

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
SEPTEMBER 8, 2008**

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

COMMISSIONERS ABSENT: None

STAFF PRESENT: Andy Lucas, County Manager
John Roberts, County Attorney
Tyler Brummitt, Clerk to the Board

CALL TO ORDER

The Stanly County Board of Commissioners (the "Board") met in regular session on Monday, September 8, 2008 at 7:00 p.m. in the Commissioners Meeting Room, Stanly County Commons. Chairman Dennis called the meeting to order and Commissioner Smith gave the devotion.

APPROVAL AND / OR ADJUSTMENTS TO THE AGENDA

Chairman Dennis requested that an addition on one item to the consent agenda identified as item # 15F and to remove item # 2 which was a duplicate of #14A. Motion to approve was made by Commissioner Mehta and seconded by Vice Chairman McIntyre. Motion was passed by unanimous vote.

ITEM # 1 – PUBLIC HEARING – PLANNING & ZONING

Presenter: Michael Sandy, Director

Daphne Smith requested that a 2.5 acre portion of her property be rezoned from R20 to RA in order to place a single-wide manufactured home on the property. Ms. Smith resides in a site built single-family home on the same property. After the Planning Board voted unanimously against the rezoning request at its August 18, 2008 meeting, Ms. Smith requested to speak to the Board regarding her request.

Mr. Sandy stated that in November of 1985, 750 feet along both sides of the entire length of Morrow Mountain Road was rezoned from RA to R20 for the purpose of protecting property values, promoting site built single-family homes, protecting the area from commercial uses and manufactured homes, all to enhance the area including the entrance and exit avenue to Morrow Mountain State Park.

Chairman Dennis declared the public hearing open. Daphne Smith approached the Board and stated her case. She then submitted pictures of the manufactured home to be placed on the property as well as the other manufactured homes in the area and letters from neighbors in support.

Commissioner Smith asked Ms. Smith if she owned the property in 1985 when it was rezoned to R20. Ms. Smith stated that she did, but she was living out of state and was not notified of the rezoning. Commissioner Smith then asked Michael Sandy if Ms. Smith's 2.5 acre tract could be rezoned and not the entire 750 feet along both sides of Morrow Mountain Road. Mr. Sandy stated that it was possible to rezone the property and it would not be considered "spot zoning."

Vice Chairman McIntyre stated that there were several manufactured homes in that area in 1985, but since the rezoning no single wide homes had been built.

Hearing no other comments, Chairman Dennis declared the public hearing closed.

Commissioner Smith asked that this item be tabled until a later date. Commissioner Mehta seconded the motion which passed by unanimous vote.

ITEM # 2 – PLANNING & ZONING

Presenter: Michael Sandy, Director

This item was removed from the agenda since it was a duplicate of item #14A.

ITEM # 3 – SENIOR SERVICES

Presenter: Joyce Little

On behalf of the Senior Services Board and Senior Center staff, Ms. Little presented a plaque to Commissioner Mehta in appreciation of his hard work and dedication over the past four years as a member of their Board.

ITEM # 4 – AGRI-CIVIC CENTER

Presenters: Brad Summers and Terry Seamon

Mr. Summers and Mr. Seamon approached the Board and requested a reduction in the rental fee to use the Agri-Civic Center for their Homeschool Association graduation in May, 2009 and 2010. The Association had used the facility for the previous ten years. However, due to the increase in the rental rate, the ceremony was held elsewhere this year.

County Manager, Andy Lucas, stated that if the Board considered this reduction, it would need to be handled in the form of a policy change rather than a one time reduction. Commissioner Dunevant asked the Agri-Civic Center Advisory Board to study this further and obtain additional information in order to consider the request. He stated the

importance of education to the county and wanted to be consistent with everyone who uses the facility for such events.

Commissioner Dunevant made a motion to table this item until further information was obtained. His motion was seconded by Commissioner Smith and motion passed by unanimous vote.

ITEM # 5 – CRIMINAL JUSTICE RESOURCE CENTER

Presenter: Allen Lawrence, Director

Mr. Lawrence stated he was there to address a request made by the Albemarle ABC Board of Directors regarding the County's failure to comply with G.S. 18B-805(h). Monies received from the ABC funds are to be used for Alcoholism Rehabilitation and Education and need to be designated to the Stanly County Criminal Justice Budget for this purpose. The funds would then be used to support the Stanly County Outreach Program in addressing Alcohol Substance Abuse needs and education. As part of establishing the Stanly County Outreach Program, Mr. Lawrence requested the Board approve the bylaws and proposed board members.

Vice Chairman McIntyre made a motion to approve the designation of these funds to the Criminal Justice budget, approve the bylaws and the proposed board members as presented to the Stanly County Outreach Program in order to comply with G.S. 18B-805(h). Commissioner Smith seconded the motion and it passed by unanimous vote.

ITEM # 6 – SHERIFF'S OFFICE PRETRIAL RELEASE PROGRAM

Presenters: Tara Randall and Allen Lawrence

The Board was given a copy of the "Year To Date Cost Avoidance Report" and Ms. Randall provided a brief summary of the Stanly County Pretrial Release Program for the previous year. Some of the programs implemented during that time included a substance abuse program for female inmates and a female therapist at no charge to the county. The report was requested to be accepted as presented and required no action by the Board.

ITEM # 7- SHERIFF'S DEPARTMENT

Presenter: Rick Burris, Sheriff

The Sheriff's Department requested approval of an operating agreement with ARAMARK Correctional Services, LLC to provide food service (excluding the vending machines) for the county's inmates, staff, and visitors to the jail. The agreement would be effective for five years beginning November 1, 2008 through October 31, 2013 and would renew annually thereafter.

Vice Chairman McIntyre made a motion to approve the agreement and was seconded by Commissioner Mehta. Motion passed by unanimous vote.

ITEM # 8 – STANLY COUNTY AIRPORT

Presenter: Chairman Dennis

The Stanly County Airport Authority requested the Board approve two contracts:

- 1) Services contract with ILS Technical Service in the amount of \$4,400 for scheduled maintenance of the Automated Weather Observation System.
- 2) Services contract with Doug's Electronic Enterprise's Inc. in the amount of \$12,840 for scheduled maintenance of the Instrument Landing and other electronic equipment.

Funds for both contracts were appropriated and are in the airport's operations budget.

Motion to approve both contracts was made by Commissioner Smith and seconded by Vice Chairman McIntyre. Motion passed by unanimous vote.

ITEM # 9 – TAX ADMINISTRATION

Presenter: Rick Johnson, Director

The Board received copies of the two Schedules of Values the NC Department of Revenue recommended be adopted for use in determining current market values for real estate. Mr. Johnson then gave a brief overview of the adoption and appeal process which included a notice that would be placed in the local paper announcing the public hearing as part of the Board's regular meeting on October 6, 2008, request for adoption at the October 20, 2008 meeting, and the last day to appeal would be November 19, 2008.

This item was presented as information only and required no action by the Board

ITEM # 10 – SOCIAL SERVICES

Presenter: Sharon Scott, Director

A) Designation of Standard or Electing Status for the Work First Program in Stanly County.

North Carolina law requires each county submit a Work First Plan every two years. In order to begin this process, the Board must designate the county as either a Standard or Electing Status for the Work First Program. In the past, Stanly County has been designated as a Standard County. The Board of Social Services recommended the county remain a Standard County.

Vice Chairman McIntyre made a motion to designate Stanly County as Standard County in the administration of the Work First Program. Commissioner Dunevant seconded the motion and the motion passed by unanimous vote.

B) Approval of members of the Work First Planning Committee

As part of administering the Work First Program, a planning committee must be approved by the Board. A list of required and proposed members based on state guidelines was provided to the Board for their review.

Motion to reappoint Commissioner Smith and other recommended members to the Work First Planning Committee was made by Vice Chairman McIntyre. His motion was seconded by Commissioner Dunevant and passed by unanimous vote.

ITEM # 11 – UTILITIES

Presenter: Donna Davis, Director

1) Update on Phase 1 (Hwy 24/27/73) Water Line Project

Ms. Davis gave an update on Phase 1 of the Stanly Water & Sewer Authority Project regarding the installation of water lines starting with the eastern portion of Highway 24/27 in Albemarle to the Montgomery County line. The project is now 75% complete and has an estimated completion date of December, 2008. Ms. Davis thanked the Board for their continued support.

This information was provided as an update on the project and required no action by the Board.

2) Financing options for Phase 2 and Phase 3 Projects

Ms. Davis requested the Board consider financing options for Phase 2 Cottonville and Phase 3 Mission.

Chairman Dennis stated these projects could be discussed further during the closed session if Ms. Davis was available at that time.

3) Endy Sewer Extension Project Ordinance and Budget Amendments

Included on the agenda was the Project Ordinance and budget amendment #2009-13 to create the fund for the Endy Sewer Extension Project and #2009-14 to amend the General Fund for this project.

Motion to approve the Endy Sewer Project Ordinance and budget amendments #2009-13 and #2009-14 was made by Vice Chairman McIntyre and seconded by Commissioner Smith. Motion passed by unanimous vote.

ITEM # 12 – HISTORIC PRESERVATION COMMISSION (HPC)

Presenter: Commissioner Dunevant

The Stanly County HPC Board recommended that Dr. Davis Fort be elected to serve a three (3) year term and Mr. Jim Harwood be elected to fulfill the late Dr. John F. Murray's term on the HPC Board of Directors, which will end in June, 2009.

Commissioner Dunevant made the motion to approve the appointment of Dr. Fort and Mr. Harwood and was seconded by Vice Chairman McIntyre. Motion passed by unanimous vote.

ITEM # 13 – APPOINTMENT TO THE CENTRALINA ECONOMIC DEVELOPMENT BOARD OF DIRECTORS (CEDC)

Presenter: Chairman Dennis

At this time, Stanly County has a vacancy on the CEDC Board of Directors and has requested the Board recommend a new appointee to fill the seat.

Commissioner Smith made a motion to appoint County Manager, Andy Lucas to fill this position. His motion was seconded by Vice Chairman McIntyre and passed by unanimous vote.

ITEM # 14 – BOARD APPOINTMENTS

Presenter: Chairman Dennis

- A) Planning & Zoning – appoint a second alternate to the Board of Adjustment
- B) 911 Advisory Board – appoint one “at-large” member

Vice Chairman McIntyre made a motion to table both appointments until a later date to allow time to consider potential members for these boards. His motion was seconded by Commissioner Dunevant. Motion passed by unanimous vote.

ITEM # 15 – CONSENT AGENDA

- A) Minutes – Regular meeting on August 11, 2008
- B) Tax Release & Discovery Report for July, 2008
- C) Release / refund for Bobby M. Harkey
- D) Budget Amendment # 2009-11- Request approval of grant funding in the amount of \$2,026 be added to the 2008-09 CJPP Program budget
- E) Budget Amendment # 2009-12- Request for approval of grant funding in the amount of \$18,010 be added to the 2008-09 Senior Services Department Aging budget
- F) Surplus property designation – 1976 Ford Truck to be declared as surplus property and sold to the City of Albemarle to be used at the city’s landfill.

Motion to accept the consent agenda with one amendment to the August 11, 2008 minutes was made by Commissioner Smith. Motion was seconded by Vice Chairman McIntyre and passed by unanimous vote.

PUBLIC COMMENT

GENERAL COMMENTS

Commissioner Dunevant stated that there would be a presentation at the Agri-Civic Center on September 29, 2008 regarding potential broadband service for the county. He then extended his sympathy to former commissioner Patti Huneycutt and her family on the recent death of her mother.

Vice Chairman McIntyre, Commissioner Smith, Commissioner Mehta, and Chairman Dennis all welcomed new County Manager, Andy Lucas and stated that they were looking forward to working with him in the future.

County Manager, Andy Lucas thanked everyone for the warm welcome and stated he looked forward to working with the Board, all the county employees, and citizens of Stanly County.

County Attorney, John Roberts also welcomed Mr. Lucas.

CLOSED SESSION

Commissioner Mehta made a motion to recess to closed session to consult with the county attorney in accord with G.S. 143-318.11(a)(3). Motion was seconded by Vice Chairman McIntyre. Motion passed by unanimous vote.

RETURN TO OPEN SESSION

There being no further business, Commissioner Smith made a motion to return to open session. His motion was seconded by Commissioner Mehta. Motion passed by unanimous vote.

INTERIM FINANCING AGREEMENT FOR PHASE 2 (COTTONVILLE) WITH THE STANLY WATER & SEWER AUTHORITY

Upon return to open session, Commissioner Smith made a motion to authorize the staff to initiate an interim financing loan agreement for Phase 2 (Cottonville) Project with the Stanly Water & Sewer Authority. His motion was seconded by Commissioner Dunevant and motion passed by unanimous vote.

RECESS

Commissioner Smith made a motion to recess the meeting until Monday, September 29, 2008 at the Agri-Civic Center. His motion was seconded by Commissioner Dunevant. Motion passed by unanimous vote at 9:15 p.m.

Tony M. Dennis, Chairman

Tyler Brummitt, Clerk to the Board

