

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

**COMMISSIONERS PRESENT:** Tony M. 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

**CALL TO ORDER**

The Stanly County Board of Commissioners (the "Board") met in regular session on Monday, November 15, 2010 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. Chairman Dennis called the meeting to order and the invocation was given by Commissioner Smith.

**ADJUSTMENTS / APPROVAL TO THE AGENDA**

Vice Chairman McIntyre moved to approve the agenda as presented. Commissioner Dunevant seconded the motion which passed unanimously.

**ITEM # 1 – PLANNING & ZONING – PUBLIC HEARING FOR THE REPEAL OF THE ADEQUATE PUBLIC FACILITIES ORDINANCE (APFO)**

**Presenter: Michael Sandy, Director**

Director Michael Sandy was present to recommend the repeal of the Adequate Public Facilities Ordinance (APFO) adopted on September 20, 2004 and request authorization to refund any mitigation payments along with the six percent (6%) statutorily required interest.

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

By motion, Commissioner Smith moved to approve the repeal of the APFO and was seconded by Commissioner Lowder. The motion passed with a 5 – 0 vote.

**ITEM # 2 – SENIOR SERVICES**

**Presenter: Becky Weemhoff, Director**

**A. Presentation by the Stanly County Adult Day Care Task Force**

Senior Services Director Becky Weemhoff, Susan Caudle of Coltrane L.I.F.E. Center, Inc. and Father Jim Bernacki are members of a local task force interested in establishing an Adult Day Care / Health facility in Stanly County. The presentation provided information collected over the past two years by the task force including current plans and activities.

The presentation was given for information only and required no Board action.

**B. LIFESPAN SERVICES MEMORANDUM OF AGREEMENT**

Lifespan Services requested the Senior Center be used as an evacuation site for their residents and staff in the event of a natural disaster and/or emergency. Should the need arise, staff and residents would be in the building for a period of no more than twenty-four (24) hours. If approved, the agreement would be for period of twenty-four (24) months.

Commissioner Lowder moved to approve the agreement and was seconded by Vice Chairman McIntyre. The motion passed by unanimous vote.

**ITEM # 3 – TAX ADMINISTRATION – RESOLUTION TO ALLOW FOR ELECTRONIC LISTING OF BUSINESS PERSONAL PROPERTY**

**Presenter: Rick Johnson, Tax Administrator**

Tax Administration sought permission to partner with Tax Management Associates, Inc. (TMA) to make electronic listing of business personal property available to customers. There is no cost to the county and a minimal cost to businesses that choose to utilize the program.

Commissioner Smith moved to approve the resolution as presented and was seconded by Commissioner Dunevant. Motion passed with a 5 – 0 vote.

Below is the resolution as approved:

**RESOLUTION**

**PROVIDING FOR ELECTRONIC LISTING AND EXTENDING THE TIME FOR FILING ELECTRONIC LISTINGS OF BUSINESS PERSONAL PROPERTY**

**BOARD OF COMMISSIONERS  
COUNTY OF STANLY, NC**

**WHEREAS**, North Carolina General Statute 105-304 authorizes counties to permit electronic listing of business personal property, and

**WHEREAS**, North Carolina General Statute 105-307 permits the Board of County Commissioners to extend the deadline for filing electronic listings of business personal property under G.S. 105-304 and

**WHEREAS**, North Carolina General Statute 105-311(b) authorizes electronic signature of business personal property listings which are submitted electronically,

**NOW THEREFORE BE IT RESOLVED** that the Stanly County Board of Commissioners hereby authorizes business personal property listings to be submitted and signed electronically, and extends the deadline for receiving electronic business personal property listings to and until April 1 of any tax year upon approval of extension request.

**BE IT FURTHER RESOLVED** that the following procedures will apply to electronic tax filings. Electronic listings must be submitted online. Facsimilies will not be accepted on electronic listings. In order to file electronically, the taxpayer must use an electronic listing application hosted by the County or approved by the North Carolina Department of Revenue and contracted with the County to provide such a service. To request an extension to file business personal property listings after January 31, the taxpayer must file an online request for extension of time during the month of January and provide an account ID provided by the County and associated with the business location for which the extension is requested. Electronic filings must be received by the Stanly County Assessor no later than April 1 in order to avoid late listing penalties.

**BE IT FURTHER RESOLVED** that this resolution shall be recorded in the minutes of the Stanly County Board of Commissioners and notice of the procedure and extension of time for electronic filing of business personal property listings shall be published as required by G. S. 105-296(c).

**BE IT FURTHER RESOLVED** that this resolution is effective for all tax years after its adoption and at such time the Assessor has the ability to implement a system for electronic listing.

Adopted this the 15<sup>th</sup> day of November, 2010.

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Tyler Brummitt  
Clerk to the Board

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Tony M. Dennis, Chairman  
Stanly County Commissioners

**ITEM # 4 – SHERIFF’S DEPARTMENT – ARAMARK JAIL FOOD SERVICE CONTRACT EXPANSION**  
**Presenter: Andy Lucas, County Manager**

Aramark, the County’s jail food service contractor, has expressed an interest in using the Stanly County jail facilities to prepare approximately 70 – 80 meals for Anson County inmates over a thirty (30) day trial period. Due to various reasons, the Board expressed concerns that the recommended \$500.00 payment amount suggested by Aramark would be insufficient and it should be increased to \$1,000.00 for the thirty (30) day period.

By motion, Commissioner Dunevant moved to approve the thirty (30) day trial period at a cost of \$1,000.00. The motion was seconded by Commissioner Lowder and passed by unanimous vote.

**ITEM # 5 – BOARD OF HEALTH APPOINTMENTS**

**Presenter: Dennis Joyner, Director**

It was requested the Board appoint Dr. Janice Dunlap (Optometrist Member) and Conrad Carter (Registered Engineer Member), and reappoint Dr. Raquel Mullen (Physician Member), Dr. Ann Yowell (Veterinarian Member), and Margaret Rudisill (Registered Nurse Member) to the Stanly County Board of Health.

Vice Chairman McIntyre moved to approve the above appointments and was seconded by Commissioner Lowder. The motion passed by unanimous vote.

**ITEM # 6 – DISCUSSION REGARDING THE CENTRALINA COUNCIL OF GOVERNMENTS (CCOG) MEMBERSHIP**

**Presenter: Andy Lucas, County Manager**

After a period of discussion, Commissioner Dunevant made the motion for the County continue its membership with the Centralina Council of Governments for 2011 and review this membership again next year. Vice Chairman McIntyre seconded the motion which passed unanimously.

**ITEM # 7 – ALBEMARLE-BADIN COMPREHENSIVE TRANSPORTATION PLAN (CTP) - FOCUS GROUP DESIGNEES**

**Presenter: Andy Lucas, County Manager**

Staff recommended that County Planner Michael Sandy and RPO Director Dana Stoogenke be appointed as the county representatives to the Albemarle-Badin CTP focus group committee. In addition, it was also requested that Dana Stoogenke and both the Board designee and alternate be appointed as focus group committee members.

By motion, Vice Chairman McIntyre moved to approve these appointments and was seconded by Commissioner Smith. The motion passed unanimously.

**ITEM # 8 – CONSENT AGENDA**

**Presenter: Chairman Dennis**

- A. Minutes – Regular meeting of November 1, 2010
- B. Tax – Refund request for Tony S. & Donna L. Rogers
- C. Agri-Civic Center Advisory Committee appointments
- D. Finance – Monthly Financial Report For Four Months Ended October 31, 2010
- E. Social Services – Budget amendment # 2011-12
- F. Sheriff's Department – Budget amendment # 2011-13

Commissioner Smith moved to approve the consent agenda as presented. His motion was seconded by Commissioner Dunevant and passed with a 5 – 0 vote.

**PUBLIC COMMENT**

None

**GENERAL COMMENTS**

Commissioner Dunevant thanked everyone who had participated in the recent elections.

Commissioner Lowder wished everyone a Happy Thanksgiving.

Commissioner Smith stated he had enjoyed serving as a county commissioner the past eight years and working for the people of Stanly County.

Chairman Dennis stated he had enjoyed serving with Commissioner Smith and wished him the best of luck.

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

**CLOSED SESSION**

Commissioner Smith moved to recess into closed session to consult with the County Attorney in accordance with G. S. 143-318.11(a)(3) to discuss APGI’s public records request lawsuit, the County’s 401 water quality permit intervention, and to discuss economic development in accordance with G. S. 143-318.11(a)(4). The motion was seconded by Commissioner Dunevant and passed by unanimous vote.

**ADJOURN**

There being no further business, Commissioner Dunevant moved to adjourn the meeting until Monday, December 6, 2010 at 7:00 p.m. His motion was seconded by Vice Chairman McIntyre and passed with a 5 – 0 vote at 8:25 p.m.

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Chairman

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Tyler Brummitt, Clerk