

**STANLY COUNTY  
BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
AUGUST 9, 2010**

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

**COMMISSIONERS ABSENT:** Lindsey Dunevant

**STAFF PRESENT:** Andy Lucas, County Manager  
Jenny Furr, County Attorney  
Tyler Brummitt, Clerk

**CALL TO ORDER**

The Stanly County Board of Commissioners (the "Board") met in regular session on Monday, August 9, 2010 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. Chairman Dennis called the meeting to order and gave the invocation.

**APPROVAL / ADJUSTMENTS TO THE AGENDA**

Commissioner Smith moved to approve the agenda as presented and was seconded by Vice Chairman McIntyre. The motion passed unanimously.

**ITEM # 1 – PLANNING & ZONING**

**Presenter: Michael Sandy, Planning Director**

**A. Recognition of Tim Swaringen in obtaining his designation of Certified Zoning Officer (CZO)**

The Board took a moment to congratulate Tim Swaringen on receiving his CZO designation from the NC Association of Zoning Officials.

**B. Public Hearing – ZA 10-11 – Rezoning request for Russell Davis LLC**

It was requested that a 0.179 acre parcel of land (Tax Rec. 23672) located to the west of the intersection of Canton Road and NC 24/27 be rezoned from RA (Residential Agricultural) to H-B (Highway Business) in order to allow the property to be used for commercial purposes.

Chairman Dennis declared the public hearing open. At this time, petitioner Russell Davis came forward to speak in favor of the rezoning. Having no others come forward, the hearing was closed.

Commissioner Lowder moved to approve ZA 10-11. The motion was seconded by Commissioner Smith and passed with a 4 – 0 vote.

**ITEM # 2 – PUBLIC HEARING – PETITION TO CLOSE A PORTION OF THE EASEMENT ON RETTIE LANE, OAKBORO, NC**

**PETITIONERS: ALAN E. AND LORI D. BARBEE WITH ATTORNEY BOB ODOM**

Attorney Bob Odom summarized the petitioners request to close a portion of the sixty (60) foot wide access easement for use as a private driveway.

Chairman Dennis declared the public hearing open. Having no one come forward to speak, the hearing was closed.

Commissioner Lowder moved to approve the request as well as the resolution ordering the closing of the sixty (60) foot wide portion of Rettie Lane in Oakboro, NC. The motion was seconded by Vice Chairman McIntyre and passed by unanimous vote.

**See Attached Exhibit A  
Resolution Ordering the Closing of Part of Rettie Lane, Oakboro, NC**

**ITEM # 3 – TAX ADMINISTRATION – ANNUAL SETTLEMENT REPORT & CHARGE TO COLLECT**

**Presenter: Rick Johnson, Tax Administrator**

The Board was provided with a copy of the annual settlement report for the fiscal year ending June 30, 2010. It was requested the Board approve the “Charge to Collect” which authorizes the Tax Collector to collect past due taxes by any means within the limits of the law.

Vice Chairman McIntyre moved to accept the settlement report as presented and approve the charge to collect. The motion was seconded by Commissioner Smith and passed by unanimous vote.

**ITEM # 4 – AIRPORT**

**Presenter: David Griffin, Director**

**A. Terminal Building and Parking Lot Budget Amendment # 2011-02**

Approval of budget amendment #2011-02 was requested in order to increase the Terminal Construction budget by \$150,000 for the additional work required for the parking lot, cost of engineering and inspection costs.

**B. Amendments 1 and 2 to Talbert & Bright Work Authorization #3803-0803**

Approval of amendments 1 and 2 to Talbert & Bright Inc. Work Authorization #3803-0803 was requested for the additional work required by the Division of Aviation and NC Department of Health, Environment, and Natural Resources

**C. Approval of Contract for J. T. Russell & Sons for \$468,715.05**

Contract approval was requested for the paving and lighting of the new airport terminal parking lot.

Commissioner Lowder abstained from voting due to a conflict of interest. By motion, Commissioner Smith moved to approve all three items and was seconded by Vice Chairman McIntyre. The motion passed with a vote of 3 – 0.

**ITEM # 5 – PRESENTATION OF THE STANLY COUNTY PARKS, RECREATION AND TRAILS MASTERPLANS**

**Presenters: John Cock, Alta Planning**

**Travis Morehead, Carolina Thread Trail**

After a brief presentation of each plan, it was requested the Board consider adopting both on behalf of the County.

Vice Chairman McIntyre moved to adopt both plans and was seconded by Commissioner Smith. The motion passed by unanimous vote.

**ITEM # 6 – APPOINTMENT TO THE GASTON COMMUNITY ACTION’S BOARD OF DIRECTORS**

**Presenter: Andy Lucas, County Manager**

By motion, Commissioner Smith moved to appoint Dexter Townsend to serve a three (3) year term on the Gaston Community Action’s Board of Directors. The motion was seconded by Commissioner Lowder and passed by a 4 – 0 vote.

**ITEM # 7 – STANLY COUNTY FAIR**

**Presenter: Andy Lucas, County Manager**

The County Manager informed the Board that the county fair would be held September 2 – 6, 2010.

This was provided as information only and required no action.

**ITEM # 8 – CONSENT AGENDA**

**Presenter: Chairman Dennis**

- A. Minutes – Regular meeting on July 12, 2010
- B. Transportation – Budget amendment # 2011-01
- C. Tax Refund for Cecilia D. Owens in the amount of \$118.69
- D. Tax – Request release of tax bills for 2008 and 2009 totaling \$4,120.21
- E. 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
- F. IT Dept. – Request approval to auction the attached list of surplus equipment

Vice Chairman McIntyre moved to approve the consent agenda as presented and was seconded by Commissioner Lowder. The motion passed unanimously.

**PUBLIC COMMENT**

None

**GENERAL COMMENTS**

Commissioner Smith welcomed David Deese of Congressman Kissell’s office who was present at the meeting.

Commissioner Lowder welcomed Mayor Joyce Little of Oakboro.

Chairman Dennis, Vice Chairman McIntyre, the County Manager and County Attorney had no comments.

**CLOSED SESSION**

Vice Chairman McIntyre moved to recess to closed session to consult with the County Attorney in accordance with G. S. 143-318.11(a)(3) to discuss APGI’s public records lawsuit and the County’s 401 water quality permit intervention. The motion was seconded by Commissioner Smith and passed by unanimous vote.

**ADJOURN**

By motion, Vice Chairman McIntyre moved to adjourn the meeting until Monday, September 13, 2010 at 7:00 p.m. and was seconded by Commissioner Smith. The motion passed with a 4 – 0 vote at 8:20 p.m.

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**Tony M. Dennis, Chairman**

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**Tyler Brummitt, Clerk**

