

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
NOVEMBER 1, 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, November 1, 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

There being no changes made to the agenda, Vice Chairman McIntyre moved to approve it as presented. His motion was seconded by Commissioner Smith and passed with a 5 – 0 vote.

ITEM # 1 – PRESENTATION OF A GRANT AMENDMENT FOR THE 2009 CDBG SCATTERED SITE HOUSING PROJECT (#09-C-2006)

Presenter: Michael Walser, Hobbs Upchurch & Associates

This was the required public hearing in order to submit an amendment for additional funding in the amount of \$33,119 under the 2009 CDBG Stanly County Scattered Site Housing Project to the NC Department of Commerce. With these additional funds, emergency repairs for up to six (6) homes will be made.

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

Commissioner Smith moved to approve the amended project ordinance and budget amendment #2011-08 to accept the additional funding. The motion was seconded by Commissioner Lowder and passed by unanimous vote.

ITEM # 2 – PLANNING & ZONING

Presenter: Michael Sandy, Director

ZA 10-12 – PUBLIC HEARING FOR REZONING REQUEST FOR C. NED HUNEYCUTT

Mr. Huneycutt submitted a request to rezone a tract of land (approximately ½ acre portion of a larger 2.095 acre parcel) located at the intersection of Frog Pond Road and NC 24/27 Hwy from RA to GB (tax record 12553). The purpose of the request is to allow the entire property to have the same zoning designation and be used for business or commercial purposes.

Chairman Dennis declared the public hearing open. Pete Newsome and Chad Yow came forward to speak against the rezoning request and C. Ned Huneycutt spoke in favor of it. With no one else coming forward, the public hearing was closed.

Commissioner Smith moved to approve rezoning request ZA 10-12 and was seconded by Vice Chairman McIntyre. The motion passed unanimously.

ITEM # 3 – SENIOR SERVICES ADVISORY BOARD APPOINTMENTS

Presenter: Becky Weemhoff, Director

The Senior Services Advisory Board has four members whose terms have expired: Michael Scott, Dr. Frank Green, Doug Burgess, and Anne Parry. Of the four, Anne Parry agreed to serve another three year term and is eligible to do so. Sylvia Lingerfelt has agreed to serve on the board and will replace Michael Scott. It was requested that both be appointed to serve three year terms ending September 30, 2013.

Vice Chairman McIntyre moved to approve the appointments of Anne Parry and Sylvia Lingerfelt. His motion was seconded by Commissioner Lowder and passed by unanimous vote.

ITEM # 4 – HEALTH DEPARTMENT

Presenter: Dennis Joyner, Director

- A. Budget Amendment # 2011-11 – Acceptance of the Southern Piedmont Community Care Beacon Grant Funds in the amount of \$407,543 and appropriation into the health department’s FY 2010-11 budget.**

Vice Chairman McIntyre moved to approve budget amendment # 2011-11 and appropriate them into the health department’s budget. The motion was seconded by Commissioner Dunevant and passed with a 5 – 0 vote.

- B. Presentation of the Recommended Revisions to the Stanly County Animal Control Ordinance**

The proposed revisions to the ordinance were presented for the Board’s consideration. The primary area to be revised is Section 17 which deals with Vicious and Potentially Vicious Animals and the conditions in which such animals may be maintained.

After the presentation, both Commissioner Lowder and Vice Chairman McIntyre stated their concerns regarding some of the proposed changes and requested certain changes be considered. Once these changes are discussed with the Board of Health, the

ordinance will be resubmitted to the Board for review and a public hearing held prior to its final approval.

ITEM # 5 – EXPENDITURE REDUCTION AUDIT – CONTINGENCY AGREEMENT PROPOSAL

Presenter: Andy Lucas, County Manager

A recommendation was made by the County Manager to enter into a contingency fee agreement with Robert S. Segal CPA and Associates to conduct a comprehensive analysis of the County's utility bills to help identify potential refunds and future expense reduction strategies.

By motion, Vice Chairman McIntyre moved to approve the contingency fee agreement with Robert S. Segal CPA and Associates. The motion was seconded by Commissioner Dunevant and passed unanimously.

ITEM # 6 – CONSENT AGENDA

Presenter: Chairman Dennis

- A. Minutes – Regular meeting of October 18, 2010
- B. Utilities – Budget amendment # 2011-09
- C. Health Department – Budget amendment # 2011-10

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

PUBLIC COMMENT

None

GENERAL COMMENTS

Commissioner Smith stated that when considering such items as the animal control ordinance, it is the Board's obligation to protect the citizens of the county in such matters. He then thanks the Board of Commissioners and staff for all their hard work.

Commissioner Lowder reminded everyone to vote.

Vice Chairman McIntyre reiterated Commissioner Smith's comments regarding the animal control ordinance.

Commissioner Dunevant thanked those who voted and wished all the candidates good luck in the election.

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

CLOSED SESSION: Vice Chairman McIntyre moved to recess the meeting to closed session to consult with the County Attorney in accordance with G. S. 143-318.11(a)(3) to discuss the lawsuit filed by Michael and Deborah Martin regarding the County's Adequate Public Facilities

Ordinance (APFO) and to discuss a personnel issue in accordance with G. S. 143-318.11(a)(6). The motion was seconded by Commissioner Dunevant and passed by unanimous vote.

ADJOURN

There being no further business presented, Commissioner Smith moved to adjourn the meeting until Monday, November 15, 2010 at 7:00 p.m. The motion was seconded by Commissioner Dunevant and passed with a 5 – 0 vote at 8:26 p.m.

Tony M. Dennis, Chairman

Tyler Brummitt, Clerk