

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
DECEMBER 3, 2012**

COMMISSIONERS PRESENT:

Gene McIntyre, Chairman
Josh Morton, Vice Chairman
Peter Ascitutto
Tony Dennis
Lindsey Dunevant

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 3, 2012 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 Morton nominated Commissioner McIntyre for Chairman then Commissioner Ascitutto moved to close the nominations. Commissioner McIntyre was declared Chairman for 2013 by unanimous vote.

ELECTION OF VICE CHAIRMAN

The County Manager congratulated Chairman McIntyre and turned the proceedings over to him. Chairman McIntyre opened the floor for nominations for Vice Chairman pursuant to NCGS 153A-39. Commissioner Ascitutto moved to nominate Commissioner Morton for Vice Chairman. The motion was seconded by Commissioner Dennis and carried by unanimous vote.

APPROVAL OF BONDS

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

Bond Type	Amount	Expiration Date
Tax Administrator (Melia Miller)	\$100,000	June 30, 2013
Finance Officer (Toby Hinson)	\$100,000	June 30, 2013
Register of Deeds (Suzanne Lowder)	\$ 50,000	December 1, 2013
Sheriff (Rick Burris)	\$ 5,000	December 4, 2013

By motion, Commissioner Dennis moved to approve the public bonds as presented, was seconded by Commissioner Dunevant and passed with a 5 – 0 vote.

BOARD & COMMITTEE ASSIGNMENTS

Commissioner Dunevant presented the following slate of nominees for the boards and committees for 2012:

Chairman, Economic Development Commission	Tony Dennis
Alternate, Economic Development Commission	Lindsey Dunevant
Member, Board of Health	Peter Ascitutto
Member, Social Services Board	Gene McIntyre
Member, Library Board of Trustees	Gene McIntyre
Member, Airport Authority	Tony Dennis
Alternate, Airport Authority	Peter Ascitutto
Chairman, Fire District Commission	Tony Dennis
Member, Albemarle Downtown Development Commission	Peter Ascitutto
Member, Senior Services Board	Josh Morton
Member, Rural Transportation Planning Organization (RPO)	Lindsey Dunevant
Alternate, Rural Transportation Planning Organization (RPO)	Peter Ascitutto
Member, Stanly Water & Sewer Authority	Josh Morton

Alternate, Stanly Water & Sewer Authority	Lindsey Dunevant
Member, Centralina Council of Governments	Lindsey Dunevant
Alternate, Centralina Council of Governments	Tony Dennis

By motion, Commissioner Dunevant moved to accept the assignments as read, was seconded by Commissioner Dennis and the motion carried with a 5 – 0 vote.

APPROVAL OF THE 2012 MEETING SCHEDULE

Commissioner Dennis moved to approve the meeting dates for the first and third Monday of each month, omitting the second meeting for the months of June, July, August, and September with the meetings being held at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. The meeting schedule for 2013 is as follows:

- Monday, January 7th and Tuesday, January 22nd*
- Monday, February 4th and Monday, February 18th
- Monday, March 4th and Monday, March 18th
- Tuesday, April 2nd and Monday, April 15th
- Monday, May 6th and Monday, May 20th
- Monday, June 3rd
- Monday, July 8th
- Monday, August 12th
- Monday, September 9th
- Monday, October 7th and Monday, October 21st
- Monday, November 4th and Monday, November 18th
- Monday, December 2nd and Monday, December 16th

*Rescheduled due to Martin Luther King holiday on Monday, January 21st

The motion was seconded by Commissioner Dunevant and passed by unanimous vote.

ANNOUNCEMENT

Chairman McIntyre 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.

Chairman McIntyre called for a five minute recess to allow those in attendance for the swearing in ceremony to leave prior to continuing with the scheduled agenda items.

INVOCATION

An invocation was given by Chairman McIntyre.

APPROVAL / ADJUSTMENTS TO THE AGENDA

Commissioner Dunevant moved to approve the agenda as amended and was seconded by Commissioner Dennis. The motion carried by unanimous vote.

SCHEDULED AGENDA ITEMS

ITEM # 1 – PFEIFFER UNIVERSITY TEFRA HEARING

Presenter: Michael Juby, Parker, Poe, Adams & Bernstein, LLP

Pfeiffer University is in the process of refinancing a portion of its existing debt and financing certain improvements to the University's facilities in Misenheimer and Charlotte. To accomplish this, the University's financial advisor has arranged for the Public Finance Authority to issue bonds on behalf of the University, which will allow the University to obtain favorable financing terms. In order to comply with federal law, the University has requested that the Board hold a public hearing and approve the bond issue. This approval will not make the county responsible in any way for the bonds or the projects financed or refinanced with bond proceeds.

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

By motion, Commissioner Dunevant moved to adopt the associated resolution as a show of support for Pfeiffer University. The motion was seconded by Commissioner Dennis and carried by unanimous vote.

See Exhibit A

**Resolution of the Board of Commissioners of the County of Stanly, North Carolina,
Approving the Issuance by the Public Finance Authority of its Educational Facilities
Revenue Bonds (Pfeiffer University Projects), in One or More Series, in an Aggregate
Principal Amount Not to Exceed \$20,000,000**

ITEM # 2 – AWARD OF CONTRACTS FOR THE URGENT REPAIR PROGRAM 2012, SINGLE FAMILY REHAB 2012 AND THE WATER CONNECTION PROGRAM

Presenter: Michael Kepley, Grant Administrator for Carolina Governmental Services, LLC

Based on the public bid openings held on November 20, 2012, it was requested the contracts be awarded to the lowest responsible, responsive bidder for each package as follows:

URP 2012

- Christine Griffen: \$5,250 Calvin Sedberry Construction
- Beverly Wilson: \$5,200 Combs and Sons Builders
- Deborah Horton: \$4,600 Kendall Trucking
- Walter Lee: \$4,175 Combs and Sons
- Daryl Davis: \$4,497 Kendall Trucking
- Dicye Grambling \$4,409 Mobile Construction

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- Carrie Robinson: \$49,875 Combs and Sons

Water Connection Program

- Bid package # 1 \$6,930 Dependable Plumbing
- Bid package # 2 \$9,805 One of a Kind Plumbing (Randall Drye)
- Bid package # 3 \$6,340 One of a Kind Plumbing

Commissioner Dennis moved to approve the award of the contracts as presented and was seconded by Commissioner Ascitutto. The motion carried by unanimous vote.

ITEM # 3 - BOARD OF HEALTH APPOINTMENTS

Presenter: Dennis Joyner, Health Director

Due to several members' terms expiring on December 31, 2012, it was recommended that Mr. Kenneth Knight and Joan D. Eudy be appointed as General Public Members, and Dr. Laura Mauldin reappointed as the Dentist Member to the Board of Health.

By motion, Vice Chairman Morton moved to appoint Joan Eudy and Shirley Lowder as General Public members and to reappoint Dr. Laura Mauldin as Dentist Member. Commissioner Ascitutto asked the Board to consider the appointments as requested by the Board of Health by appointing Joan Eudy and Kenneth Knight as the General Public members as well as reappoint Dr. Laura Mauldin. Commissioner Dennis then seconded the motion of Vice Chairman Morton. The motion passed with a final vote of 4 – 1.

Ayes: Chairman McIntyre, Vice Chairman Morton, Commissioner Dennis, Commissioner Dunevant

Nays: Commissioner Ascuitto

ITEM # 4 – PRESENTATION OF THE CENTRALINA MOBILITY MANAGEMENT AGENCY

Presenter: Jim Prosser, Centralina Council of Governments (CCOG)

Since late 2011, the CCOG has worked under contract with the NC Department of Transportation's Division of Public Transportation to develop a mobility management agency for the nine-county region. Centralina applied for this grant in early 2011 at the request of several public transportation agencies in the region to address the rapidly aging population, decreased funding, and increased demands due to a lack of coordination by the areas community transportation systems in the region. It was requested the Board endorse the associated resolution as a show of support for the application.

Commissioner Dunevant moved to adopt the resolution as presented and was seconded by Commissioner Dennis. The motion carried by unanimous vote.

See Exhibit B

**Resolution of Support for
Centralina Mobility Management Agency**

ITEM # 5 – PRESENTATION OF THE COUNTY AUDIT FOR YEAR ENDED JUNE 30, 2012

Presenter: Erica Brown, Senior Audit Manager for Martin Starnes & Associates

Erica Brown presented an overview of the 2012 Comprehensive Annual Financial Report via a power point presentation. Ms. Brown stated that Martin Starnes & Associates had issued an unqualified audit opinion stating there were no significant findings, questioned costs or any material weaknesses or deficiencies noted in the audit. The audit has also been submitted and approved by the LGC.

Commissioner Dennis moved to accept the audit as presented and was seconded by Vice Chairman Morton. The motion passed with a 5 – 0 vote.

ITEM # 6 – ROCKY RIVER RURAL PLANNING ORGANIZATION (RRRPO)

A. PRESENTATION AND CONSIDERATION OF THE COMPREHENSIVE TRANSPORTATION PLAN (CTP) FOR ALBEMARLE, BADIN AND NEW LONDON

Presenter: Rueben Crummy, NC DOT

Mr. Crummy presented the recommendations and associated maps developed for the Comprehensive Transportation Plan by the NC Department of Transportation and Stanly County for Albemarle, Badin and New London areas. During the presentation, it was

requested the Board hold the required public hearing as well as approve the associated resolution as a show of support.

Chairman McIntyre declared the public hearing open. With no one coming forward to speak for or against, the public hearing was closed.

By motion, Commissioner Dennis moved to approve the resolution and was seconded by Commissioner Ascitutto. The motion passed by unanimous vote.

B. CONSIDERATION OF REQUEST TO CHANGE A PORTION OF HWY 24-27'S STRATEGIC HIGHWAY CORRIDOR DESIGNATION

Presenter: Dana Stoogenke, RRRPO Director

The City of Locust and the Town of Red Cross did not adopt the Stanly County Comprehensive Transportation Plan due to concerns regarding the NCDOT's designation of Hwy 24-27 as an Expressway through its communities. The two jurisdictions would like the Rocky River Rural Planning Organization to apply for a SHC modification to change that section of roadway to a boulevard designation. With a small section of Hwy 24-27 between the two jurisdictions being within Stanly County, it was requested the Board discuss whether the county would like to take a formal position with respect to the RPO's application for a SHC Modification. The requested change would impact the portion of Hwy 24-27 from the Town of Red Cross's eastern boundary to the county line in Locust.

The presentation was given for the Board's information and required no formal action.

ITEM # 7 – SELECTION OF A VOTING DELEGATE FOR THE NCACC 2013 LEGISLATIVE GOALS CONFERENCE IN JANUARY 2013

Presenter: Andy Lucas, County Manager

Commissioner Ascitutto moved to appoint Chairman McIntyre as the delegate for the upcoming conference and was seconded by Commissioner Dennis. The motion carried unanimously.

On a separate motion, Commissioner Dennis moved to appoint Commissioner Dunevant as the alternate delegate. The motion was seconded by Commissioner Morton and passed by a 5 – 0 vote.

ITEM # 8 – 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 to ensure compliance.

By motion, Commissioner Dunevant moved to approve the code of ethics and was seconded by Commissioner Dennis. Motion carried with a 5 – 0 vote.

ITEM # 9 - CONSENT AGENDA

A. Minutes – Regular meeting of November 19, 2012

- B. Finance – Approval of budget amendment # 2013-11
- C. IT – Approval of budget amendment # 2013-12
- D. Senior Services – Approval of budget amendment # 2013-13
- E. Health – Approval of budget amendment # 2013-14

By motion, Commissioner Dennis moved to approve the consent agenda as presented. The motion was seconded by Commissioner Morton and passed unanimously.

PUBLIC COMMENT

None

GENERAL COMMENTS & ANNOUNCEMENTS

Commissioner Ascuitto stated that he is looking forward to working with the Board over the next four years and establishing a day each month to work with a different county department to learn more about the functions of each. He also noted several issues that he sought clarification on including: the State's 21st Century Plan for the recapture of the dams and whether or not the Board has taken a formal vote on the issue, and if there is an active offer from AltaGas, where does it currently stand? He also stated that while meeting with Alcoa representatives earlier in the day, Alcoa presented a proposed settlement offer that he would like the Board to discuss in order to move forward with a settlement.

There were no other comments.

CLOSED SESSION

Commissioner Dunevant moved to recess the meeting into closed session in order to discuss economic development in accordance with G. S. 143-318.11(a)(4), a personnel matter in accordance with G. S. 143-318.11(a)(6) and a real estate matter in accordance with G. S. 143-318.119a(5). The motion was seconded by Commissioner Dennis and passed unanimously at 8:35 p.m.

ANNOUNCEMENT

Chairman McIntyre announced that during the closed session, the Board discussed a personnel issue, a real estate matter, an economic development issue and approved the release of the Alcoa closed session minutes to Commissioner Ascuitto at his request.

ADJOURN

With no further business presented, Commissioner Dennis moved to adjourn the meeting and was seconded by Commissioner Dunevant. Motion carried with a vote of 4 – 1 at 9:21 p.m.

Ayes: Chairman McIntyre, Vice Chairman Morton, Commissioner Dennis, Commissioner Dunevant

Nays: Commissioner Ascuitto

Gene McIntyre, Chairman

Tyler Brummitt, Clerk