

**STANLY COUNTY  
BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
OCTOBER 1, 2012**

**COMMISSIONERS PRESENT:**

Lindsey Dunevant, Chairman  
Gene McIntyre, Vice Chairman  
Tony Dennis  
Jann Lowder  
Josh Morton

**COMMISSIONERS ABSENT:**

None

**STAFF PRESENT:**

Andy Lucas, County Manager  
Jenny Furr, County Attorney  
Tyler Brummitt, Clerk

**CALL TO ORDER**

The Stanly County Board of Commissioners (the "Board") met in regular session on Monday, October 1, 2012 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. Chairman Dunevant called the meeting to order and Vice Chairman McIntyre gave the invocation.

**APPROVAL / ADJUSTMENTS TO THE AGENDA**

With no adjustments made to the agenda, Commissioner Lowder moved to accept the agenda as presented. His motion was seconded by Commissioner Dennis and passed by unanimous vote.

**ITEM # 1- LAKE TILLERY MARINA NO-WAKE ZONE**

**Presenter: Andy Lucas, County Manager**

During the September 4<sup>th</sup> meeting, Devon Morton sought the Board's support in having an area around the Lake Tillery Marina designated as a no-wake zone. As a show of support, the Board held a public hearing and then adopted the associated resolution in support of the Mortons' application to the NC Wildlife Resources Commission.

Chairman Dunevant declared the public hearing open. Having no one come forward to speak, the public hearing was then closed.

By motion, Vice Chairman McIntyre moved to approve the resolution in support of the no-wake zone. The motion was seconded by Commissioner Morton and passed by unanimous vote.

Below is the resolution as approved:

**North Carolina  
County of Stanly**

**RESOLUTION OF  
THE BOARD OF COMMISSIONERS OF STANLY COUNTY**

**WHEREAS** under authority of North Carolina General Statutes Section 75A-15(a) any subdivision of the State of North Carolina may at any time, after public notice, make formal application to the Wildlife Resources Commission for special rules and regulations with reference to the safe and reasonable operation of vessels on any water within its territorial limits.

AND WHEREAS Stanly County has given public notice of its intention to make formal application to the Wildlife Resources Commission for special rules and regulations with reference to the safe and reasonable operation of vessels on Lake Tillery within the territorial limits of Stanly County, and for the implementation of the Uniform Waterway Marker System in all the waters of the County.

BE IT RESOLVED that in accordance with G. S. 75A – 15, the Board of Commissioners of Stanly County requests the North Carolina Wildlife Resources Commission to promulgate special rules and regulations with reference to safe and reasonable operation of vessels on the waters of Lake Tillery located in said County.

BE IT FURTHER RESOLVED that the said Board of Commissioners requests the said Commission to promulgate regulations fully implementing the Uniform Waterway Marker System in all of the waters of the said County.

**CERTIFICATION**

This is to certify that the above is a true and exact copy of a resolution adopted by the Stanly County Board of Commissioners at a regular meeting held in the Commissioners Meeting Room, Stanly Commons on Monday, October 1, 2012.

(Seal)

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Tyler Brummitt, Clerk to the Board  
Stanly County Commissioners

**ITEM # 2 – PRESENTATION OF TWO COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATIONS**

**Presenter: Michael Walser, Carolina Governmental Services, LLC**

**A. Public Hearing for the Scattered Site Housing Application**

The purpose of the public hearing was to receive public comment regarding the submission of an application for funds through the CDBG Scattered Site Housing grant and for approval of the associated resolution. The application will be submitted to the NC Division of Community Assistance for \$225,000 and will aid in the rehabilitation of owner occupied, low to moderate income households in the county.

Chairman Dunevant declared the public hearing open. With no one coming forward, the hearing was closed.

By motion, Commissioner Dennis moved to approve submission of the grant application and the associated resolution. The motion was seconded by Vice Chairman McIntyre and carried with a 5 – 0 vote.

**B. PUBLIC HEARING FOR THE 2012 ECONOMIC CATALYST GRANT APPLICATION**

The purpose of the public hearing was to receive public comment concerning the submission of an application for funds under the 2012 Economic Catalyst grant and approval of the associated resolution. The county will apply for these funds in an amount not to exceed \$500,000 for improvements to the Stanly County Senior Center.

Chairman Dunevant declared the public hearing open. Having no one come forward, the hearing was closed.

By motion, Vice Chairman McIntyre moved to approve the application and the associated resolution. His motion was seconded by Commissioner Morton and passed with a 5 – 0 vote.

**ITEM # 3 – TAX ADMINISTRATION – PUBLIC HEARING FOR THE PROPOSED 2013 SCHEDULE OF VALUES**

**Presenters: Melia Miller, Tax Administrator**

**Leigh Ann Lowder, Present Value Specialist**

**Charles Johnson, Real Property Appraisal Supervisor**

Pursuant to G.S. 105-317, a public hearing is required for the proposed Schedules of Values which must be held at least seven (7) days prior to adoption of the final Schedules.

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

No further action was required of the Board at this time.

#### **ITEM # 4 – PLANNING & ZONING**

**Presenter: Michael Sandy, Planning Director**

##### **A. ZA 12-02 – Rezoning request for Terry F. Hinson on behalf of Mary B. Hinson**

Ms. Hinson submitted a request to have a 1.37 acre parcel of land located at 17202 Frog Pond Road (tax record number 11506) rezoned from RA to R-20. The purpose of the amendment is to reduce the minimum lot size requirement to 15,000 square feet, which will allow the property owner to divide the property.

Chairman Dunevant asked if the resulting two lots would be buildable, to which the Planning Director answered yes.

Chairman Dunevant declared the public hearing open. Terry Hinson, son of Mary B. Hinson, came forward to speak in favor of the request stating his mother wants to subdivide the parcel of land and give him one portion of it as his inheritance. With no one else coming forward, the hearing was closed.

By motion, Commissioner Dennis moved to approve ZA 12-02 and was seconded by Commissioner Lowder. The motion passed by unanimous vote.

##### **B. ZA 12-03 – Rezoning request for Gus Schad**

Mr. Schad requested a 16.31 acre parcel (tax record number 17649) on South Highway Business 52, approximately 375 feet south of the intersection of Ross Drive, be rezoned from R-20 to R-8. The purpose of the request is to allow for multi-family dwellings.

Chairman Dunevant clarified the request further by stating the Board was voting on the rezoning of the property only and not the site plan for the development itself, to which the Planning Director stated yes.

Chairman Dunevant declared the public hearing open. During this time, James Schad came forward to speak in favor of the rezoning. Mr. Schad stated their goal is to build senior apartments on the property which will offer something the county does not currently have.

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

Commissioner Dennis moved to approve ZA 12-03 and was seconded by Commissioner Morton. The motion was carried by a 5 – 0 vote.

**C. Public Hearing for Consideration of Adoption of a Minimum Housing Ordinance for Stanly County**

At the previous meeting, the Planning Director presented the proposed minimum housing ordinance for the Board's review and consideration. It was now requested the Board hold the public hearing and thereafter approve, modify or deny the proposed ordinance. If approved, the ordinance would become effective January 1, 2013.

The County Attorney stated that she and the Planning Director had made a few minor changes to clarify particular areas of the ordinance, but otherwise it is the same. Vice Chairman McIntyre asked if Section IX, Item number 9 also included mowing the state right-of-way, to which the Planning Director answered yes.

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

By motion, Vice Chairman McIntyre moved to approve the ordinance and associated resolution with one modification to Section IX, Item number 9 regarding tall grass. He requested the tall grass of a residential/commercial/industrial structure be kept to no more than twelve (12) inches instead of eighteen (18) inches as written in the new ordinance. Commissioner Lowder seconded the motion with the requested amendment. The motion carried unanimously.

**ITEM # 5 – AWARD OF THE ADMINISTRATIVE SERVICES CONTRACTS FOR THE 2012 URGENT REPAIR PROGRAM, 2011 SINGLE FAMILY REHABILITATION PROGRAM AND THE DUKE HOME ENERGY LOAN POOL PROGRAM**

**Presenter: Andy Lucas, County Manager**

After an evaluation and review of the bids received, staff requested the administrative services contracts for the above three (3) grants be awarded to Carolina Governmental Services LLC.

Commissioner Dennis moved to approve the award of the contracts as recommended to Carolina Governmental Services, LLC. His motion was seconded by Vice Chairman McIntyre and passed with a vote of 5 – 0.

## **ITEM # 6 – WEST STANLY SEWER CONTRACT SUB-COMMITTEE**

**Presenter: Andy Lucas, County Manager**

By motion, Commissioner Lowder moved to appoint Chairman Dunevant and Commissioner Dennis to the sub-committee. The motion was then seconded by Vice Chairman McIntyre and carried by unanimous vote.

## **ITEM # 7 - CONSENT AGENDA**

- A.** Minutes – Regular meeting of September 4, 2012 and special meeting of September 18, 2012
- B.** E-911 – Request approval of budget amendment # 2013-07
- C.** Tax – Refund request for BAC Tax Services Corporation
- D.** Finance – Acceptance of the Monthly Financial Report for Two Months Ended August 31, 2012
- E.** Library – Request Board approval to dispose of the attached list of books

Commissioner Dennis moved to approve the consent agenda as presented and was seconded by Vice Chairman McIntyre. The motion was passed by unanimous vote.

## **PUBLIC COMMENT**

None

## **GENERAL COMMENTS & ANNOUNCEMENTS**

Chairman Dunevant requested the Board's consideration in changing the date for the second commissioners meeting in October from the 15<sup>th</sup> to the 22<sup>nd</sup>. Vice Chairman McIntyre moved to approve the change and was seconded by Commissioner Dennis. The motion carried with a 5 – 0 vote.

Chairman Dunevant reminded everyone that early voting begins on Thursday, October 18<sup>th</sup> and encouraged all citizens to participate.

There were no other comments.

## **CLOSED SESSION**

Commissioner Dennis moved to recess the meeting to closed session in order to consult with the County Attorney in accordance with G. S. 143-318.11(a)(3) to discuss the 401 water quality permit intervention, APGI's public records requests lawsuit, a potential lawsuit and economic development in accordance with G. S. 143-318.11(a)(4). The motion was seconded by Vice Chairman McIntyre and passed by unanimous vote at 7:31 p.m.

**ADJOURN**

There being no further business presented, Vice Chairman McIntyre moved to adjourn the meeting and was seconded by Commissioner Morton. The motion carried by unanimous vote at 8:17 p.m.

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**Lindsey Dunevant, Chairman**

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**Tyler Brummitt, Clerk**