

**STANLY COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
JANUARY 22, 2008 7:00 P.M.**

**COMMISSIONERS PRESENT:**           **Tony Dennis, Chairman  
Gene McIntyre, Vice-Chairman  
Lindsey Dunevant  
Dr. Nalin Mehta  
Sherrill Smith**

**COMMISSIONERS ABSENT:**           **None**

**STAFF PRESENT:**                   **Jerry D. Myers, County Manager  
John L. Roberts, County Attorney/Clerk to  
the Board**

**CALL TO ORDER**

The Stanly County Board of Commissioners (the “Board”) met in regular session on Tuesday, January 22, 2008 at 7:00 p.m. in the Commissioners Meeting Room, Stanly County Commons. Chairman Dennis called the meeting to order and Commissioner Mehta gave the Devotion.

**APPROVAL AND/OR ADJUSTMENTS TO AGENDA**

Chairman Dennis asked for adjustments to the agenda. Hearing none, he asked for approval of the agenda.

Commissioner Smith moved to approve the agenda. His motion was seconded by Commissioner Dunevant and unanimously approved 5–0.

**ITEM #1: STANLY COUNTY CONVENTION AND VISITORS BUREAU—**

**Presentation of the Stanly County Travel Guide**

**Presenter: Chris Lambert, Convention and Visitor Bureau Director**

Mr. Lambert introduced to the Board the first ever travel guide for Stanly County. He provided copies of the booklet to each of the Board members and explained that an attempt had been made to incorporate every tourism related event, place and business. Chairman Dennis expressed his appreciation for the work Mr. Lambert had done at the Convention and Visitor Bureau.

**ITEM #2: STANLY COUNTY ATTORNEY—Resolution Opposing Senate Bill 1180 and Board Appointment**

**Presenter: John L. Roberts, County Attorney**

- A) Mr. Roberts requested that the Board approve a resolution opposing Senate Bill 1180. He explained that the bill would make the County’s Adequate Public Facilities Ordinance (“APFO”) illegal. He informed the Board that the bill would require that APFOs only be implemented if they were specifically permitted by law. Stanly County’s APFO, as well as most other APFOs in the state are not

specifically permitted by law but are inferred as being permitted from the language in N.C.G.S. 153A-331. As such, Senate Bill 1180 would make the Stanly County APFO illegal.

Vice Chairman McIntyre reminded the Board that Session Law 2007-371, passed in the 2007 Regular Session of the General Assembly would require that any county or city that improperly assessed adequate public facilities fees be required to repay the fees with interest and that it was important to oppose Senate Bill 1180 now.

Motion to approve was made by Vice Chairman McIntyre. His motion was seconded by Commissioner Dunevant and unanimously approved 5 – 0.

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS STANLY COUNTY, NORTH CAROLINA IN OPPOSITION TO SENATE BILL 1180

WHEREAS, the Stanly County Board of Commissioners, on September 20, 2004, pursuant to North Carolina General Statute 153A-331, adopted an Adequate Public Facilities Ordinance to assist the county in providing for the orderly growth and development of the county and its public facilities; and

WHEREAS, the citizens of Stanly County are entitled to the use of safe and sanitary water and sewer systems and other public facilities; and

WHEREAS, Stanly County is a rural county with limited funds and ability to meet the ever increasing demand of growth in the county; and

WHEREAS, on March 20, 2007 in the 2007 session of the General Assembly Senate Bill 1180, an act to prohibit a local government from imposing a tax, fee, or monetary contribution for development that is not specifically authorized by law, was filed; and

WHEREAS, on July 28, 2007 Senate Bill 1180 passed the second and third reading in the Senate, was sent to the House of Representatives and passed the first reading before being referred to committee; and

WHEREAS, Senate Bill 1180 would place Stanly County in the position of being unable to adequately fund and maintain safe and sanitary public facilities for the citizens of Stanly County.

NOW THEREFORE BE IT RESOLVED that the Stanly County Board of Commissioners opposes Senate Bill 1180 in its current form or in any negotiated form that restricts the county's ability, under its Adequate Public Facilities Ordinance, to collect reasonable fees for the orderly growth and development of the county and its facilities;

BE IT FURTHER RESOLVED that the Stanly County Board of Commissioners respectfully requests that the General Assembly reconsider Senate Bill 1180 and remove it from further consideration.

Adopted this the 22<sup>nd</sup> day of January, 2008.

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Stanly County Commissioners Chairman

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Clerk to the Board of Stanly County Commissioners

- B) Mr. Roberts requested that the Board appoint Mr. Tom Ramseur to the Centralina Workforce Development Board to fill a vacancy created by the departure of Robert Van Geons. Mr. Ramseur, the President and CEO of the Stanly County Chamber of Commerce, has indicated his willingness to serve on the Board.

Commissioner Mehta indicated he had spoken to Mr. Ramseur and that Mr. Ramseur was willing to serve.

Motion to approve was made by Commissioner Mehta. His motion was seconded by Commissioner Smith and unanimously approved 5 – 0.

**ITEM #3: STANLY COUNTY UMBRELLA SERVICES AGENCY—Board Appointments**

**Presenter: Gwen Hinson, Transportation Director**

Ms. Hinson asked the Board to approve three appointees to the SCUSA Transportation Advisory Committee; Harold Greene, Mayor of Locust, Calvin Gaddy, Mayor of New London, and Beth Huber, Administrator of Britthaven of Piedmont Nursing Center.

Motion to approve was made by Vice Chairman McIntyre. His motion was seconded by Commissioner Smith and unanimously approved 5 – 0.

**ITEM #4: STANLY COUNTY MANAGER—Discussion of the need to reschedule the Regular Meetings currently scheduled for February 18, 2008 and March 3, 2008 Presenter: Jerry D. Myers, County Manager**

Mr. Myers indicated that a conflict had arisen with the scheduling of both meetings, the conflicts being an invitation to the Board to meet with U.S. Senator Richard Burr on the evening of February 18, 2008 and the absence of two Board members on March 3, 2008 to attend the National Association of Counties Leadership Conference. Mr. Myers suggested that a mini-retreat be scheduled for February 11, 2008 at 5:30 p.m., and that the February 18, 2008 and March 3, 2008 regular meetings be cancelled and a new meeting date of February 25, 2008 at 7:00 p.m. be adopted.

Motion to approve was made by Commissioner Mehta. His motion was seconded by Vice Chairman McIntyre and unanimously approved 5 – 0.

**ITEM#5: STANLY COUNTY PLANNING AND ZONING—Board Appointments**

**Presenter: Michael Sandy, Planning and Zoning Director**

Mr. Sandy indicated to the Board that there were two vacancies on the Planning and Zoning Board and asked that the Board fill the vacancies. He indicated that Mr. Floyd Eudy's term had expired but that he was willing to serve another term. He also indicated that Ms. Laura Mauldin's term had expired and she had asked not to be reappointed.

Chairman Dennis opened nominations. Commissioner Dunevant nominated Tim Parker. Vice Chairman McIntyre nominated Wayne Sasser and Steve Watson. Commissioner Smith nominated Floyd Eudy and Brenda Hunter. Hearing no other nominations Chairman Dennis asked that the nominations be closed. Vice Chairman McIntyre moved to close the nominations. His motion was seconded by Commissioner Dunevant and unanimously approved 5 – 0.

Commissioner Dunevant voted for Tim Parker and Wayne Sasser. Vice Chairman McIntyre voted for Wayne Sasser and Steve Watson. Commissioner Mehta voted for Brenda Hunter and Floyd Eudy. Commissioner Smith voted for Floyd Eudy and Brenda Hunter. Chairman Dennis voted for Floyd Eudy and Brenda Hunter. Chairman Dennis declared the new appointees, by majority vote, to be Floyd Eudy and Brenda Hunter.

**ITEM #6: CONSENT AGENDA**

**Presenter: Chairman Dennis**

- A) Minutes—Regular Meeting January 7, 2008.
- B) Budget Amendment 2008-16—To amend the General Fund to change expenditures in the Legal Department regarding the ongoing Alcoa study.
- C) Budget Amendment 2008-17—To create Fund #246, CDBG 2007 Revitalization Grant.
- D) Budget Amendment 2008-18—To add \$110,500 to the #246 grant fund.
- E) Budget Amendment 2008-19—To amend Fund #243, the CDBG Scattered Site Grant, to appropriate an additional \$50,000 grant.
- F) Approve \$2,026.00 in Department of Corrections Reallocation Funds for the Criminal Justice Partnership Program and authorize the Finance Director to assign a Budget Amendment number.

Motion to approve was made by Commissioner Mehta. His motion was seconded by Commissioner Smith and unanimously approved 5 -0.

**ITEM #7: PUBLIC COMMENT, GENERAL COMMENTS & ANNOUNCEMENTS**

No citizens approached the Board for the Public Comment session.

Each member of the Board expressed sympathies to the family of former Commissioner David Morgan and wished him a speedy recovery.

**CLOSED SESSION**

Commissioner Dunevant made a motion to go into closed session to consult with the county attorney in accord with G.S. 143-318.11(a)(3) and to discuss economic development issues in accord with G.S. 143-318.11(a)(4). His motion was seconded by Vice Chairman McIntyre and approved 5-0 at 7:18 p.m.

Commissioner Mehta made a motion to return to open session. His motion was seconded by Vice Chairman McIntyre and approved 5-0 at 8:48 p.m.

**ADJOURN**

Vice Chairman McIntyre moved to adjourn tonight's meeting. His motion was seconded by Commissioner Smith and unanimously approved 5-0 at 8:50 p.m.

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**Tony Dennis, Chairman**

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**John L. Roberts, Clerk to the Board**