

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
DECEMBER 1, 2014**

COMMISSIONERS PRESENT:

Janet K. Lowder, Chairman
Tony Dennis, Vice Chairman
Peter Ascitutto
Joseph Burleson
T. Scott Efird
Bill Lawhon
Gene McIntyre

COMMISSIONERS ABSENT:

None

STAFF PRESENT:

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

REORGANIZATIONAL MEETING

CALL TO ORDER

The Stanly County Board of Commissioners (the "Board") met in regular session on Monday, December 1, 2014 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. The County Manager, acting as temporary chairman, called the meeting to order for the purpose of reorganization of the Board pursuant to NCGS 153A-39.

ELECTION OF CHAIRMAN

The Commissioners took their seats and the County Manager opened the floor for nominations for Chairman in accordance with NCGS 153A-39. Commissioner Lawhon nominated Commissioner Lowder. Commissioner Ascitutto nominated Commissioner Efird, who declined. Commissioner Dennis moved to close the nominations and was seconded by Commissioner Burleson. The motion carried with a vote of 6 – 1 (Commissioner Ascitutto voting nay). Commissioner Lowder was declared Chairman for 2015 with a vote of 6 – 1 (Commissioner Ascitutto voting nay). The County Manager congratulated Chairman Lowder and turned the proceedings over to her.

ELECTION OF VICE CHAIRMAN

Chairman Lowder opened the floor for nominations for Vice Chairman pursuant to NCGS 153A-39. Commissioner Efird moved to nominate Commissioner Dennis for Vice Chairman. With no other nominations received, the nominations were closed. Commissioner Dennis was declared Vice Chairman by unanimous vote.

APPROVAL OF BONDS

Chairman Lowder called for a motion to approve the following public official bonds:

Bond Type	Amount	Expiration Date
Tax Administrator (Clinton Swaringen)	\$100,000	October 28, 2015
Finance Officer (Toby Hinson)	\$150,000	June 30, 2015
Register of Deeds (Suzanne Lowder)	\$ 50,000	December 1, 2015
Sheriff (George Burris)	\$ 5,000	December 1, 2015

By motion, Vice Chairman Dennis moved to approve the public bonds as presented and was seconded by Commissioner Ascitutto. Motion carried by a 7 – 0 vote.

BOARD & COMMITTEE ASSIGNMENTS

Commissioner Burluson presented the following slate of nominees for the boards and committees for 2015:

Chairman, Economic Development Commission	Bill Lawhon
Alternate, Economic Development Commission	Scott Efird
Member, Board of Health	Jann Lowder
Member, Social Services Board	Gene McIntyre
Member, Library Board of Trustees	Peter Ascitutto
Member, Airport Authority	Scott Efird
Alternate, Airport Authority	Tony Dennis
Chairman, Fire District Commission	Scott Efird
Member, Albemarle Downtown Development Commission	Bill Lawhon
Member, Senior Services Board	Peter Ascitutto

Member, Rural Transportation Planning Organization (RPO)	Joseph Burleson
Alternate, Rural Transportation Planning Organization (RPO)	Bill Lawhon
Member, Stanly Water & Sewer Authority	Joseph Burleson
Alternate, Stanly Water & Sewer Authority	Gene McIntyre
Member, Centralina Council of Governments	Gene McIntyre
Alternate, Centralina Council of Governments	Bill Lawhon

Commissioner Burleson moved to accept the assignments as read, was seconded by Commissioner McIntyre and the motion passed by unanimous vote.

APPROVAL OF THE 2015 REGULAR MEETING SCHEDULE

Chairman Lowder presented the following meeting dates for approval based on the first and third Mondays of each month with the exception of June, July, August, and September where only one meeting is held. The meetings will be in the Commons Meeting Room, Stanly Commons at 7:00 p.m.

- Monday, January 5th and Tuesday, January 20th *
- Monday, February 2nd and Monday, February 16th
- Monday, March 2nd and Monday, March 16th
- Tuesday, April 6th and Monday, April 20th
- Monday, May 4th and Monday, May 18th
- Monday, June 1st
- Monday, July 6th
- Monday, August 3rd
- Monday, September 8th**
- Monday, October 5th and Monday, October 19th
- Monday, November 2nd and Monday, November 16th
- Monday, December 7th and Monday, December 21st

*Rescheduled due to Monday, January 19th being Martin Luther King holiday

**Rescheduled due to Monday, September 1st being Labor Day holiday

Commissioner McIntyre moved to amend the schedule and have only one meeting in the month of May on the 11th. The motion was seconded by Vice Chairman Dennis. Prior to a vote,

the County Manager noted that due to time constraints caused by moving the date of the second week in May, the budget process would begin earlier and this may impact the time required to receive the school system's budget and updates from the General Assembly.

Commissioner McIntyre then amended his motion to propose that the meeting in May be scheduled for the 18th rather than May 11th. Vice Chairman Dennis moved to approve the motion was amended. Motion carried by unanimous vote.

RECOGNITION OF SHERIFF GEORGE BURRIS

Chairman Lowder recognized Sheriff Burris who then took a moment to introduce members of his administration including Chief Deputy Carla King, Captain of the Detective Division, Brian Hatley, Captain of the Civil Division, Roddy Tomberlin, and Captain of the Detention Center, Jeff Brafford. He also thanked the community for their support in the recent election.

ANNOUNCEMENT

Chairman Lowder announced that during any regular meeting of the Board, the County Commissioners in order to act in their capacity as Board of Governors for the Greater Badin Water & Sewer District, or for the Piney Point Water District may, in their discretion, recess a Commissioners' regular meeting and reconvene as the Board of Governors of either of the above two entities in order to conduct business matters related to that entity. The Chairman stated that this concluded matters related to the reorganization.

INVOCATION & PLEDGE OF ALLEGIANCE

The invocation and pledge of allegiance was led by Commissioner McIntyre.

APPROVAL / ADJUSTMENTS TO THE AGENDA

Chairman Lowder requested that a resolution related to the Albemarle to NC Hwy 200 Water Transmission Main Project be added as agenda item # 4. Commissioner McIntyre moved to approve the agenda as amended and was seconded by Commissioner Efird. The motion carried with a 7 – 0 vote.

SCHEDULED AGENDA ITEMS

ITEM # 1 – E-911- NAMING OF A NEW ROAD AS LITTLE HILL FARM ROAD

Presenters: Karen McDaniel, E-911 Director

Brandy Webster, E-911 Communications

Ms. McDaniel stated that on October 6, 2014, E-911 was notified of an easement located off of Aldridge Road (approximately 2,468 feet north of the Old Davis intersection) and serves 3 – 4

residences was unnamed. Ms. McDaniel provided a time line of events stating that Ms. Webster sent letters to the residents asking them to submit five (5) potential names for the road. Of the votes received, Little Hill Farm Road was the only name that was not a duplicate of an existing road name. It was requested that the Board hold a public hearing and take action to name the easement.

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

By motion, Commissioner Ascitutto moved to approve the name of Little Hill Farm Road as recommended. The motion was seconded by Vice Chairman Dennis and passed by unanimous vote.

ITEM # 2 – SOCIAL SERVICES REQUEST TO ESTABLISH TWO (2) NEW POSITIONS FOR THE CHILD WELFARE DEPARTMENT & APPROVAL OF BUDGET AMENDMENT # 2015-19

Presenter: Tammy Schrenker, DSS Director

The Department of Social Services requested permission to establish two (2) new Social Work / Investigative/Assessment and Treatment positions in the Child Welfare Department. With the additional funds included in the state budget for child protective services, these positions will require no additional county funds in FY 2014-15 or FY 2015-16. Permission to reclassify a Social Worker II position as a Social Worker III position was also requested in order to allow the position to handle foster home licensures and child placement duties also at no additional cost to the County.

Commissioner McIntyre moved to approve budget amendment # 2015-19 to amend the General Fund for the following items: two (2) new Child Welfare Department positions, the reclassification of a Social Worker II position to Social Worker III position, and to continue funding for the use of temporary staffing in the Child Welfare Department as requested. The motion was seconded by Vice Chairman Dennis and carried by a vote of 7 – 0.

EXCUSED FROM VOTING

Due to a conflict of interest, Commissioner Efirm requested to be excused from voting on item # 3. Board approval was received.

ITEM # 3 – CONTRACT AWARD FOR IN-REM FORECLOSURES ON DELINQUENT PROPERTY TAXES

Presenter: Clinton Swaringen, Tax Administrator

Mr. Swaringen was present to request approval of a contract to outsource the In Rem Tax Foreclosure program to Morton & Phillips Attorneys at Law. The In Rem Tax Foreclosure process will be used in an effort to collect delinquent property taxes where all other methods of collection have been exhausted. If approved, action would be taken to collect back taxes owed on properties for the previous ten (10) years.

By motion, Vice Chairman Dennis moved to approve the contract with Morton & Griffin Attorneys at Law and was seconded by Commissioner Lawhon. Motion passed by unanimous vote.

ITEM # 4 – ALBEMARLE TO NC HWY 200 WATER TRANSMISSION MAIN PROJECT RESOLUTION

Presenter: Donna Davis, Utilities Director

In September 2014, the Board approved a resolution seeking federal legislative support for the aforementioned water line project. The project was previously designed and engineered in 2009 – 2010, but due federal budget cuts was not funded. In a recent conversation with the US Army Corps of Engineers, the county was informed that it will need to seek an increase in funding for the project. For Board approval, Ms. Davis presented an amended resolution to seek legislative support and to reaffirm the county's required commitment of 25% toward the total cost of the project which is estimated at \$9 million. The remaining 75% will come through federal funding.

After a period of questions from the Board, Vice Chairman Dennis moved to approve the amended resolution. His motion was seconded by Commissioner Burleson and carried by a 7 – 0 vote.

**See Exhibit A
Resolution**

Albemarle to NC Highway 200 Water Transmission Main Project

ITEM # 5 – NCACC DECEMBER BOARD UPDATE VIDEO

Kevin Leonard, Executive Director for the NCACC, introduced the video which provided information on upcoming educational opportunities available to newly elected and veteran county commissioners. The opportunities noted included the Legislative Goals Conference, Essentials of County Government workshop and risk management training sessions offered through the UNC School of Government.

The video was for information only and required no action.

ITEM # 6 – MANDATORY CODE OF ETHICS

Presenter: Andy Lucas, County Manager

Per NCGS 160A-86, the County must reaffirm the code of ethics by December 31st of each year. A copy of the code of ethics was included in the Board's agenda packet for their review and consideration.

Commissioner Ascitutto moved to reaffirm the code of ethics and was seconded by Vice Chairman Dennis. Motion carried by unanimous vote.

ITEM # 7 – CONSENT AGENDA

- A.** Minutes – Regular meeting of November 17, 2014.
- B.** Finance – Request acceptance of the Monthly Financial Report for Four Months Ended October 31, 2014

Vice Chairman Dennis moved to approve the above items as presented. His motion was seconded by Commissioner Ascitutto. Motion carried by a 7 – 0 vote.

PUBLIC COMMENT – None

GENERAL COMMENTS & ANNOUNCEMENTS

Commissioner Ascitutto welcomed the new board members stating he looks forward to working with them over the next two years. He also noted that he will begin his county work days in Inspections the following week and reiterated his concerns with the lack of security during a portion of the meeting.

Commissioner Lawhon thanked the voters for their support and stated that he looks forward to working with the Board members to help improve the lives of the citizens of Stanly County.

Vice Chairman Dennis welcomed the new board members and stated that he looks forward to working together as well.

Commissioner Efird thanked his wife, Tracy for her continued support and presence at the meeting and also thanked Representative Burr for administering his oath of office.

Commissioner McIntyre congratulated the new board members and is looking forward to working with them in the future.

Commissioner Burleson thanked Representative Burr for administering his oath as well and that he looks forward to working with the Board as well.

Chairman Lowder thanked all of the family and friends of the Board members who were present and participated in the meeting tonight. She then thanked the Board for their support in being elected chairman stating she looks forward to the next year.

CLOSED SESSION

Commissioner McIntyre moved to recess the meeting into closed session to discuss a personnel issue in accordance with G. S. 143-318.11(a)(6). His motion was seconded by Vice Chairman Dennis and passed by unanimous vote at 8:30 p.m.

ANNOUNCEMENT

By motion, Commissioner McIntyre moved to set the Sheriff's annual salary at \$67,175.00. The motion was seconded by Commissioner Burleson and passed with a 6 – 1 vote (Commissioner Ascitutto voting Nay).

ADJOURN

With no further business presented for discussion, Commissioner McIntyre moved to adjourn the meeting and was seconded by Vice Chairman Dennis. Motion carried unanimously at 8:54 p.m.

Janet K. Lowder, Chairman

Tyler Brummitt, Clerk