

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
APRIL 20, 2009**

COMMISSIONERS PRESENT: Tony M. 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, April 20, 2009 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. Chairman Dennis called the meeting to order and gave the devotion.

APPROVAL / ADJUSTMENTS TO THE AGENDA

Vice Chairman McIntyre made a motion to accept the agenda with three amendments: add and consider the resolution opposing Senate Bill 1004 and House Bill 1252 (Broadband Bill), 2) add and consider a survey for Broadband utilization, and 3) to pull item # 5 identified as the Senior Services Catering Contract for the Nutrition Program. Commissioner Lowder seconded the motion which passed by unanimous vote.

ITEM # 1 – PUBLIC HEARING – 2002 INFRASTRUCTURE HOOK-UP PROJECT FOR \$3,317.22.

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

The NC Division of Community Assistance (NC DOC) has conditionally awarded Stanly County \$3,317.22 under the 2002 Infrastructure Hook-Up grant. The purpose of the public hearing is for approval of an application to the NC DOC for these funds. After the public hearing, it is requested the Board adopt the authorizing resolution, and the policies, procedures, plans, resolutions, and ordinances for the grant.

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

Commissioner Smith made a motion to approve the authorizing resolution and other required documents for the 2002 Infrastructure Hook-Up grant. His motion was seconded by Vice Chairman McIntyre. The motion passed by a vote of 5 – 0.

ITEM # 2 – RESOLUTION IS SUPPORT OF THE CAROLINA THREAD TRAIL
Presenter: Travis Morehead, C.T.T. Community Coordinator

Mr. Morehead presented a brief overview of the plans for a regional greenway and trail system connecting 15 counties in the area. After the presentation, it was requested the Board adopt the following resolution in support.

RESOLUTION OF SUPPORT

Whereas the Stanly County Board of Commissioners is committed to maintaining and enhancing quality of life for its citizens and recognizes that the Carolina Thread Trail will contribute to quality of life by weaving together communities via a regional network of trails and greenways eventually connecting fifteen counties and millions of citizens; and

Whereas, many communities in our region have taken a lead in planning and/or building local trails and greenways, and those efforts can be greatly enhanced by being connected to a larger regional network of trails; and

Whereas, trails and their green buffer areas will help improve the quality of the air we breathe by preserving trees and vegetation and by promoting non-motorized transportation, and will enhance the quality of our water through natural buffers and mitigation of storm water run-off; and

Whereas, trails and greenways provide key amenities to neighborhoods and safe areas for our citizens and children to travel, exercise, play and connect with nature away from heavily trafficked areas; and

Whereas, trails have significant impact on the economic viability of the region through increased levels of tourism, enhanced property values, added jobs related to the construction of and along the trail, as well as enhanced ability to attract and retain businesses to the region due to improved quality of life; and

Whereas, trails and greenways are freely accessible community assets offering opportunities for recreation and exercise to everyone, including children, youth and families, and provide safe places for people to experience a sense of community and create stronger social and family ties; and

Whereas, there is no second chance to protect the Carolinas' great resources in this unique way for our children, grandchildren and great grandchildren, and the cost of these invaluable resources will only increase in the future; and

Whereas, private funding is available to communities from the Carolina Thread Trail for planning and construction of regional trails, and this private funding will leverage public funding from federal, state and various sources.

Now, Therefore, Be It Resolved that the Stanly County Board of Commissioners supports the Carolina Thread Trail and is committed to assessing opportunities to work with neighboring communities and with the Carolina Thread Trail to plan, design and build a system of trails that will connect our communities, people and special regional points of interest for years to come.

Name and Title

Date

A motion to adopt the resolution was made by Commissioner Dunevant and seconded by Commissioner Smith. The motion passed by unanimous vote.

ITEM # 3 – STANLY COUNTY PARTNERSHIP FOR CHILDREN

Presenter: Barbara Whitley, Director of Stanly County Partnership for Children

Ms. Whitley requested the Board declare April 19 – 25, 2009 as “The Week of the Young Child” by presenting a proclamation for Board approval.

Vice Chairman McIntyre made a motion accept the proclamation. His motion was seconded by Commissioner Lowder and passed by a vote of 5 – 0.

ITEM # 4 – HEALTH DEPARTMENT- BUDGET AMENDMENT # 2009-45

Presenter: Dennis Joyner, Director

The Stanly County Health Department’s Home Health Program has exceeded year-to-date revenue projections and has seen increasing patient volume requiring physical, occupational, and speech therapy. The department requested approval of budget program revenue and professional services (contract therapy) expenses in the amount of \$15,000.

A motion to approve budget amendment # 2009-45 to increase revenue and expense in the amount of \$15,000 was made by Vice Chairman McIntyre and seconded by Commissioner Smith. The motion was passed by a 5 – 0 vote.

ITEM # 5 – SENIOR SERVICES CATERING CONTRACT FOR THE NUTRITION PROGRAM

Presenter: Becky Weemhoff

This item was tabled until the May 4, 2009 meeting due to a request for additional information that was received.

ITEM # 6 – STANLY COUNTY SENIOR CENTER STRATEGIC PLAN

Presenter: Ron Crawley

Mr. Crawley presented a brief overview of the final draft of the strategic plan as approved by the Strategic Planning Committee on behalf of the Senior Center Board of Directors on May 22, 2008. The plan includes the most important areas such as activity programs,

senior programs and services, facilities, future expansion needs, and to develop a vision to clearly define the role of the “Friends.”

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

ITEM # 7 – AIRPORT TERMINAL BUILDING PROJECT – BUDGET AMENDMENT # 2009-42

Presenter: David Griffin, Director

It was requested the Board appropriate \$425,000 from the General Fund and approve budget amendment # 2009-42 to accept revenues of \$1,014,395 received from state and federal sources for Phase I of the Airport Terminal Project. Phase I includes funding for the construction of the terminal building only.

Motion to approve the appropriation of County funds was made by Commissioner Smith and seconded by Commissioner McIntyre. The motion passed by unanimous vote.

ITEM # 8 – UTILITIES

Presenter: Donna Davis, Director

A) Optimal Corrosion Control Treatment (OCCT) –

Board approval was requested to submit an Optimal Corrosion Control Treatment (OCCT) recommendation as required by the NC Department of Environment and Natural Resources (NC DENR) as a result of a one time exceedence for lead in PWS # 01-84-141 Stanly County – Palestine Badin District and PWS #01-84-142 Stanly County – Badin Road District. NC DENR is requiring that the county submit a plan to include the implementation of treatment at the entry point to these systems should another incident occur.

No action was required by the Board.

B) Approval of Budget Amendments # 2009-43 and # 2009-44

It was requested the Board approve the above budget amendments to purchase 50,000 gallons per day of wastewater treatment capacity at a rate of \$3.05 per gallon for a one time cost of \$152,500 as described in item # 6 of the March 2009 Sewer Line Agreement between Stanly County and the Town of Oakboro.

Commissioner Dunevant made a motion to approve budget amendment # 2009-43 and was seconded by Commissioner Lowder. The motion passed by unanimous vote.

C) Administration Contract Award for the 2000 / 2202 Infrastructure Hook-Up Grant -

Utilities has received a grant in the amount of \$75,000 for the Infrastructure Hook-Up grant. Two proposals were submitted: one from Stephen F. Austin, AICP and Hobbs, Upchurch & Associates, P.A. It was requested that the contract be awarded to Hobbs, Upchurch & Associates for this grant.

Vice Chairman McIntyre made a motion to award the administration contract to Hobbs, Upchurch & Associates. The motion was seconded by Commissioner Smith and passed by unanimous vote.

ITEM # 9 – CONSIDERATION OF BIDS FOR THE LEAD, ASBESTOS, AND MOLD STUDY AT THE OLD CENTRAL ELEMENTARY SCHOOL SITE

Presenter: Andy Lucas, County Manager

Two bids were received to conduct a lead, asbestos, and mold study as well as a Phase I environmental review of the Old Central Elementary school site if requested. The two bids submitted were as follows:

-S&ME – Base bid for lead, asbestos, and mold study = \$6,500

-Terracon – Base bid for lead, asbestos, and mold study = \$2,450

Based on similar proposals and Terracon being much less, the County Manager recommended the contract for services be awarded to Terracon.

A motion to award the contract to Terracon was made by Commissioner Smith and seconded by Commissioner Dunevant. The motion passed with a 5 – 0 vote.

ITEM # 10 (A) - CONSIDERATION AND APPOINTMENT OF A TAX REVALUATION SUBCOMMITTEE

Presenter: Andy Lucas, County Manager

The County Manager requested the Board consider and appoint a Tax Revaluation Subcommittee to work with staff in the assessment of carrying out a revaluation in 2011 or 2013.

Vice Chairman made a motion to appoint Chairman Dennis and Commissioner Lowder to serve on the committee. The motion was seconded by Commissioner Dunevant which passed by unanimous vote.

ITEM # 10 (B) – CONSIDERATION OF RESOLUTION OPPOSING SENATE BILL 1004 AND HOUSE BILL 1252 (BROADBAND BILL)

Presenter: Commissioner Dunevant

It was requested by Commissioner Dunevant that the Board consider and approve the resolution which is opposed to the above bills. Following is the resolution as presented for approval:

Resolution Opposing Senate Bill 1004 and House Bill 1252

WHEREAS, Senate Bill 1004 (HB 1252), *The Level Playing Field Act*, have been introduced in the 2009 Session of the General Assembly of North Carolina; and

WHEREAS, these bills greatly hinder governments from providing needed communication services, especially advanced high-speed broadband services, in underserved areas; and

WHEREAS, private companies, despite having received favorable regulation to enable broadband investment, have chosen to avoid the financial commitment necessary to provide high quality service; and

WHEREAS, while private companies declare high quality service is cost-prohibitive in our country, the United States continues to lose ground to other industrialized nations with respect to broadband access, cost, and user growth; and

WHEREAS, the United States Congress provided funds in the American Recovery and Reinvestment Act (federal stimulus) to reverse our country's catastrophic broadband decline by making local and state governments, not private communications companies, directly eligible for \$4.7 billion in federal grants to provide affordable access to high capacity broadband services in unserved and underserved areas; and

WHEREAS, these bills would prohibit North Carolina towns, cities and counties for using federal grant funds to deploy or operate locally-owned or operated broadband systems, thereby denying North Carolina residents access to billions of dollars of federal assistance and hindering economic development opportunities; and

WHEREAS, deployment of true high-speed broadband internet is vital to future economic development, educational outreach, and overall community growth necessary to overcome lost textile, tobacco, furniture and manufacturing jobs; and

WHEREAS, the General Assembly has already established 1) statutory provisions for Public Enterprises (NCGS Chapter 160A, Article 16); 2) conservative financing provision in the Budget & Fiscal Control Act (NCGS Chapter 159, Article 3)

WHEREAS, these bills are counter to the Local Development Act of 1925 in NCGS Chapter 158 that allows local governments to aid and encourage economic development in communities throughout North Carolina; and

WHEREAS, North Carolina law has long permitted local governments to engage in public enterprises and there is no justification for treating communications enterprises differently from other public enterprises that are essential for a sound, local economy; and

NOW THEREFORE BE IT RESOLVED, the Board of Commissioners of Stanly County oppose Senate Bill 1004 and House Bill 1252 and urge all members of the North Carolina General Assembly to vote "no" in committee and, if necessary, on the floor of the General Assembly.

Adopted this the ___th day of _____, 2009

Stanly County Board of Commissioners

Tony M. Dennis, Chairman

ATTEST:

Tyler Brummitt, Clerk to the Board

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

ITEM # 10 (C) – BROADBAND UTILIZATION SURVEY

Presenter: Commissioner Dunevant

Commissioner Dunevant made a motion requesting funds be appropriated through Economic Development to conduct a survey in the county. The motion was seconded by Commissioner Smith and passed with a vote of 5-0.

ITEM # 11 – CONSENT AGENDA

Presenter: Chairman Dennis

- A) Minutes – Regular meeting on April 6, 2009
- B) Library Board of Trustees – Request Board approval to stop the practice of receiving compensation of \$15.00 per meeting for Trustee attendance at the Library Board meetings.
- C) Facilities – Declare the attached list of items surplus and approve the disposition and sale of these items via an online / electronic public auction with GovDeals.
- D) National Day of Prayer 2009 Proclamation

Commissioner Dunevant made a motion to approve the consent agenda as presented and was seconded by Vice Chairman McIntyre. The motion passed by a 5 - 0 vote.

PUBLIC COMMENT – None

GENERAL COMMENTS

Each member of the Board thanked County Attorney John Roberts for his service to the county over the past few years and wished him well in the future.

Commissioner Dunevant thanked the citizens for their support of local issues mentioning most recently the trip to Raleigh regarding Alcoa's re-licensing.

The County Manager reminded the Board of the joint meeting with the Stanly County School Board the next day at West Stanly High School to gather information regarding the school systems current and future needs.

County Attorney John Roberts thanked the Board for the opportunity to have worked with them and stated he felt the Board was doing a good job of trying to balance progress and growth for the best interest of the county.

RECESS

Vice Chairman McIntyre made a motion to recess the meeting until Tuesday, April 21, 2009 at 6:00 p.m. at the West Stanly High School media center. His motion was seconded by Commissioner Smith and passed by unanimous vote at 7:55 p.m.

Tony M. Dennis, Chairman

Tyler Brummitt, Clerk

