

**STANLY COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
MAY 19, 2008**

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

COMMISSIONERS ABSENT: None

STAFF PRESENT: Jerry Myers, County Manager
John Roberts, County Attorney
Tyler Brummitt, Assistant to the County Manager

CALL TO ORDER

The Stanly County Board to Commissioners (the “Board”) met in regular session on Monday, 19, 2008 at 7:00 p.m. in the Commissioners Meeting Room, Stanly County Commons. Chairman Dennis called the meeting to order and Commissioner Dunevant gave the devotion.

APPROVAL AND/OR ADJUSTMENTS TO AGENDA

Chairman Dennis requested the addition of three items to the agenda. The first add on was identified as item # 4(A) a legislative update, second a closed session, and the third item being to recess the meeting rather than adjourn the meeting as stated on the agenda. Commissioner McIntyre made a motion to approve and was seconded by Commissioner Mehta with a unanimous vote.

ITEM # 1 – RETIREMENT AWARDS PRESENTATION

Presenter: Chairman Dennis

The Board took the opportunity to recognize and thank Mr. Dan Baucom of the Tax Assessor’s Office and Mr. Bobby Harwood of the Stanly County Sheriff’s Department for their many years of service to Stanly County and its citizens.

ITEM # 2 – PUBLIC HEARING – MERGER OF THE FIRE TAX DISTRICTS FOR LOCUST AND ROCKY RIVER VOLUNTEER FIRE DEPARTMENTS

Presenter: Deputy Chief Tim Fesperman

Currently, Locust and Rocky River Fire Departments protect two separate fire tax districts. The fire departments along with both departments’ Boards of Directors have agreed to a merger of the two, which would create a single, larger fire district and fire department to be called West Stanly Fire Department. As a result of this merger, there would be more personnel and more equipment available to both districts when merged, as

well as a lower insurance rating for a portion of the existing Rocky River district. Both fire districts currently have a \$.08 fire tax and neither would see an increase in this rate due to the merger. The merger is scheduled for July 1st, 2008.

Chairman Dennis declared the public hearing open. Hearing no comments, the hearing was then closed. Commissioner Smith made a motion to approve the merger and was seconded by Commissioner Mehta. The merger was approved by unanimous vote.

ITEM # 3 – 2008 SINGLE FAMILY REHABILITATION PROGRAM (SFR-08)

Presenter: Michael Kepley, Grant Administrator for Hobbs, Upchurch & Associates

Mr. Kepley gave a brief summary of the purpose of the 2008 Single Family Rehab program. He stated that this grant would operate much like the Scattered Site Housing grant in that it would benefit the low to moderate income individuals including the elderly. With the \$400,000 received from this program, they intend to rehabilitate ten homes.

Chairman Dennis declared the public hearing open. Hearing no comments, the hearing was then closed. Mr. Kepley then requested that the code of conduct, procurement policy, and the program assistance policy for the project be approved. Motion to approve was made by Vice Chairman McIntyre and was seconded by Commissioner Dunevant with a unanimous vote.

ITEM # 4 – PRESENTATION OF THE FY 2008 – 2009 RECOMMENDED BUDGET

Presenter: Jerry Myers, County Manager

Each member of the Board received a copy of the recommended budget for the 2008 - 2009 year. Mr. Myers provided a brief summary where he pointed out several items included in the handout. Some of the points mentioned included: 1) the property tax rate remained unchanged at \$0.67 per \$100 in valuation and all fire tax rates remaining unchanged except for Badin, which requested an increase of \$0.03 to \$0.08 for the purchase of a new fire engine; 2) the household solid waste fee should be increased from the current \$60.00 per household to \$62.00 in order to meet the state mandated tipping fee increase. There were also slight increases in user fees and permits that are included in the various departmental budgets. Afterwards, Mr. Myers requested that the Board set a date in May for a budget workshop meeting.

No action was required by the Board.

A) LEGISLATIVE UPDATE

Presenter: Vice Chairman McIntyre

Each member of the Board received a handout that contained legislative updates on several issues that are currently before the NCACC. Vice Chairman McIntyre gave a brief summary of a few of the items mentioned which included Senate Bill 1513 which

involves counties taking on the responsibility of building and maintaining secondary roads, Senate Bill 1610 which would call for changes to the mental health system by providing \$60 million dollars in new spending and greater service oversight for Local Management Entities, and the possibility of a House select committee recommending a one-year moratorium on all municipal annexations including voluntary and involuntary.

No action was required by the Board.

ITEM # 5 – CONSENT AGENDA

Presenter: Chairman Dennis

- A) Minutes – Regular meeting on May 5, 2008
- B) Tax Release and Discovery Report – April, 2008
- C) Approval of resolution in support of interlocal loan to Stanly Water & Sewer Authority for the Hwy 24/27 project

RESOLUTION OF THE BOARD OF COMMISSIONERS FOR THE COUNTY OF STANLY, NORTH CAROLINA DECLARING ITS INTENT TO ADVANCE AMOUNTS TO THE STANLY WATER AND SEWER AUTHORITY FOR THE COSTS OF CERTAIN WATER SYSTEM IMPROVEMENTS

WHEREAS, pursuant to the provisions of Article 1 of Chapter 162A, as amended, of the General Statutes of North Carolina, the County of Stanly, North Carolina (the “County”) has created the Stanly Water and Sewer Authority (the “Authority”) as a public instrumentality, vested with the powers set forth in said Article 1 of Chapter 162A for the purposes of designing, constructing and operating a water supply system to produce and deliver water to the County; and

WHEREAS, the Authority has determined to finance the acquisition, construction, and equipping of various improvements to the water system of the County to provide public drinking water to the NC-24-27-73 corridor, east of the City of Albemarle, North Carolina to the Stanly County/Montgomery County line (collectively, the “Project”); and

WHEREAS, the Authority has requested that the County advance funds to the Authority in an amount not to exceed \$3,000,000 for the purpose of paying the cost of the Project, for which expenditures the Authority intends to reimburse the County from the proceeds of debt to be incurred by the Authority; and

WHEREAS, the County desires to advance the requested funds to the Authority; and

WHEREAS, in order to provide for the advancement, the County has determined to enter into an Interlocal Agreement, to be dated the date of delivery thereof (the “Interlocal Agreement”), between the County and the Authority; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners (the “Board”) for the County of Stanly, North Carolina (the “County”):

Section 1. The Board hereby authorizes the County to advance funds to the Stanly Water and Sewer Authority (the “Authority”) in an amount not to exceed \$3,000,000 for the purpose of paying the costs of the Project, for which expenditures the Authority will reimburse the County from the proceeds of debt to be incurred by the Authority.

Section 2. The Chairman of the Board, the County Manager and the Interim Finance Director of the County and any other officers, agents and employees of the County are hereby authorized and directed to take such action and to execute and deliver such certificates, agreements, instruments, opinions or other documents as they, with the advice of counsel, may deem necessary or appropriate to effect the transactions contemplated by this resolution.

Section 3. This resolution shall take effect upon its passage.

D) Resolution authorizing the disposal of surplus computers at auction with public notice to be made electronically

**RESOLUTION BY THE STANLY COUNTY BOARD OF
COMMISSIONERS
AUTHORIZING THE DISPOSAL OF SURPLUS COMPUTERS AT
AUCTION WITH PUBLIC NOTICE TO BE MADE ELECTRONICALLY**

WHEREAS, Stanly County owns and maintains numerous personal computer systems for the use of county employees to carry out their daily tasks and duties; and

WHEREAS, the Information Technology Director must routinely determine if such personal computer systems are obsolete and should be declared surplus; and

WHEREAS, North Carolina General Statute 160A-270 authorizes local governing boards to dispose of personal property at electronic public auction; and

WHEREAS, North Carolina General Statute 160A-270 further authorizes local governing boards to provide for the publication of public notice of electronic public auctions by electronic means only; and

WHEREAS, obsolete personal computer systems have limited resale value and are appropriate for public auctions in bulk by electronic means only.

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of Stanly County, in an effort to better serve the citizens of Stanly County and to allow for the more efficient sale of surplus personal computer systems, hereby designates the

Information Technology Director as the person authorized to determine the fitness of county-owned personal computer systems for public auction and to establish appropriate statutorily authorized procedures for the disposal at electronic public auction of all such personal computer systems.

BE IT FURTHER RESOLVED, that all such electronic public auctions of obsolete personal computer systems shall be conducted after the statutorily mandated electronic public notice of such electronic public auction has been complied with by the Information Technology Director and that such electronic public notice, as authorized by statute, shall be the only required public notice.

Adopted this 19th day of May, 2008.

Tony M. Dennis, Chairman
Board of Commissioners

[SEAL]

John L. Roberts
Clerk to the Board

When it is proposed to sell personal property at public auction, the council shall at a regular council meeting adopt a resolution or order authorizing an appropriate city official to dispose of the property at public auction. The resolution or order shall identify the property to be sold and set out the date, time, place, and terms of the sale. The resolution or order (or a notice summarizing its contents) shall be published at least once and not less than 10 days before the date of the auction.

(c) The council may conduct auctions of real or personal property electronically by authorizing the establishment of an electronic auction procedure or by authorizing the use of existing private or public electronic auction services. Notice of an electronic auction of property shall identify, in addition to the information required in subsections (a) and (b) of this section, the electronic address where information about the property to be sold can be found and the electronic address where electronic bids may be posted. Notice may be published in a newspaper having general circulation in the political subdivision or by electronic means, or both. A decision to publish notice solely by electronic means for a particular auction or for all auctions under this subsection shall be approved by the governing board of the political subdivision. Except as provided in this subsection, all requirements of subsections (a) and (b) of this section apply to electronic auctions. (1971, c

Motion to approve was made by Commissioner Mehta and seconded by Commissioner Dunevant with a 4 – 0 vote.

ITEM # 5 – PUBLIC COMMENT

None

GENERAL COMMENTS AND ANNOUNCEMENTS

Vice Chairman McIntyre thanked everyone who ran for an office in the recent election and congratulated the winners.

There were no comments from the other Board members, County Manager, or County Attorney.

CLOSED SESSION

Vice Chairman McIntyre moved to recess to closed session to discuss economic development issues in accord with G.S. 143-318.11(a)(4). This motion was seconded by Commissioner Dunevant and passed by unanimous vote.

RETURN TO OPEN SESSION

There being no further business, Vice Chairman McIntyre made a motion to return to open session. His motion was then seconded by Commissioner Smith and approved by unanimous vote at 8:00 p.m.

RECESS

Vice Chairman McIntyre moved to recess the meeting until May 29, 2008 at 4:00 p.m. in the Manager's Conference Room. His motion was seconded by Commissioner Smith with a 4 – 0 vote at 8:01 p.m.

Tony M. Dennis, Chairman

John L. Roberts, Clerk to the Board

