

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
MARCH 2, 2009**

COMMISSIONERS PRESENT:

Tony Dennis, Chairman
Gene McIntyre, Vice Chairman
Lindsey Dunevant
Sherrill Smith
Jann Lowder

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, March 2, 2009 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. Chairman Dennis called the meeting to order and Commissioner Smith gave the devotion.

APPROVAL / ADJUSTMENTS TO THE AGENDA

Vice Chairman McIntyre made a motion to accept the agenda with two amendments. It was requested that Item # 1 (A)- Resolution of Support for the Carolina Thread Trail and Item # 2 (D) – Talbert & Bright Work Authorization 3803-3901 be removed until a later date. The motion was seconded by Commissioner Dunevant and passed by unanimous vote.

ITEM # 1 – PLANNING & ZONING

Presenter: Michael Sandy, Director

B) SDA 09-01 – Statement for the Subdivisions Regulations

The Voluntary Agricultural District Board requested the addition of the following statement to subdivision plats for properties located within a one-half mile radius of designated farms. The following statement was added as Appendix 2 Exhibit I in the Stanly County Subdivision Regulations:

“These parcels are within one-half mile of a Voluntary Agricultural District.
Agricultural operations may conflict with residential use.
NC G.S.S. 106-701 protects existing agricultural operations.”

The Planning Board unanimously recommended approval of this statement at its February 9, 2009 meeting.

Motion to approve SDA 09-01 statement be added to the Subdivision Regulations was made by Commissioner Lowder and seconded by Commissioner Dunevant. The motion passed by a 5 – 0 vote.

C) INTERLOCAL AGREEMENTS FOR THE TOWNS OF NORWOOD AND STANFIELD

The towns of Norwood and Stanfield requested an interlocal agreement between the county and their municipality in order for the County Planning Department to administer their FEMA flood ordinance and require the applicant to pay the same fee as charged by the county for the same service in the county jurisdiction. Similar agreements were approved previously for the towns of Badin, Oakboro, and Red Cross.

A motion to approve the interlocal agreements was made by Commissioner Smith and seconded by Vice Chairman McIntyre. The motion passed by unanimous vote.

D) TOWN OF NEW LONDON'S REQUEST FOR CHANGE IN THE ETJ BOUNDARY

The Town of New London has requested a change in the ETJ boundary for two reasons: the first being with an equal land exchange, it will allow the town to follow existing lot lines, natural features such as roads, power lines, and easements; and secondly, the acquisition of land use control over properties that are surrounded or within the one mile allowable ETJ limit.

Planning Staff reviewed and recommended the Board adopt a policy for any changes to a municipal ETJ that would closely follow property lines or other allowable features as now required by state law and attempt to balance the additional acreage gained by removing acreage from the current municipal ETJ.

At this time, the Board was asked to approve the request from the Town of New London and adopt the "Extraterritorial Zoning Jurisdiction Policy" to allow Planning Staff to proceed with the next step in the process. Once the process is completed, the final approval and land exchange would be decided by the Board.

A motion directing staff to proceed with the study of the request was made by Commissioner Dunevant and seconded by Commissioner Smith. The motion passed with a 5 – 0 vote.

ITEM # 2 – AIRPORT

Presenter: David Griffin, Director

A) Budget Amendment #2009-37 and #2009-38 and the Budget Ordinance for the Creation of the Runway Extension Project # 676-4532-190-000 in the amount of \$546,000.

Motion to approve both budget amendments and the budget ordinance was made by Vice Chairman McIntyre and seconded by Commissioner Smith. The motion passed by unanimous vote.

B) Talbert & Bright Work Authorization 3803-0902 for Work Element I (Environmental Assessment) and Work Element II (Runway Justification Report) not to exceed \$202,368.50.

Motion to approve Work Authorization 3803-0902 was made by Commissioner Lowder and seconded by Vice Chairman McIntyre. Motion passed with a vote of 5 – 0.

C) Talbert & Bright Work Authorization 3803-0903 for engineering and planning services for the rehabilitation of runways and taxiways not to exceed \$196,320.

Motion to approve Work Authorization 3803-0903 was made by Commissioner Lowder and seconded by Commissioner Dunevant. Motion passed by a 5 – 0 vote.

ITEM # 3 – APPOINTMENT TO THE CENTRALINA WORKFORCE DEVELOPMENT BOARD

Presenter: Commissioner Lowder

It was requested that the Board appoint a member to the Centralina Workforce Development Board to replace the seat recently vacated by Justin Burr. Previously, Lonnie Swanner was appointed to this position, but became ineligible due to his retirement. Commissioner Lowder now nominated Daniel M. Tweed, Jr. with Carnes Miller Gear Company, Inc. of Locust, NC. Her motion was seconded by Vice Chairman McIntyre and passed by unanimous vote.

ITEM # 4 – PIEDMONT BEHAVIORAL HEALTHCARE

Presenter: Andy Lucas

In a letter from Mike Taylor, Attorney for Piedmont Area Mental Health, Developmental Disabilities and Substance Abuse Authority, the Board was asked to approve a change in the entity’s legal name to Piedmont Behavioral Healthcare or “PBH.” If approved, it was also requested that a resolution be signed by all five counties in which PBH operates.

(RESOLUTION - SEE ATTACHED EXHIBIT A)

Motion to approve the resolution as presented was made by Commissioner Dunevant. The motion was seconded by Vice Chairman McIntyre and passed by unanimous vote.

ITEM # 5 – TOWN OF NORWOOD

Presenter: Andy Lucas

The Norwood Town Council requested the Board appoint Mr. Emory Hayman to the Norwood Planning & Zoning Board. Commissioner Smith made a motion for the appointment and was seconded by Vice Chairman McIntyre. The motion passed by a vote of 5 – 0.

ITEM # 6 – CONSENT AGENDA

Presenter: Chairman Dennis

- A) Minutes – February 16, 2009 regular meeting
- B) Budget Amendment # 2009-35 – To amend the Board of Elections budget to accept funds in the amount of \$23,163 from HAVA grant funds.
- C) Budget Amendment # 2009-33- To amend the General Fund to transfer OJJ funds saved in the amount of \$7,207 to other JCPC programs.
- D) Library – Request the attached list of books be declared surplus and donated to the Friends of the Library to be sold in an ongoing book sale at the five branch libraries.
- E) Budget Amendment # 2009-36- To appropriate \$63,645 to Facilities Management for the paving and striping of the Commons parking lot.
- F) Appointment of a Board of Adjustment alternate to fill an unexpired term ending June 30, 2012.
- G) Tax Administration – Request approval of refund to RentMax.
- H) IT Department – Request the attached list of surplus hardware items be approved for public auction.

A motion to approve the consent agenda as presented was made by Commissioner Smith and seconded by Commissioner Lowder. The motion passed by unanimous vote.

PUBLIC COMMENT

None

GENERAL COMMENTS

Commissioner Dunevant stated that he and Commissioner Lowder had recently attended a school for county commissioners and found it very informative. During that time, they had made several contacts that he felt would help serve the county well in the future. Commissioner Lowder stated while at the school, they also had a good meeting with Representative Justin Burr.

Commissioner Smith encouraged everyone to attend the Legislative Breakfast sponsored by the Stanly County Chamber of Commerce on March 23rd at the Stanly Regional Medical Center Family & Education Center.

Each commissioner stated the Board retreat held the previous week was a success and that the county manager did an exceptional job in planning and preparing for it. They also thanked staff members for their participation.

The county manager and county attorney had no comment.

ADJOURN

There being no further business, Vice Chairman McIntyre made a motion to recess the meeting until Thursday, March 12th at 6:00 p.m. in the Dennis Room of Stanly Community College. The motion was seconded by Commissioner Smith and passed by unanimous vote at 7:30 p.m.

Tony M. Dennis, Chairman

Tyler Brummitt, Clerk to the Board

