on the board prior to the passage of this amended section shall be considered as the four members appointed by the Town Board of Aldermen, and each of these members shall serve the balance of the term to which such member was appointed.
- B. Extraterritorial board members, like in-town board members, shall serve for staggered terms of three years. Initial appointment of extraterritorial board members shall be as follows:
1. Two members for terms of three years each;
 2. One member for a term of two years.
- C. The three (3) extraterritorial board members shall have equal rights, privileges, and duties as the four in-town board members in all matters.
- D. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment. Members shall serve without pay but may be reimbursed for the expenses incurred while representing the board.

The current Zoning Board of Adjustment membership consists of the following:

- 4 filled Town seats* 0 Vacant Town seats **2 members desire to be replaced*
- 1 filled ETJ seat 2 vacant ETJ seats

Diversity of Backgrounds

- Mr. Cannon is a minister with experience in sales and as a business owner.

The backgrounds of the other Zoning Board of Adjustment members include:

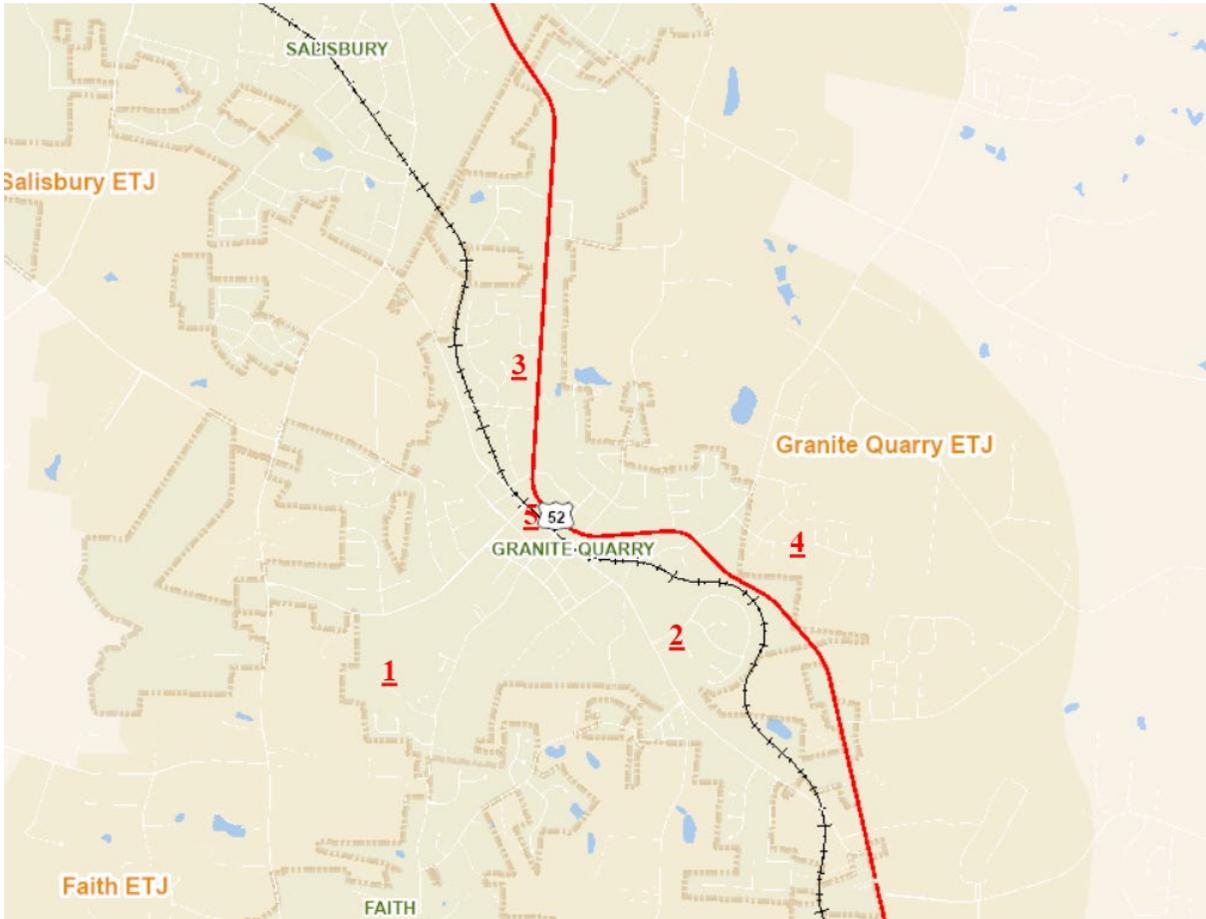
- Customer Service / Clerk to a Board
- Teacher (retired)
- Real Estate / Paramedic
- Management Accounting (Retired)
- Teacher (retired)

Diversity of Geographical Representation

- Mr. Cannon is a resident of the Town and lives on North Salisbury Ave.

The residences of the current Zoning Board of Adjustment members are located on the following streets:

- | | |
|----------------------|----------------------|
| 1) Veronica Lane | 4) White Rock Avenue |
| 2) Kenton Place | 5) North Main Street |
| 3) Meadow Wood Court | |





P.O. Box 351
 Granite Quarry, NC 28072-0351
 704-279-5596
www.granitequarrync.gov

BOARDS AND COMMITTEES APPLICATION

NAME Jeff Cannon

PHYSICAL ADDRESS 524 N Salisbury GQ Ave, Granite Quarry, NC ZIP 28146

MAILING ADDRESS same ZIP

PHONE 919-841-8886 PHONE (business or cell) same

EMAIL jscannon67@yahoo.com

OCCUPATION Minister at W Innes St Church of Christ

ARE YOU CURRENTLY SERVING ON A GRANITE QUARRY BOARD OR COMMITTEE Yes No

IF SO, PLEASE PROVIDE THE NAME OF THE BOARD OR COMMITTEE

I AM INTERESTED IN SERVING ON THE FOLLOWING BOARDS OR COMMITTEES IN ORDER OF PREFERENCE *(please number up to three applicable committees)*

- | | |
|---|--|
| <input checked="" type="checkbox"/> Community Appearance Commission | <input checked="" type="checkbox"/> Planning Board |
| <input checked="" type="checkbox"/> Revitalization Team | <input checked="" type="checkbox"/> Zoning Board of Adjustment |
| <input checked="" type="checkbox"/> Parks, Events, and Recreation Committee | |

WORK EXPERIENCE *(List your four most recent employment experiences, listing present or most recent first)*

Dates	Company Name/Location	Position	Job Description
2010 to current	W Innes St Church of Christ	Minister	Preach and Teach
2009 to 2011	NC School of Biblical Studies	Student	
2004 to 2009	Loading Dock Systems	VP of Sales	managed accounts eastern NC
1997 to 2004	Cannon Dock & Door	Co-Owner / VP Sales	owner / sales

EDUCATION (List your three most recent educational experiences, listing present or most recent first)

Educational Institution/School	Degree Received	Area(s) of Study
NC School of Biblical Studies	Bachelor equivalent	Bible / Theology / Greek
US Army	non-commissioned officer	Infantry
Rowan Cabarrus Community College		Criminal Justice

WHY DO YOU FEEL YOU ARE QUALIFIED FOR THIS APPOINTMENT?

Trained to work with groups of any size
Leadeership skills developed in US Army, Business Ownership, and Church Leadership
Interested in community well-being
Interested in history of community

BOARDS/ COMMITTEES ON WHICH YOU HAVE SERVED (LIST MUNICIPALITIES AND DATES)

EVER CONVICTED OF A FELONY Yes No If yes, state details: _____

I affirm that I understand this application may be considered a public record and as such, portions may be subject to release under North Carolina General Statute Chapter 132, Public Records. I certify that the facts contained in this application are true and correct to the best of my knowledge. I agree that by my submission of this application form, I shall be deemed to have affixed my signature hereto.

Signature Jeff Cannon *Jeff Cannon* Date 7-13-2022

FOR OFFICE USE ONLY

Application Received: _____ Interview Date & Time: _____

Confirmation Date: _____ Term Ending: _____

Town of Granite Quarry
Town Manager's Report
September 2022



1. **RFQ Transformational Projects.** Request for Qualifications for Engineering & Technical Services for our Transformational Projects was released 9/2 with a 9/23 submission deadline. Given the truly once-in-a-generation ARPA funding opportunity we are striving to maximize positive impacts with, we're diligently trying to target the right contacts with the right firms to spur interest & responses.
2. **Vision Board.** Designer is finalizing. We anticipate having options ready to present by the meeting.
3. **Core Values (condensed).** Still working to prioritize getting a draft completed by the meeting.
4. **Annexation discussion.** Rowan has set an initial meeting for 9/15 with Rowan, Salisbury, and GQ mayors & mayor pro-tems, managers, planners, etc. to begin discussing development and potential annexation areas along the I-85 corridor.
5. **PD Patrol Vehicle.** The shortage continues. Ford announced that the '22 model year (22MY) orders sold out, and all outstanding orders will not be produced. Agencies that reorder as a 23MY will be expedited "to the front of the line", but without price protection for the reordered units. Chief Cook has researched the few other options available, and unfortunately we're still in the same boat as everyone else. Best bet is to reorder at the ~\$4100 increase.
6. **Development**
 - A. **NewLife.** General rezoning application presented to PB 9/6; PB continued discussion to next mtg.
 - B. **Village at Granite.** Developer has picked up priority with Phases 2 and 3 review. I've coordinated review between engineers (ours, Faith's, LGI's) while bringing our new planner up to speed.
 - C. **Stoneglen.** Developer still delayed by utility material shortages, but advises that most are now secured. Initial grading begun, stormwater retention ponds completed. Anticipates start of mass grading within next few weeks weather-willing. Schedule is to have all site work complete by end of year, then immediately start houses, with substantial completion date Spring 2024.
 - D. **Wallace North ("817 N Salisbury Ave").** Developer had stated intent to apply for conditional rezoning this month, but to date still no submitted conditional rezoning application materials.
 - E. **Sifford-Rufty Heirs.** Developer had stated intent to apply for general rezoning this month, but advised that they've decided to apply for conditional rezoning instead, date TBD.
7. **Committee / Group Reports.**
 - A. **Community Appearance Commission.** Met August 11.
 - Chose Yard of the Month winners (515 N Main St; 417 De Lara Circle)
 - Discussed continuing Halloween and Christmas decorating contests this year
 - Discussed the community engagement goal. Members agreed to start identifying individuals who may be interested in becoming neighborhood captains in all areas of town.

- B. **Parks, Events, and Recreation Committee.** Met August 15.
 - Granite Fest 2022 (October 15). Continued work and assignments on planning for the event.
- C. **Revitalization Team.** August 16 meeting was cancelled.
- D. **MPO Technical Coordinating Committee.** Met August 17.
 - Jason attended and learned some info on additional grant opportunities & resources.
- E. **Centralina Regional Managers Meeting.** Met August 17.
 - I was unable to attend due to a training conflict, but agenda was on ARPA updates and guidance we are keeping up to speed on through SOG regardless.

Agenda Item Summary

Regular Meeting
September 12, 2022
Agenda Item 6

Rezoning 354 186 RL to RH

Summary:

A rezoning has been requested for Parcel 354 186 to change the property from RL (Residential Low Density) to RH (Residential High Density).

Adjoining property owners were notified by letters sent out August 26, 2022, of the requested rezoning and an opportunity to speak at the public hearing during the Board of Aldermen meeting on September 12, 2022.

After deliberation, at its September 6, 2022 meeting, the Planning Board continued the item until its October meeting.

Attachments

- Rezoning Application
- Property Map
- Dimensional Table
- Table of Uses
- Statements of Consistency

Action Requested:

Motion to continue the public hearing for the rezoning request of parcel 354 186 until the October meeting.

Motion Made By:

- Jim Costantino
- John Linker
- Doug Shelton

Second By:

- Jim Costantino
- John Linker
- Doug Shelton

For:

- Jim Costantino
- John Linker
- Doug Shelton

Against:

- Jim Costantino
- John Linker
- Doug Shelton

In case of tie:

Mayor Brittany Barnhardt

- For
- Against



Date: _____ Reviewed By: _____



Rezoning Application

Property Information

Property Address: _____
Tax Map and Parcel Number 354 186 In Town Limits Yes, or In ETJ _____
Parcel Size (sq. ft. or acres) 11.110 acres Interior Lot (Y/N) Yes Corner Lot (Y/N) Yes

Owner's Information

Name: DWB Realestate Properties, LLC Phone Number 704 221 2199
Mailing Address: PO Box 546 Norwood, NC 28128
Email davidbakercr@twc.com

Contractor/Developer's Information

Name: New Life Developers Phone Number 843 259 9289
Mailing Address: 2310 Concord Lake Rd Kannapolis, NC 28083
Email carlton@newlifedevelopers.com

Project Information

Current Zoning Classification RI Requested Zoning Classification RH
Proposed Use of Property:
New Construction 2 Story Residential Townhomes and 1 Story Residential Single Family Homes.

Additional Comments:

Notes:

Owner/Developer Signature DWB Real Estate Properties LLC by D. Wayne Baker MA

Date June 8, 2020 Application fee paid, Receipt Number pd. 7/11/22 ACS.

4/24/2020 Revision

Exhibit A

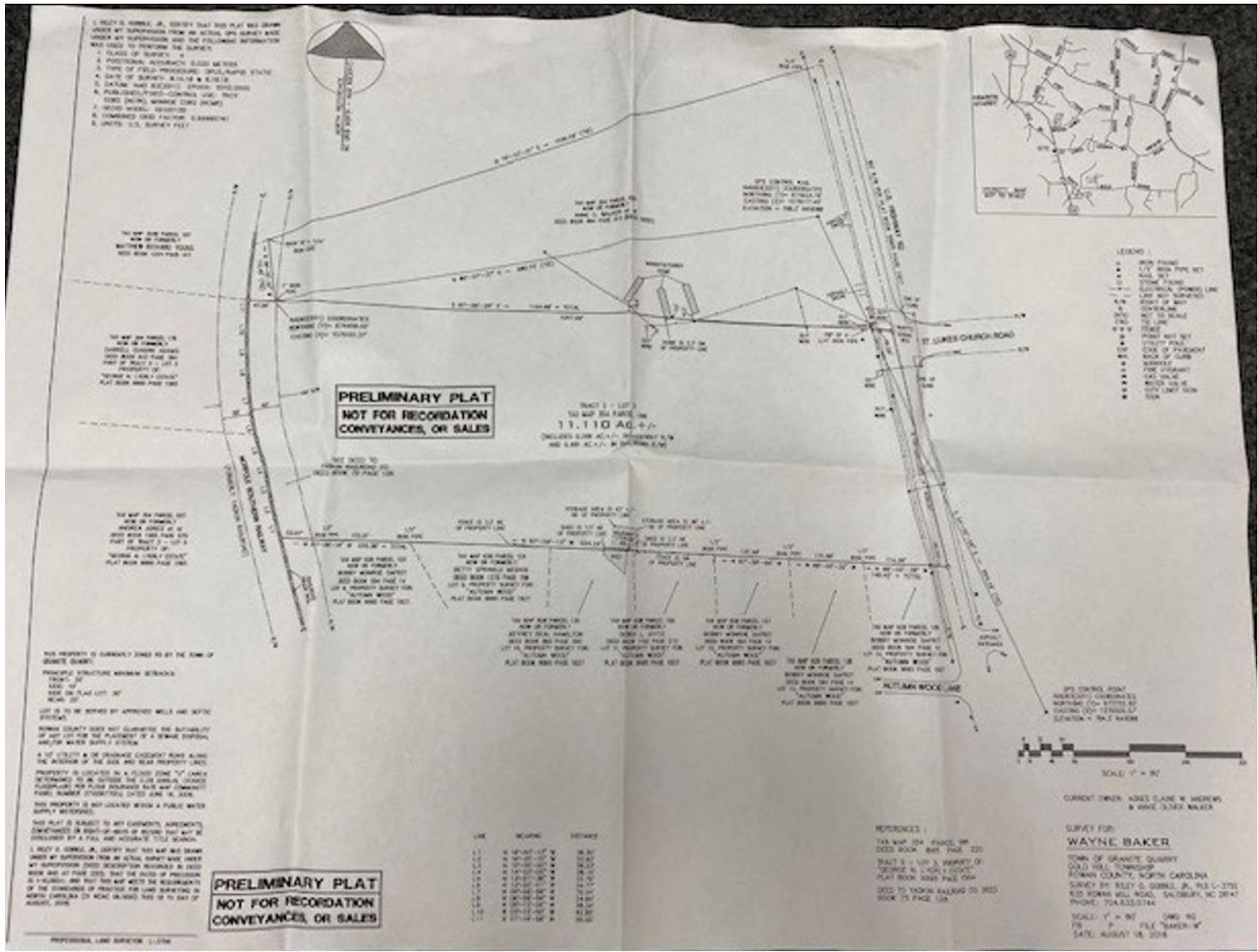
Old Description

BEGINNING at a point in the centerline of U.S. Highway #52, the Northeast corner of Tract 2, Lot 2; thence with the line of Tract 2, Lot 2 North 84 deg. 33 min. 04 sec. West 1,160.41 feet to the centerline of the Southern Railroad; thence with the centerline of the Southern Railroad the following courses and distances: (1) North 13 deg. 17 min. 20 sec. West 141.23 feet; (2) North 09 deg. 14 min. 20 sec. West 107.92 feet; (3) North 04 deg. 01 min. 40 sec. West 97.13 feet; and (4) North 01 deg. 04 min. 20 sec. East 81.93 feet to Oliver Walker's line; thence with his line South 84 deg. 33 min. 04 sec. East 1,145.19 feet to an iron pin in the centerline of U.S. Highway #52; thence with the centerline of said highway South 09 deg. 24 min. 00 sec. East 430.00 feet to the point of BEGINNING, being Tract 2, Lot 3, containing 11.10 acres as shown on plat of the property of George N. Lyerly Est. by Central Piedmont Planning and Surveying, June 1980, subject to the rights-of-way of the Southern Railroad and U.S. Highway #52 as shown on said plat, recorded in Map Book 1564, Rowan County Registry.

New Description

BEGINNING at a point in the centerline of the right of way of U.S. Highway 52, located at the southeast corner of the parcel described herein, thence a line North 88 deg. 00 min. 38 sec. West 149.42 feet (passing a 1/2" iron pipe set in the margin of the right of way of U.S. Highway 52 after 35.03 feet) to a 1/2" iron pipe at the common corner of lots 13 and 14 of Autumn Wood (Map Book 9995, page 1927); thence a line with lot 13 North 88 deg. 00 min. 20 sec. West 131.46 feet to a 1/2" iron pipe at the common corner of lots 12 and 13 of Autumn Wood; thence with the line of lot 12 North 87 deg. 58 min. 09 sec. West 131.49 feet to a 1/2" iron pipe at the common corner of lot 12 and 11 of Autumn Wood; thence with the line of lots 11, 10, and 9 of Autumn Wood, North 87 deg. 59 min. 13 sec. West 524.24 feet to a 1/2" iron pipe at the common corner of lots 9 and 8 of Autumn Wood; thence with the line of lot 8, North 87 deg. 59 min. 16 sec. West 172.31 feet to a 1/2" iron pipe at the corner of lot 8 of Autumn Wood and the margin of Norfolk Southern Railway; thence a line North 87 deg. 59 min. 16 sec. West 53.07 feet to the center line of Norfolk Southern Railway; thence 11 lines with Norfolk Southern Railway as follow: (1) North 16 deg. 53 min. 13 sec. West 36.30 feet; (2) North 16 deg. 25 min. 15 sec. West 32.93 feet; (3) North 15 deg. 55 min. 20 sec. West 36.23 feet; (4) North 14 deg. 53 min. 05 sec. West 38.15 feet; (5) North 13 deg. 51 min. 38 sec. West 33.79 feet; (6) North 12 deg. 33 min. 01 sec. West 34.77 feet; (7) North 09 deg. 49 min. 59 sec. West 70.24 feet; (8) North 06 deg. 59 min. 59 sec. West 34.90 feet; (9) North 05 deg. 12 min. 26 sec. West 38.34 feet; (10) North 03 deg. 13 min. 50 sec. West 42.85 feet; (11) North 01 deg. 19 min. 58 sec. West 29.06 feet to a point in the center of Norfolk Southern Railway; thence a line South 87 deg. 59 min. 29 sec. East, passing the corner of Anne O. Walker (Deed Book 484, Page 513) after 47.59 feet, and passing the top of a 3/4" iron pipe in the line of Walker after an additional 1047.69 feet, a total distance of 1144.48 feet to a point in the centerline of U.S. Highway 52; thence with U.S. Highway 52 a line South 12 deg. 50 min. 19 sec. East 430.01 feet to the point and place of BEGINNING, and being a 11.110 Ac. +/- tract as shown on Survey For: DWB Real Estate Properties LLC by Riley O. Gobble, Jr. PLS, dated August 18, 2018, which survey is incorporated herein by reference.

The above described property is subject to the interests of Norfolk Southern Railway. For reference see deed to Yadkin Railroad Co. recorded in Book 75, page 128, Rowan County Registry.



I, REYLI G. GORRILL, JR., CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PREPARE THIS SURVEY:

1. CLASS OF SURVEY: A
2. PROFESSIONAL SURVEYING LICENSE NUMBER: 10010
3. TYPE OF FIELD INSTRUMENT: GNSS, BOUNDARY STATION
4. DATE OF SURVEY: JULY 16 & 17, 2018
5. DATE OF THIS PLAT: AUGUST 18, 2018
6. PUBLISHED/UNPUBLISHED CONTROL: NONE
7. CONTROL POINTS: NONE
8. CONTROL POINTS: NONE
9. CONTROL POINTS: NONE
10. CONTROL POINTS: NONE
11. CONTROL POINTS: NONE
12. CONTROL POINTS: NONE
13. CONTROL POINTS: NONE
14. CONTROL POINTS: NONE
15. CONTROL POINTS: NONE
16. CONTROL POINTS: NONE
17. CONTROL POINTS: NONE
18. CONTROL POINTS: NONE
19. CONTROL POINTS: NONE
20. CONTROL POINTS: NONE

**PRELIMINARY PLAT
NOT FOR RECORDATION
CONVEYANCES, OR SALES**

**PRELIMINARY PLAT
NOT FOR RECORDATION
CONVEYANCES, OR SALES**

LOT	BEARING	DISTANCE	ACREAGE
1.1	N 89° 00' 00" W	100.00	0.10
1.2	S 89° 00' 00" E	100.00	0.10
1.3	N 89° 00' 00" W	100.00	0.10
1.4	S 89° 00' 00" E	100.00	0.10
1.5	N 89° 00' 00" W	100.00	0.10
1.6	S 89° 00' 00" E	100.00	0.10
1.7	N 89° 00' 00" W	100.00	0.10
1.8	S 89° 00' 00" E	100.00	0.10
1.9	N 89° 00' 00" W	100.00	0.10
1.10	S 89° 00' 00" E	100.00	0.10
1.11	N 89° 00' 00" W	100.00	0.10

CURRENT OWNER: ADRIAN CLARE W. HERRING & WIFE, SUEZ MALIKA

**SURVEY FOR
WAYNE BAKER**
TOWN OF GRANITE QUARRY
CADDIS HILL TOWNSHIP
FORUM COUNTY, NORTH CAROLINA
SURVEY BY: REYLI G. GORRILL, JR., PLS 1-2700
835 ROMAN HILL ROAD, SALISBURY, NC 28147
PHONE: 704.833.5744
SCALE: 1" = 80'
DATE: AUGUST 18, 2018

District	Uses	<i>Lot size & Density</i>				<i>Min. setback requirements</i>				<i>Max. height (feet)</i>
		Max. Dwelling Units per Acre (DUA)	Min. Lot Area (sq. ft.)		Min. Lot width (feet)	Min. Front (feet)	Min. Front Corner (feet)	Min. Side (feet)	Min. Rear (feet)	
RR	Single-Family	2	20,000		100	40	30	15	40	40
	Other Uses*	NA	40,000		100	40	30	15	40	40
RL	Single-Family	4	10,000		80	30	25	10	25	40
	Other Uses*	NA	20,000		80	30	25	10	25	40
RM	Single-Family	6	7,500		60	10 (alley access) 25 (front access)	10	10	25	40
	Two-Family		12,000		80	10 (alley access) 25 (front access)	10	10	25	40

District	Uses	Lot size & Density				Min. setback requirements				Max. height (feet)
		Max. Dwelling Units per Acre (DUA)	Min. Lot Area (sq. ft.)		Min. Lot width (feet)	Min. Front (feet)	Min. Front Corner (feet)	Min. Side (feet)	Min. Rear (feet)	
	Other Uses*		20,000		80	25	10	10	25	40
	Single-Family	NA	NA		60	10 (alley access) 25 (front access)		10	25	40
RH	Two-Family	8	NA		80	10 (alley access) 25 (front access)		10	25	40
	Other Uses*		20,000		80	25		10	25	40
	All Uses*	NA	NA		NA	30		10	30	50

District	Uses	Lot size & Density				Min. setback requirements				Max. height (feet)
		Max. Dwelling Units per Acre (DUA)	Min. Lot Area (sq. ft.)		Min. Lot width (feet)	Min. Front (feet)	Min. Front Corner (feet)	Min. Side (feet)	Min. Rear (feet)	
<i>OI</i>	All Uses*	8	NA		NA	Min. 10 Max. 25		10	25	50
<i>NB</i>	All Uses*	8	NA		NA	0		0	0	50
<i>CB</i>	All Uses*	8	NA		NA	25		10	30	50
<i>HB</i>	All Uses*	NA	NA		NA	25		10	30	50
<i>DT/LI</i>	All Uses*	NA	NA		NA	25		10	30	50
<i>LI</i>	All Uses*	NA	NA		NA	25		10	30	50(or CUP)
<i>HI</i>	CD Only	NA	NA		50	15		6	20	40
<i>PUD</i>		Per Section 3.5.3								

USES	ZONING DISTRICTS											
	RR	RL	RM	RH	OI	NB	CB	HB	LI	HI	DT/LI	SR
<i>Residential Uses</i>												
Accessory dwellings	C	C	C	C								4.2.1
Accessory structures (residential)	X	X	X	X								4.2.2
Boarding[houses] or roominghouses	C	C	C	C								4.2.3
Conservation development	C	C	C	C								4.2.4
Family care homes for the handicapped	X	X	X	X								4.2.5
Home occupations (customary)	X	X	X	X								4.2.6
Home occupations (rural)	C											4.2.6
Manufactured home, individual lot (MH-O only)	X	X										4.2.7
Manufactured home community (MH-O only)	C	C										4.2.8
Mixed-use dwelling					X	X	X					4.2.9

USES	ZONING DISTRICTS											
	RR	RL	RM	RH	OI	NB	CB	HB	LI	HI	DT/LI	SR
Multi-family dwellings (3 or more attached units)				C								4.2.10
Single-family dwellings	X	X	X	X								
Temporary emergency manufactured home	X	X	X	X								4.2.11
Temporary family care manufactured home	C	C	C	C								4.2.12
Temporary family health care structure	X	X	X	X								
Two-family dwellings (duplexes)			X	X								
<i>Civic and Government Uses</i>												
Cemeteries (accessory use)	X	X	X	X	X	X	X	X	X	X	X	
Emergency services (fire, police, EMT)	C	C	C	C	X	C	X	X	X	X	X	

USES	ZONING DISTRICTS											
	RR	RL	RM	RH	OI	NB	CB	HB	LI	HI	DT/LI	SR
Government buildings (other, excludes correctional facilities)	C	C	C	C	X	X	X	X	X	X	X	
Non-profit charitable organizations	C				X	X	X	X	X	X	X	
Religious institutions and related uses (including day cares or schools of less than 25)	C	C	C	C	X	X	X	X	X	X	X	
Schools (public and private elementary, middle, and high)	C	C	C	C	X	X	X	X			X	
<i>Institutional Uses</i>												
Assembly halls, coliseums, gymnasiums, and similar structures					X		X	X	X		X	
Cemeteries (principal use)					C			C				4.4.1
Child day cares	C				X	X	X	X			X	4.4.2

USES	ZONING DISTRICTS											
	RR	RL	RM	RH	OI	NB	CB	HB	LI	HI	DT/LI	SR
Clubs, lodges, fraternities, sororities, social, civic, and other similar organizations operated on a non-profit basis	C	C	C	C	X			X			X	
Colleges and universities	C				X			X			X	
Hospitals					X			X			X	
Instructional schools					X			X	X		X	
Libraries, museums, and art galleries	C				X	X	X	X			X	
Research facilities					C				X	X	X	
Residential care facilities (including halfway houses)					X			X				
Residential care homes					X	X	X	X				
Vocational schools					C			C	X	X	C	
<i>Office and Service Uses</i>												

USES	ZONING DISTRICTS											
	RR	RL	RM	RH	OI	NB	CB	HB	LI	HI	DT/LI	SR
Animal services (no outdoor kennels)							X	X	X		X	
Animal services (with outdoor kennels)								C	C		C	4.5.1
Automobile services (no vehicle storage)							C	X	X	X	X	4.5.2
Automobile services (with vehicle storage)							C	C	C	C	C	4.5.2
Banks, financial offices, and similar uses					X		X	X			X	
Barber and beauty shops						X	X	X			X	
Bed and breakfast inns	C					X	X					4.5.3
Body piercing and tattoo studios							X					4.5.4
Communications offices (no visible towers or transmission equipment)					X		X	X			X	

USES	ZONING DISTRICTS											
	RR	RL	RM	RH	OI	NB	CB	HB	LI	HI	DT/LI	SR
Dry-cleaning and laundry establishments						X	X	X			X	
Funeral homes and mortuaries							X	X			X	
Hotels, motels, and inns							X	X				
Medical, dental, and optical clinics					X	X	X	X			X	
Offices, professional					X	X	X	X			X	
Repair services (indoor)							X	X			X	
Services, other					C	C	C	C	C	C	C	
Studios for artists, designers, and photographers	C	C	C	C	X	X	X	X			X	
Tailoring services						X	X	X			X	
<i>Retail Uses</i>												
Alcohol beverage packaged, retail sales								X			X	

USES	ZONING DISTRICTS											
	RR	RL	RM	RH	OI	NB	CB	HB	LI	HI	DT/LI	SR
Automobile sales or rental							C	C	C		C	4.6.1
Convenience stores (no automotive services)						X	X	X			X	
Heavy equipment sales or rental								C	C		C	4.6.1
Manufactured home sales								C	C		C	4.6.1
Newsstands						X	X	X			X	
Outdoor market (including farmers markets, flea markets, etc.)							C	C			C	4.6.2
Restaurants (no drive-through)						C	X	X			X	
Restaurants (with drive-through)						C	C	C			C	4.9.2
Retail uses, less than 20,000 square feet (indoor)						C	X	X	C		C	

USES	ZONING DISTRICTS											
	RR	RL	RM	RH	OI	NB	CB	HB	LI	HI	DT/LI	SR
Retail uses, 20,000 square feet or greater (indoor)							C	C			C	
Retail accessory use in conjunction with principal use—Max. size is no more than 20% of gross floor area of the principal use									X	X	X	4.6.3
<i>Recreation and Entertainment Uses</i>												
Adult establishments										C		4.7.1
Amusement center							X	X				
Bars and nightclubs												
Billiards, pool halls, and bowling alleys								X				
Circuses, carnivals, fairs, side-shows										X		
Family campgrounds	C							C				4.7.2
Golf courses	C	C	C	C	X							

USES	ZONING DISTRICTS											
	RR	RL	RM	RH	OI	NB	CB	HB	LI	HI	DT/LI	SR
Electronic gaming operations							C	C		C		4.6.4
Parks (public)	X	X	X	X	X	X	X	X	X	X	X	
Swimming pools (principal use)	C	C	C	C								4.7.3
Swimming pools (residential accessory use)	X	X	X	X	X	X	X					4.2.2
Theater (indoor)							X	X			X	
Theater (outdoor)							C	C				
<i>Industrial, Manufacturing, Warehousing, Wholesale, Distribution, and Transportation Uses</i>												
Automobile parking lots (principal)							C	X				
Automobile parking structures							C	X	X	X	X	
Junk yards, salvage yards, recycling operations, and similar uses										C		4.8.1
Bus repair and storage terminals									X	X		

USES	ZONING DISTRICTS											
	RR	RL	RM	RH	OI	NB	CB	HB	LI	HI	DT/LI	SR
Bus terminals for passengers								X				
Cabinet and woodworking shops									X	X	X	
Contractors shops and storage yards									X		X	
Distribution uses (accessory)								X	X	X	X	
Distribution uses (principal)								C	X	X	X	
Energy production (solar farm)	C									C		4.8.2
Foundries producing iron and steel products										X		
Hazardous material storage										C		
Industrial equipment machinery, repair and servicing									X	X	X	
Industrial research facilities									X	X		

USES	ZONING DISTRICTS											
	RR	RL	RM	RH	OI	NB	CB	HB	LI	HI	DT/LI	SR
Lumber yards, building materials storage and sale								C	X	X		
Manufacturing, heavy										C		
Manufacturing, light								C	X	X	X	
Machine shops									X	X	X	
Manufactured home manufacturing										C		
Printing and publishing establishments								X	X	X	X	
Quarrying										C		4.8.3
Railroad freight yards										X		
Railroad stations							C	X	X		X	
Sheet metal shops									X	X	X	
Sign painting, exclusive of manufacturing								X	X		X	

USES	ZONING DISTRICTS											
	RR	RL	RM	RH	OI	NB	CB	HB	LI	HI	DT/LI	SR
Taxicab stand or office								X				
Tire recapping and retreading									X	X		
Trucking terminals									X	X		
Warehouse uses (accessory)								X	X	X	X	
Warehouse uses (principal)									X	X	X	
Warehouse, mini								C	X	X	X	
Wholesale uses									X	X	X	
<i>Agricultural Uses</i>												
Bona-fide farm (excluding hogs)	X	X			X				X	X		4.9.1
Greenhouse or horticultural nursery (including outdoor storage)									X	X	X	

USES	ZONING DISTRICTS											
	RR	RL	RM	RH	OI	NB	CB	HB	LI	HI	DT/LI	SR
Greenhouses and gardens which are incidental to a residential use and conducted on a non-commercial basis only	X	X	X	X								
Produce stands (permanent)	X											4.9.2
<i>Other Uses</i>												
Accessory structures (non-residential)					X	X	X	X	X	X	X	4.10.1
Drive-through/drive-in uses (for permitted uses, excluding restaurants)						X	X	X				4.10.2
Outdoor storage (associated with permitted non-residential use)								C	C	X	C	4.10.3

USES	ZONING DISTRICTS											
	RR	RL	RM	RH	OI	NB	CB	HB	LI	HI	DT/LI	SR
Outdoor storage- industrial park (associated with permitted non- residential use)									X	X		4.10.3
Parking of recreational and commercial vehicles (residential districts)	X	X	X	X								4.10.4
Telecommunications towers								C	C	C	C	4.10.5
Temporary uses	X	X	X	X	X	X	X	X	X	X	X	4.10.6
Utility facilities (except service or storage yards)	C	C	C	C	C	C	C	C	X	X	C	

STATEMENT of CONSISTENCY and REASONABLENESS
for the
ADOPTION of the TOWN of GRANITE QUARRY DEVELOPMENT ORDINANCE
AMENDMENT

WHEREAS, the Granite Quarry Town Board of Aldermen adopted the 2000 Comprehensive Land Use Plan Update on January 6, 2020 hereafter referred to as the “Plan”; and

WHEREAS, the Town Board of Aldermen finds it necessary to modify the unified development ordinance to maintain consistency with the Plan; and

WHEREAS, prior to adopting or rejecting any zoning ordinance or amendment thereto, the Town Board of Aldermen must, in accordance with G.S. 160D-605, adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explain why the Town Board of Aldermen considers the action taken to be reasonable and in the public interest.

THEREFORE, the Town Board of Aldermen hereby finds the adoption of the map amendment to the Unified Development Ordinance is consistent with the Plan in that standards, specifications and policies set forth in the new Granite Quarry Unified Development Ordinance (UDO) will support the expansion of the Town of Granite Quarry economy, preserve the character of the Town through practical standards for land use and development, and support the protection of natural resources as required by both Federal and State of North Carolina statutes. The map amendment is deemed reasonable in the way it will facilitate carrying out the goals of the Plan through each of the following:

1. Establish environmentally responsible yet business oriented common-sense principles aimed to protect both the local environment and property rights,
2. Minimize negative impacts on the natural and fiscal resources of Granite Quarry,
3. Minimize negative impacts on local property tax and utility rate payers,
4. Welcome those future residents and businesses seeking to contribute to the success of the Town’s efforts to establish a resilient sustainable and stable local economy,
5. Reinforce the tax base,
6. Expand opportunities for local business success, and
7. Promote the health, safety and welfare of the citizens, businesses, and property owners of Granite Quarry.

Recommended this the 6th day of September 2022

Richard Luhrs, Chair per G.S 160D-604(d)

Adopted this the 12th day of September 2022

Brittany Barnhardt, Mayor per G.S. 160D-605

Attest: _____
Aubrey Smith, Town Clerk

STATEMENT of CONSISTENCY and REASONABLENESS
for the
ADOPTION of the TOWN of GRANITE QUARRY DEVELOPMENT ORDINANCE
AMENDMENT

WHEREAS, the Granite Quarry Town Board of Aldermen adopted the 2000 Comprehensive Land Use Plan Update on January 6, 2020 hereafter referred to as the “Plan”; and

WHEREAS, the Town Board of Aldermen finds it necessary to modify the unified development ordinance to maintain consistency with the Plan; and

WHEREAS, prior to adopting or rejecting any zoning ordinance or amendment thereto, the Town Board of Aldermen must, in accordance with G.S. 160D-605, adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explain why the Town Board of Aldermen considers the action taken to be reasonable and in the public interest.

THEREFORE, the Town Board of Aldermen hereby finds the adoption of the map amendment to the Unified Development Ordinance is not consistent with the Plan in that standards, specifications and policies set forth in the new Granite Quarry Unified Development Ordinance (UDO) will support the expansion of the Town of Granite Quarry economy, preserve the character of the Town through practical standards for land use and development, and support the protection of natural resources as required by both Federal and State of North Carolina statutes. The map amendment is **not** deemed reasonable in the way it will facilitate carrying out the goals of the Plan through each of the following:

1. Establish environmentally responsible yet business oriented common-sense principles aimed to protect both the local environment and property rights,
2. Minimize negative impacts on the natural and fiscal resources of Granite Quarry,
3. Minimize negative impacts on local property tax and utility rate payers,
4. Welcome those future residents and businesses seeking to contribute to the success of the Town’s efforts to establish a resilient sustainable and stable local economy,
5. Reinforce the tax base,
6. Expand opportunities for local business success, and
7. Promote the health, safety and welfare of the citizens, businesses, and property owners of Granite Quarry.

Recommended this the 6th day of September 2022

Richard Luhrs, Chair per G.S 160D-604(d)

Adopted this the 12th day of September 2022

Brittany Barnhardt, Mayor per G.S. 160D-605

Attest: _____
Aubrey Smith, Town Clerk

Agenda Item Summary

Regular Meeting
September 12, 2022
Agenda Item 7

Ord. 2022-10 ZBA

Summary:

The proposed text amendments to UDO 15.5.3 are for clarification. At its meeting September 6, 2022, the Planning Board voted to recommend the amendments.

Attachments

- Ordinance 2022-10 (with markups)
- Ordinance 2022-10 (clean version – how ordinance will appear after amendments)
- Statement of Consistency

Action Requested:

Motion to approve Ordinance 2022-10 amending Sec. 15.5.3 of the UDO and adopt the Statement of Consistency and Reasonableness as presented.

Motion Made By:

Jim Costantino
John Linker
Doug Shelton

Second By:

Jim Costantino
John Linker
Doug Shelton

For:

Jim Costantino
John Linker
Doug Shelton

Against:

Jim Costantino
John Linker
Doug Shelton

In case of tie:

Mayor Brittany Barnhardt

For
Against

ORDINANCE NO. 2022-10

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 Chapter 15. – ADMINISTRATION Sec. 15.5. – Board of adjustment is hereby amended to read as follows:

15.5.3 Proceedings of the Board of Adjustment.

- ~~A.~~ The Board shall adopt rules and by-laws in accordance with the provisions of this Ordinance and of Article 19, Chapter 160A of the General Statutes of North Carolina [G.S. Chapter 160A, Article 19]. *The rules of procedure provide guidelines and regulations for the following: general rules, officers and duties, members, rules of conduct for members, meetings, appeals and applications, and amendments.*
- ~~B.~~ *Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. The Chairman, or in his absence, the Vice Chairman, may administer oaths and compel the attendance of witnesses by subpoena. All meetings of the Board shall be open to the public. Covered in Rules of Procedure in more detail.*
- ~~C.~~ *The Chairman of the Board of Adjustment, or in his absence the Vice Chairman, may appoint alternates to sit for any regular members in case of the absence or disqualification of any regular members. In such case the alternate members shall have the same powers and duties of the regular members they are replacing during such time. In no case, however, shall more than five (5) regular members or combination of regular members and the alternate members be empowered to make motions or to vote on any matter that comes before the Board involving this ordinance. The ZBA no longer has alternates.*
- ~~D.~~ *The concurring vote four-fifths (4/5) of the Board shall be necessary to grant a variance. A majority of the members shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari. For the purposes of this subsection, vacant positions on the Board and members who are disqualified from voting on a quasi-judicial matter shall not be considered members of the Board for calculation of the requisite majority if there are no qualified alternates to take the place of such members. The Rules of Procedure cleanup and clarify this statement.*
- ~~E.~~ *In other Board business, such as procedural and by-law matters, a simple majority of a quorum shall be required to pass on any matter.*
- ~~F.~~ *Board of Adjustment members shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a member's participation and that*

~~member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection. Covered in Rules of Procedure in more detail.~~

~~G. The zoning Board of Adjustment shall elect a chairman and a vice chairman from its members who shall serve for one (1) year, until reelected, or until their successors are elected. Covered in Rules of Procedure in more detail.~~

~~H. The board shall appoint a secretary, who may be a municipal officer, an employee of the Town of Granite Quarry, a member of the planning board, a member of the zoning Board of Adjustment, or any local citizen. Covered in Rules of Procedure in more detail.~~

Section 2. All ordinances in conflict herewith are repealed to the extent of any such conflict.

Section 3. This ordinance is effective on the _____ day of _____ 2022.

Brittany H. Barnhardt, Mayor

ATTEST:

APPROVED AS TO FORM:

Aubrey Smith, Town Clerk

Carl M. Short, Town Attorney

ORDINANCE NO. 2022-10

**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 Chapter 15. – ADMINISTRATION Sec. 15.5. – Board of adjustment is hereby amended to read as follows:

15.5.3 *Proceedings of the Board of Adjustment.*

The Board shall adopt rules and by-laws in accordance with the provisions of this Ordinance and of Article 19, Chapter 160A of the General Statutes of North Carolina [G.S. Chapter 160A, Article 19]. The rules of procedure provide guidelines and regulations for the following: general rules, officers and duties, members, rules of conduct for members, meetings, appeals and applications, and amendments.

Section 2. All ordinances in conflict herewith are repealed to the extent of any such conflict.

Section 3. This ordinance is effective on the _____ day of _____ 2022.

Brittany H. Barnhardt, Mayor

ATTEST:

APPROVED AS TO FORM:

Aubrey Smith, Town Clerk

Carl M. Short, Town Attorney

STATEMENT of CONSISTENCY and REASONABLENESS
for the
ADOPTION of the TOWN of GRANITE QUARRY DEVELOPMENT ORDINANCE
AMENDMENT

WHEREAS, the Granite Quarry Town Board of Aldermen adopted the 2000 Comprehensive Land Use Plan Update on January 6, 2020 hereafter referred to as the “Plan”; and

WHEREAS, the Town Board of Aldermen finds it necessary to modify the unified development ordinance to maintain consistency with the Plan; and

WHEREAS, prior to adopting or rejecting any zoning ordinance or amendment thereto, the Town Board of Aldermen must, in accordance with G.S. 160D-605, adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explain why the Town Board of Aldermen considers the action taken to be reasonable and in the public interest.

THEREFORE, the Town Board of Aldermen hereby finds the adoption of the text amendment to the Unified Development Ordinance is consistent with the Plan in that standards, specifications and policies set forth in the new Granite Quarry Unified Development Ordinance (UDO) will support the expansion of the Town of Granite Quarry economy, preserve the character of the Town through practical standards for land use and development, and support the protection of natural resources as required by both Federal and State of North Carolina statutes. The text amendment is deemed reasonable in the way it will facilitate carrying out the goals of the Plan through each of the following:

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5. Reinforce the tax base,
6. Expand opportunities for local business success, and
7. Promote the health, safety and welfare of the citizens, businesses, and property owners of Granite Quarry.

Recommended this the 6th day of September 2022

Richard Luhrs, Chair per G.S 160D-604(d)

Adopted this the 12th day of September 2022

Brittany Barnhardt, Mayor per G.S. 160D-605

Attest: _____
Aubrey Smith, Town Clerk

Agenda Item Summary

Regular Meeting
September 12, 2022
Agenda Item 8

Budget Amendment CLUP/UDO

Summary:

At the August 8th Board of Aldermen Meeting the Board approved moving forward with the CLUP/UDO without determining the funding source.

Attached are 3 budget amendment options summarizing discussions so far:

- 1A would use Board Contingency, the unnecessary funds for the Civitan payment, and pull the remainder from fund balance.
- 1B would use the unnecessary funds for the Civitan payment and pull the remainder from fund balance
- 1C would pull the entire amount from fund balance

Attachments:

- Budget Amendment FY22-23 #1A
- Budget Amendment FY22-23 #1B
- Budget Amendment FY22-23 #1C

Action Requested:

Motion to adopt Budget Amendment (1A / 1B / 1C) to fund the CLUP/UDO updates.

Motion Made By:

- Jim Costantino
- John Linker
- Doug Shelton

Second By:

- Jim Costantino
- John Linker
- Doug Shelton

For:

- Jim Costantino
- John Linker
- Doug Shelton

Against:

- Jim Costantino
- John Linker
- Doug Shelton

In case of tie:

Mayor Brittany Barnhardt

- For
- Against

**FISCAL YEAR 2022-2023
BUDGET AMENDMENT REQUEST #1A**

September 12, 2022

PURPOSE: To increase Fund Balance Appropriated (01-3991-99) by \$3,132, decrease Governing Body – Special Projects (01-4110-60) by \$22,037, decrease Governing Body – Contingency (01-4110-97) by \$40,331, and increase Governing Body – Professional Services (01-4110-18) by \$65,500 for the Comprehensive Land Use Plan and Unified Development Ordinance.

General Fund – Fund 01

Revenues:

<u>GL Acct #</u>	<u>Account Description</u>	<u>Increase (Decrease):</u>
01-3991-99	Fund Balance Appropriated	\$ 3,132
Total Increase/Decrease:		\$ 3,132

Expenses:

<u>GL Acct #</u>	<u>Account Description</u>	<u>Increase (Decrease):</u>
01-4110-60	Governing Body – Special Projects	(\$ 22,037)
01-4110-97	Governing Body – Contingency	(\$ 40,331)
01-4110-18	Governing Body – Professional Services	\$ 65,500
Total Increase/Decrease:		\$ 3,132

The above Budget Amendment was approved / denied by the Manager or Board on _____.

Brittany Barnhardt, Mayor

Shelly Shockley, Finance Officer

**FISCAL YEAR 2022-2023
BUDGET AMENDMENT REQUEST #1B**

September 12, 2022

PURPOSE: To increase Fund Balance Appropriated (01-3991-99) by \$43,463, decrease Governing Body – Special Projects (01-4110-60) by \$22,037, and increase Governing Body – Professional Services (01-4110-18) by \$65,500 for the Comprehensive Land Use Plan and Unified Development Ordinance.

General Fund – Fund 01

Revenues:

<u>GL Acct #</u>	<u>Account Description</u>	<u>Increase (Decrease):</u>
01-3991-99	Fund Balance Appropriated	\$ 43,463
Total Increase/Decrease:		\$ 43,463

Expenses:

<u>GL Acct #</u>	<u>Account Description</u>	<u>Increase (Decrease):</u>
01-4110-60	Governing Body – Special Projects	(\$ 22,037)
01-4110-18	Governing Body – Professional Services	\$ 65,500
Total Increase/Decrease:		\$ 43,463

The above Budget Amendment was approved / denied by the Manager or Board on _____.

Brittany Barnhardt, Mayor

Shelly Shockley, Finance Officer

**FISCAL YEAR 2022-2023
BUDGET AMENDMENT REQUEST #1C**

September 12, 2022

PURPOSE: To increase Fund Balance Appropriated (01-3991-99) by \$65,500 and increase Governing Body – Professional Services (01-4110-18) by \$65,500 for the Comprehensive Land Use Plan and Unified Development Ordinance.

General Fund – Fund 01

Revenues:

<u>GL Acct #</u>	<u>Account Description</u>	<u>Increase (Decrease):</u>
01-3991-99	Fund Balance Appropriated	\$ 65,500
Total Increase/Decrease:		\$ 65,500

Expenses:

<u>GL Acct #</u>	<u>Account Description</u>	<u>Increase (Decrease):</u>
01-4110-18	Governing Body – Professional Services	\$ 65,500
Total Increase/Decrease:		\$ 65,500

The above Budget Amendment was approved / denied by the Manager or Board on _____.

Brittany Barnhardt, Mayor

Shelly Shockley, Finance Officer

Agenda Item Summary

Regular Meeting
September 12, 2022
Agenda Item 9

Filling a Vacancy on BOA

Summary:

160A-63 gives the Board of Aldermen the power to fill a vacancy on an elected Board. In the attached blog, Frayda Bluestein, Professor of Public Law and Government at UNC School of Government, interprets the law to recommend the vacancy be filled as soon as reasonably possible.

Neither the statute nor the Town Charter direct how this appointment must be made. *“Some cities decide to appoint the next highest vote-getter in the most recent election, though, again, unless provided for in the charter, there is no legal requirement to do this. Some boards may ask for nominations and applications from the community, while others may create a nominating committee to develop names, or simply make nominations themselves.”* All records relating to applicants and nominees are subject to public access. The consideration of an applicant may not be done in closed session. The mayor would not vote to break a tie between two candidates.

The person appointed would serve until the next election in the fall of 2023. At that time voters would then elect who would fill the unexpired seat.

Attachments:

- Coates’ Canons NC Local Government Law blog post, *Filling a Vacancy on the Town Council* by Frayda Bluestein published 02/02/11

Action Requested:
Board discussion.

Motion Made By:

- Jim Costantino
- John Linker
- Doug Shelton

Second By:

- Jim Costantino
- John Linker
- Doug Shelton

For:

- Jim Costantino
- John Linker
- Doug Shelton

Against:

- Jim Costantino
- John Linker
- Doug Shelton

In case of tie:

Mayor Brittany Barnhardt

- For
- Against



Coates' Canons NC Local Government Law

Filling a Vacancy on the Town Council

Published: 02/02/11

Author Name: Frayda Bluestein

Judy Bailey was not just a member of the town council. She was well-known in town for her dog training business and often entertained at local events with her troupe of trained poodles. So it was no surprise when she – literally – ran off and joined the circus. Once the excitement settled down, questions arose about how to fill the vacancy on the town council. State law clearly provides that the city council is responsible for filling vacancies. But the timing and method are not spelled out. This blog post provides answers to the following questions, which often arise when a vacancy occurs: 1) Must the council fill the vacancy (and if so, how long do they have to do it), or can they decide to allow the vacancy to remain until the next election? 2) Does the law require the council to use any particular process to select the person to fill the vacancy? 3) Are records relating to applicants or nominees to fill the vacancy subject to public access? 4) May the council meet in closed session to discuss candidates under consideration to fill the vacancy? 5) Must the council vote “yes” or “no” for each candidate, or can they vote from a slate of candidates? 6) If there are two votes for one candidate and two for another, can the mayor break the tie? 7) Is an appointment to fill a vacancy for the remainder of the term or only until the next election?

1) Must the council fill the vacancy (and if so, how long do they have to do it), or can they decide to allow the vacancy to remain until the next election?

G.S. 160A- 63says: “A vacancy that occurs in an elective office of a city shall be filled by appointment of the city council.” Does the “shall” in this sentence mean that they are required to fill the vacancy or does it mean that if it is to be filled, the council is the body to fill it? There appears to be no case

interpreting this provision, so it could be read either way. I think the safest and most appropriate reading is that the council must fill the vacancy.

The statute does not set a time frame within which this must be done. In contrast, the statute directing county commissioners to fill vacancies clearly requires them to do it, and provides for the clerk of superior court to do it if the commissioners fail to do so within 60 days after the vacancy occurs. See, **G.S. 153A-27**. It could be argued that the difference suggests a legislative intent to allow cities an indefinite amount of time to fill the vacancy, but it's hard to square that with the statute's provision that city councils "shall" fill a vacancy. If there is no time within which the appointment must be made, in effect, they never have to make it. If the legislature intended this result, it seems that the statute would say they "may" fill the vacancy.

City council members sometimes suggest that they would prefer to leave it to the electorate to choose a new council member – essentially making a decision not to fill the vacancy before the next election. While this may reflect a genuine desire to avoid displacing the public's opportunity to choose a council member, it opens the process up to manipulation. For example, in the case of an odd-numbered board operating with one less member, a decision not to fill the vacancy increases the role of the mayor in breaking ties. To avoid this, and to provide citizens with the benefit of deliberation and action by the full complement of members called for in the charter, the vacancy should be filled as soon as reasonably possible.

What is the risk of refusing to fill the vacancy, or waiting too long to do it? Citizens may raise concerns, and ultimately, could file a lawsuit, giving a court the opportunity to determine what the "shall" in the statute means. If the court reads the statute as creating a duty to fill the vacancy, the court might order the council to carry out that duty – probably within a "reasonable" time, since no other time is specified. A court would not, however, order the council to appoint a particular person. Courts generally won't interfere with governmental discretion on things like this. See, *In Re Alamance County Court Facilities*, 329 N.C. 84, 105 (1991) ("In matters involving the exercise of discretion, mandamus will lie only to compel public officials to take action; ordinarily it will not require them to act in any particular way.") On the other hand, if a court interprets the statute to allow, but not require the council to fill the vacancy, or if a court finds that it is mandatory but there is no time within which it must be done (essentially reaching the same result), there would be no grounds for a court order requiring the council to act.

2) Does the law require the council to use any particular process to select the person to fill the vacancy?

No. Some city charters may have provisions dictating how vacancies are filled. Under the general law, however, there are no specific rules about who must be appointed or how they are selected. Some cities decide to appoint the next highest vote-getter in the most recent election, though, again, unless provided for in the charter, there is no legal requirement to do this. Some boards may ask for nominations and applications from the community, while others may create a nominating committee to develop names, or simply make nominations themselves.

3) Are records relating to applicants or nominees to fill the vacancy subject to public access?

Yes. Whatever method the council uses to identify candidates for appointment, the city may receive or create records of the names and qualifications of those candidates. These materials are public records, and are probably *not* protected under the personnel privacy statutes. There is a case (*Durham Herald Co. v. County of Durham*, 334 N.C. 677 (1993)) in which the court held that records of applicants for appointment as sheriff were confidential under the county personnel privacy statute. The sheriff is an elected official, like a council member. But a sheriff is more like a regular employee than is a council member. David Lawrence argues in his book on North Carolina's public records law, that certain types of council member records (such as tax records) may be protected, but that council members (and candidates for appointment to the council) are otherwise unlikely to be considered employees for personnel record privacy purposes. See, ***Public Records Law for North Carolina Local Governments***, pp.148-149. The exception in the public records law that protects individual identifying information and social security numbers (**G.S. 132-1.10**) protects some information that might be in these records, but bear in mind that home addresses and phone numbers are not covered by this exception. So the point here is: Make sure to include in the process (and in any application forms) fair warning about the public nature of the information provided by or about applicants, and avoid asking for private, personal information from applicants that the council doesn't really need.

4) May the council meet in closed session to discuss candidates under consideration to fill the vacancy?

No. As noted earlier, it isn't really accurate to characterize these applicants as potential employees.

More directly, the open meetings law specifically says, "A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another public body and may not consider or fill a vacancy among its own membership except in an open meeting." **G.S. 143-318.11(a)(6)**.

5) Must the council vote "yes" or "no" for each candidate, or can they vote from a slate of candidates?

Again, the statutes don't say anything about this, but there does not appear to be any bar to voting from a ballot containing multiple names, and appointing the person who receives the most votes. Indeed, there are some distinct advantages to the "ballot" approach, which are described in Fleming Bell's publication, ***Suggested Rules of Procedure for a City Council***. Anyone considering how to approach voting on appointments would be well-served by reviewing his discussion of the alternatives (see, Rule 31 Appointments, pp.37-39). If the ballot approach is not used, then the votes are by individual motion with members voting "yes" or "no" for each nominee. This approach can be difficult to manage if there are multiple nominees.

6) If there are two votes for one candidate and two for another, can the mayor break the tie?

No, unless a provision in the city's charter specifically allows it. Under **G.S. 160A-69**, the mayor votes "only when there are equal numbers of votes in the affirmative and in the negative." If the city's mayor has the right to vote on all matters, the issue does not arise and the mayor is free to vote for his or her preferred candidate. If the mayor is "non-voting" and can't break the tie, the members will have to continue to vote until one person gets a majority. Of course, if the voting is by motion on each nominee rather than by ballot, the votes would be "yes" or "no" and the mayor would have authority to break a tie.

7) Is an appointment to fill a vacancy for the remainder of the term or only until the next election?

This is one of the few things about appointments to fill vacancies that the statute actually addresses. The basic requirement is that the person appointed serves until the next election, even if the original term would extend beyond the next election. The person appointed may run for the seat and be reelected, but otherwise, the appointment will end when someone else is elected to that seat. The one exception to this rule provides that if the vacancy actually occurs within 90 days of the next election, the person appointed will serve for the entire remaining term, even if it extends beyond the next election. I've always found the wording of this statute to be a bit confusing, but I believe the intent is to limit the term of a person appointed to fill a vacancy and to let the electorate choose a new person at the next election, except in cases where the vacancy occurs too soon before the election to allow time for the actual conduct of the election.

For more on the process for filling vacancies, see: **How to Fill a Vacancy on an Elected Board**.

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Office of the Mayor:



Proclamation

WHEREAS, while breast cancer touches the lives of Americans from every background in every community, while considerable progress has been made in the fight against breast cancer; and

WHEREAS, each year it is estimated that more than 220,000 women in the United States will be diagnosed; and

WHEREAS, October is Breast Cancer Awareness Month, an annual campaign to increase awareness about the disease; and

WHEREAS, during this month, we as a community support breast cancer research and to educate all citizens about detection, risk factors and treatment; and

WHEREAS, we as a community support those courageously fighting breast cancer and honor the lives lost to the disease; and

WHEREAS, this October, we recognize breast cancer survivors, those battling the disease, their families who are a source of love and encouragement; and applaud the efforts of our medical professionals working hard to find a cure.

NOW, THEREFORE, I, Brittany H. Barnhardt, by virtue of the authority vested in me as Mayor of the Town of Granite Quarry, North Carolina, do hereby proclaim October 2022 as

“BREAST CANCER AWARENESS MONTH”

in the Town of Granite Quarry, North Carolina and encourage citizens to participate in activities that will increase awareness of what Americans can do to prevent breast cancer, and to wear pink ribbons in honor of those who have lost their lives to breast cancer and those who are now bravely fighting this disease.

Proclaimed this the 12th day of September 2022.

Brittany H. Barnhardt, Mayor

ATTEST:

Aubrey Smith, Town Clerk

Office of The Mayor:

Proclamation

FIRE PREVENTION WEEK
2022

WHEREAS, the Town of Granite Quarry, North Carolina is committed to ensuring the safety and security of all those living in and visiting Granite Quarry; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, home fires caused 2,580 civilian deaths in the United States in 2020, according to the National Fire Protection Association® (NFPA®), and fire departments in the United States responded to 356,500 home fires; and

WHEREAS, smoke alarms sense smoke well before you can, alerting you to danger in the event of fire in which you may have as little as 2 minutes to escape safely; and

WHEREAS, working smoke alarms cut the risk of dying in reported home fires in half; and

WHEREAS, Granite Quarry residents should be sure everyone in the home understands the sounds of the alarms and knows how to respond; and

WHEREAS, Granite Quarry residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, Granite Quarry residents will make sure their smoke and CO alarms meet the needs of all their family members, including those with sensory or physical disabilities; and

WHEREAS, Granite Quarry first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, Granite Quarry residents are responsive to public education measures are better able to take personal steps to increase their safety from fire, especially in their homes; and

WHEREAS, the 2022 Fire Prevention Week™ theme, “Fire won’t wait. Plan your escape.™,” effectively serves to remind Granite Quarry residents it is important to have a home fire escape plan.

THEREFORE, I Brittany H. Barnhardt, Mayor of the Town of Granite Quarry do hereby proclaim October 9-15, 2022, as Fire Prevention Week throughout Granite Quarry and I urge all the people of Granite Quarry to practice a home fire escape for Fire Prevention Week 2022 and to support the many public safety activities and efforts of Granite Quarry’s fire and emergency services.

Attest

Brittany H. Barnhardt, Mayor

Aubrey Smith, Town Clerk

September 2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5	6	7	8	9	10
	Labor Day – Town Offices Closed	Planning Board 6pm		CAC 6pm		
11	12	13	14	15	16	17
	Business After Hours 5pm BoA Mtg. 6pm		Centralina Executive Board Mtng 5pm	7:30am Power in Partnership Breakfast		
18	19	20	21	22	23	24
	P.E.R.C. 5pm ZBA 5:30pm	Revitalization 3:30pm				
25	26	27	28	29	30	
			CRMPO TAC 5:30pm			

October 2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6	7	8
	Planning Board 6pm					Fiddlers Convention
9	10	11	12	13	14	15
	Business After Hours 5pm BoA Mtg. 6pm		Centralina Board of Delegates Mtng 5pm	CAC 6pm	FD Aux. Port-a-Pit 11am-2pm Lake Park	Granite Fest 2-10pm
16	17	18	19	20	21	22
	P.E.R.C. 5pm ZBA 5:30pm	Revitalization 3:30pm		7:30am Power in Partnership Breakfast		
23	24	25	26	27	28	29
			CRMPO TAC 5:30pm	RMA Mtng 6-8pm		
30	31					