

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
FEBRUARY 15, 2010**

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

COMMISSIONERS ABSENT: None

STAFF PRESENT: Andy Lucas, County Manager
Jenny Furr, 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, February 15, 2010 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. Chairman Dennis called the meeting to order and Vice Chairman McIntyre gave the devotion.

APPROVAL / ADJUSTMENTS TO THE AGENDA

Vice Chairman McIntyre moved to approve the agenda with one amendment which was to hold the closed session after the presentation of agenda item # 2. His motion was seconded by Commissioner Smith and passed by unanimous vote.

ITEM # 1 – PROCLAMATION FOR NATIONAL FBLA-PBL MONTH

(Future Business Leaders of America – Phi Beta Lambda)

Presenter: Mark Mauldin, President of the SCC Phi Beta Lambda Chapter

Representatives of the Future Business Leaders of America and Phi Beta Lambda chapters from Pfeiffer University, Stanly Community College and the Stanly County Schools presented the annual proclamation for the Board's consideration. Vice Chairman McIntyre read the proclamation which was then accepted by the Board.

No action was required.

ITEM # 2 – PRESENTATION OF THE FINAL RESULTS FROM THE GENERAL OBLIGATION BOND REFUNDING

Presenter: Chris Alexander, First Tryon Securities

With the close of the bond sale taking place on February 17, 2010, Mr. Alexander was present to summarize the results. Overall, a total of \$16.32 million dollars in general obligation bonds

were sold on February 2, 2010 with a net present value savings of 3.001% for a total of \$475,648.00 in savings and a lifetime savings of \$620,170.78.

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

CLOSED SESSION

Commissioner Smith made the motion to recess the meeting and go into closed session to discuss economic development in accordance with 143-318.11(a)(4) and consult with the County Attorney regarding APGI's public records lawsuit and the County's 401 water quality permit intervention in accordance with 143-318.11(a)(3). The motion was seconded by Vice Chairman McIntyre and passed by unanimous vote at 7:12 p.m.

RETURN TO OPEN SESSION

By motion, Commissioner Dunevant moved to come out of closed session and reconvene the regular meeting. His motion was seconded by Vice Chairman McIntyre and passed with a 5 – 0 vote at 8:04 p.m.

ITEM # 3 – FINANCE

Presenter: Toby Hinson, Director

A. Presentation of the Martin Starnes & Associates Audit Contract for FY 2009-2010

A copy of the proposed audit contract was provided for the Board's review which included the proposed audit fees. For the third year, fees will remain unchanged. For this reason and based on previous experience with the firm, it was recommended the Board approve the contract with Martin Starnes & Associates for FY 2009-2010.

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

B. Presentation of the Cash Management Plan

This plan was designed to provide guidelines for the Finance Director to implement controls and procedures for various functions the Finance Department is responsible for on a daily basis. The plan addressed such areas as cash receipts, deposits, investments, cash disbursements, and banking services. It was requested the Board consider and adopt the plan.

Commissioner Dunevant made the motion to adopt the Cash Management Plan and was seconded by Commissioner Smith. The motion passed by a vote of 5 – 0.

C. Presentation of the General Fund Balance Policy

Mr. Hinson provided an overview of the General Fund Balance Policy including the General Fund Balance history for the past ten years. The policy recommended the County maintain an Unreserved Fund Balance level at a minimum of 20%.

After a brief period of discussion, Vice Chairman McIntyre made the motion to adopt the General Fund Balance Policy as presented. The motion was seconded by Commissioner Lowder and passed by unanimous vote.

ITEM # 4 – TAX ADMINISTRATION

Presenter: Rick Johnson, Director

A. Advertising of Tax Liens

As required by G. S. 105-369, Mr. Johnson reported the total amount of unpaid taxes for the current fiscal year that are liens on real property. As of February 12, 2010 there were a total of 4,379 outstanding property tax bills for 2009 for a total of \$1,871,914.45 in unpaid taxes (7.11% of the levy). It was requested the Board issue an order to advertise the liens with on Tuesday, March 9, 2010.

Commissioner Lowder made the motion to issue the order to advertise the liens on Tuesday, March 9, 2010. Her motion was seconded by Vice Chairman McIntyre and passed with a vote of 5 – 0.

B. Formation of a Board of Equalization & Review

Previously, the terms of the five current members of the Board of Equalization & Review were extended until December 31, 2009. Of the five, only two wish to continue serving if reappointed leaving three vacancies to be filled. Mr. Johnson came before the Board to seek input into establishing a new Board of Equalization & Review for 2010.

After some discussion, the Board reappointed Wilson Barbee and Reba Smith, both of whom stated their willingness to serve another two year term. For the three remaining vacancies, the Board agreed to submit names of individuals willing to serve to Mr. Johnson for follow up and obtain a completed volunteer application. These applications will then be submitted for Board review and consideration for appointment.

ITEM # 5 – UTILITIES

Presenter: Donna Davis, Director

The totals for the Piney Point Water District, Greater Badin Water & Sewer District and Stanly County Utilities accounts over 90 days old and considered uncollectible were presented for the Board's review. Writing off the accounts is an accounting process which means the accounts will no longer be considered an asset, but will still be collected whenever possible. It was the recommendation of the Finance Department and Utilities Department to write them off for accounting purposes.

Vice Chairman McIntyre made the motion to approve writing off the accounts deemed uncollectible for Stanly County Utilities, Greater Badin Water & Sewer District and Piney Point Water District. Commissioner Dunevant seconded the motion, which passed by a unanimous vote.

ITEM # 6 – CRIMINAL JUSTICE PARTNERSHIP PROGRAM & JUVENILE JUSTICE CRIME PREVENTION COUNCIL

Presenter: Allen Lawrence, Director

A. County Commissioner Appointment to the Combined CJPP and JCPC Advisory Board

It was recommended the County Manager (or his designee) continue to serve on the advisory board and that other applications be considered for potential appointment to the board.

B. Budget Amendment #2010-41 for \$50,000

The Stanly County Juvenile Crime Prevention Council (JCPC) received \$50,000 in stimulus funds through the NC Department of Juvenile Justice and Crime Prevention (DJJDP). It was requested the funds be accepted into the Juvenile Crime Prevention budget by approval of budget amendment #2010-41.

A motion to approve the budget amendment was made by Commissioner Smith and was seconded by Commissioner Dunevant. The motion passed by a 5 – 0 vote.

ITEM # 7 – ECONOMIC DEVELOPMENT – PREMIERE SERVICES OF THE CAROLINAS BUILDING RENOVATIONS PROJECT

Presenter: Andy Lucas, County Manager

The County has applied for a \$311,000 Rural Center grant to assist Premiere Services of the Carolinas with renovating an existing facility at the corner of Penny Street and Second Street. The facility will be used for a Level IV residential mental health treatment facility that will employ 35 individuals. The total renovation project is estimated to be \$1.06 million. It was requested the Board consider and approve the attached resolution in support of the application and the required matching funds of \$9,350 to the NC Rural Center for a grant through the Building Reuse and Restoration Grants Program.

By motion, Vice Chairman moved to approve the resolution in support of the application and the required matching funds of \$9,350. His motion was seconded by Commissioner Smith and passed unanimously.

AUTHORIZING RESOLUTION BY STANLY COUNTY
for the
North Carolina Rural Center
Building Reuse and Restoration Grants Program
“Premiere Services of the Carolinas Building Renovations Project”

WHEREAS, The North Carolina General Assembly has authorized funds to stimulate economic development and job creation in distressed areas through constructing critical water and wastewater facilities, addressing technology needs, renovating vacant buildings, and implementing research and demonstration projects, and

WHEREAS, the County has need for and intends to assist in the renovation of a vacant building in a project described as the “Premiere Services of the Carolinas Building Renovations Project”; and

WHEREAS, the County intends to request funding assistance from the Building Reuse and Restoration Grants Program for the project;

NOW THEREFORE BE IT RESOLVED, BY THE STANLY COUNTY BOARD OF COMMISSIONERS:

That the County is in full support of the application and the project, if funding is received, and

That the County will provide for a cash match of \$9,350 as a cash investment into the project, and

That the County has substantially complied or will substantially comply with all State, and local laws, rules, regulations, and ordinances applicable to the project and to the grants pertaining thereto.

Adopted this the 15th day of February 2010 at Albemarle, North Carolina.

Tony M. Dennis, Chairman

ATTEST:

Tyler Brummitt, Clerk

(Seal)

ITEM # 8 – PLANNING BOARD APPOINTMENTS

Presenter: Andy Lucas, County Manager

With the terms of Ronald E. Crawley and Robert L. Davis expiring on February 21, 2010, it was requested the Board name two replacements to fill the vacancies on the Planning Board.

Commissioner Dunevant moved to appoint Allan McGuire and Marvin Smith to the Planning Board, each to serve a three year term ending February 2013. His motion was seconded by Commissioner Smith and passed by unanimous vote.

ITEM # 9 – NURSING HOMES COMMUNITY ADVISORY COMMITTEE APPOINTMENTS

Presenter: Andy Lucas, County Manager

The terms of Hilda Lee and Hazel Lefler will expire on February 28, 2010. Both have agreed to serve another three year term if reappointed.

Commissioner Smith moved to reappoint Hilda Lee and Hazel Lefler to the Nursing Homes Community Advisory Committee and was seconded by Commissioner Lowder. The motion passed with a vote of 5 – 0.

ITEM # 10 – CONSENT AGENDA

Presenter: Chairman Dennis

- A. Minutes – Meetings of January 19, January 27, and February 1, 2010
- B. Utilities – Budget amendment # 2010-39 and #2010-40
- C. Library – Request the attached list of books be declared surplus, donated to the Friends of the Library and sold in an ongoing book sale in the branch libraries
- D. IT Department – Budget amendment # 2010-42

Vice Chairman McIntyre moved to approve the consent agenda with one correction to the January 27, 2010 minutes. Commissioner Dunevant seconded the motion which was passed by unanimous vote.

PUBLIC COMMENT

Elizabeth Roberts addressed the Board with concerns regarding Animal Control stating what she felt was a lack of cleanliness, lack of respect for the animals, and staff's treatment of the animals at the facility based on her personal experience in trying to adopt an animal. Ms. Roberts requested that action be taken to improve the facility and its operations.

GENERAL COMMENTS

The County Manager reminded the Board of the Senior Services Annual Luncheon on the following day.

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

ADJOURN

With no further business presented, Commissioner Dunevant moved to adjourn the meeting. Vice Chairman McIntyre seconded the motion which passed by unanimous vote at 9:10 p.m.

Tony M. Dennis, Chairman

Tyler Brummitt, Clerk

