

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
JUNE 6, 2011**

COMMISSIONERS PRESENT:

Josh Morton, Chairman
Jann Lowder, Vice Chairman
Tony Dennis
Lindsey Dunevant
Gene McIntyre

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, June 6, 2011 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. Chairman Morton called the meeting to order and gave the invocation.

APPROVAL / ADJUSTMENTS TO THE AGENDA

With no adjustments made to the agenda, Commissioner Dennis moved to approve it as presented and was seconded by Commissioner McIntyre. The motion passed by unanimous vote.

INTRODUCTION OF THE NEW VETERANS SERVICES OFFICER, RODERICK BARBEE

The County Manager took a moment to introduce Mr. Rod Barbee as the new Veterans Services Officer for Stanly County. Mr. Barbee will assume his duties beginning Tuesday, June 7, 2011.

ITEM # 1 – RETIREMENT AWARDS PRESENTATION

The Board took a moment to recognize Phyllis Rummage from the Department of Social Services and Rick Johnson from Tax Administration for their years of service to the community.

ITEM # 2 – PUBLIC HEARING FOR THE MANAGER'S RECOMMENDED BUDGET FOR FY 2011-2012

Presenter: Andy Lucas, County Manager

Chairman Morton opened the public hearing to receive public comment on the proposed budget for FY year 2011-12.

Bill Rigsbee, trustee for Stanly Community College and acting chairman of Stanly Community College Finance Committee came forward to address the Board with concerns regarding the proposed \$61,000 cut to the community college.

Allen Lawrence, Administrator for the Criminal Justice Partnership Program (CJPP) addressed the Board with concerns regarding the elimination of the administrative position with the CJPP and having the services contracted through the state. Since the program has been recognized as a program of excellence and used as a model for similar programs, Mr. Lawrence requested the Board consider the suggested changes in order to allow the program to continue.

With no one else coming forward to speak, Chairman Morton closed the public hearing.

ITEM # 3 – OFFICE SPACE RENOVATION REQUEST FOR THE CLERK OF COURT’S OFFICE

Presenter: Michael Huneycutt, Clerk of Court

Due to several positions being eliminated, the Clerk of Court would like to renovate a portion of the Clerk of Court’s office space to increase staff and customer service efficiency. Clerk of Court Michael Huneycutt presented a floor plan that would help complete this reorganization as well as a proposed cost estimate for those renovations.

After a brief period of discussion, Commissioner McIntyre moved to discuss this item during the upcoming budget workshops for fiscal year 2011-2012 rather than approve the funds for this fiscal year. The motion was seconded by Commissioner Dennis and passed unanimously.

ITEM # 4 – SWIFT ISLAND FERRY BRIDGE PRESENTATION

Presenter: Dana Stoogenke, RRRPO Director

The Swift Island Ferry Bridge is due to be demolished as part of the NC Department of Transportation’s Highway 24-27 widening project unless a third party agrees to take ownership of it by the end of the summer. The transfer would take place once the road project is finished and improvements to the bridge have been completed.

The presentation was provided for the Board’s information only and required no action at this time.

ITEM # 5 – PRESENTATION OF THE PIEDMONT BEHAVIORAL HEALTH (PBH) AND ALAMANCE – CASWELL COUNTIES RESOLUTION TO MERGER

Presenter: Barbara Whitley, PBH Board Member for Stanly County

Ms. Whitley presented the joint resolution of the Boards of County Commissioners for Alamance, Cabarrus, Caswell, Davidson, Rowan, Stanly and Union Counties in support of the merger of Alamance and Caswell Counties into Piedmont Behavioral Health. If approved, both authorities would be accepted into PBH as well as the addition of members to its board for both counties effective October 1, 2011.

By motion, Commissioner Dunevant moved to approve the resolution and was seconded by Vice Chairman Lowder. The motion passed with a 5 – 0 vote.

**See Exhibit A
Joint Resolution
of the Boards of County Commissioners of
Alamance, Cabarrus, Caswell, Davidson, Rowan, Stanly and Union Counties**

ITEM # 6 – AWARD OF THE NUTRITION PROGRAM CATERING CONTRACT

Presenter: Becky Weemhoff, Senior Services Director

The Senior Services Department recently opened bids for the catering of meals for the Nutrition Program for a 12 month period (July 1, 2011 – June 30, 2012) or for a 24 month period (July 1, 2011- June 30, 2013). Based on the bid submitted, it was requested Aramark be awarded the contract for a 24 month period at a cost of \$3.99 per meal.

By motion, Tony Dennis moved to award the contract to Aramark for the optional 24 month period and was seconded by Vice Chairman Lowder. The motion was passed by unanimous vote.

ITEM # 7 – ENERGY EFFICIENCY CONSERVATION BLOCK GRANT (EECBG) – HVAC CONTROL PHASE AWARD

Presenter: Jerry Morton, Facilities Director

Recently a total of five bids were received for the HVAC controls phase of the Energy Efficiency Conservation Block Grant (EECBG). Due to the fact that all of the bids exceeded available grant funds, staff sought an alternative bid from the low bid contractor. The alternative bid would allow for the installation of the key automation aspects of the project and replace 50% of the zone dampers with controllers identified in the original RFP specs to maximize energy efficiency. It was requested the Board award the contract to Facilitech for the HVAC controls phase of the County's EECBG project.

Commissioner McIntyre moved to award the contract to Facilitech and was seconded by Commissioner Dennis. The motion was passed with a 5 – 0 vote.

ITEM # 8 – STANLY COUNTY SCHOOLS –RETIREMENT INCENTIVE REQUEST

Presenter: Andy Lucas, County Manager

The school system requested the County’s approval to utilize \$385,000 in County funds to offer a retirement incentive for FY 2011-2012. The net savings from the retirement incentive will be \$1.15 million with no additional county funding requested. If approved, the funds would be placed in a separate grant line item for one year only in the FY 2011-2012 budget to ensure they are used strictly for the retirement incentive.

By motion, Commissioner McIntyre moved to approve the reallocation of the funds for the retirement incentive grant and was seconded by Commissioner Dennis. The vote passed unanimously.

ITEM # 9 – BOARD APPOINTMENTS

Presenter: Andy Lucas, County Manager

A. Region F Aging Advisory Committee

Commissioner Dunevant moved to appoint Janice Abernathy to serve as delegate for a two (2) year term beginning July 1, 2011 – June 30, 2013, and to reappoint George McAlister to a second two (2) year term from July 2, 2011 – June 30, 2013. The motion was seconded by Commissioner McIntyre and passed by a 5 – 0 vote.

B. Stanly County Convention & Visitors Bureau (CVB)

Commissioner Dennis moved to approve the reappointment of Wayne Cole to the CVB Board of Directors for a three (3) year term beginning July 1, 2011 – June 30, 2014. The motion was seconded by Vice Chairman Lowder and passed by unanimous vote.

ITEM # 10 – POSSIBLE SATISFACTION OF DEED OF TRUST INVOLVING CDBG FUNDS

Property Owner: Mary Margaret Thompson

Property Address: 113 Kelty Avenue, Norwood, NC

Presenter: Andy Lucas, County Manager

Stanly County is the beneficiary of a Deed of Trust recorded on May 9, 2005 in Deed Book 1058, Page 0251 of the Stanly County Registry for the property located at 113 Kelty Avenue, Norwood, NC. Community Development Block Grant funds under the Scattered Site Housing Program were used to rehab the home then belonging to Mary Margaret Thompson and a deed of trust recorded in the amount of \$52,376.00. The promissory note states that the principal will decline on each anniversary of the Note in an amount equal to 10% of the original principal

balance provided there is no default or failure of the terms and conditions of the Note and Deed of Trust. Ms. Thompson passed away on April 17, 2010 which leaves the outstanding balance of the debt at \$31,425.60.

Based on the above information, the Board has the following options pertaining to the outstanding Deed of Trust:

1. The Board may forgive the entire current outstanding balance in the amount of \$31,625.60 by filing a Trustee's Satisfaction of Deed of Trust at the Register of Deed's Office;
2. The Board may agree to forgive any remaining balance of indebtedness after proceeds from the sale of the aforementioned property are applied to the current outstanding balance by filing a Trustee's Satisfaction of Deed of Trust at the Register of Deed's Office; or
3. The Board may forgive none of the current outstanding balance of indebtedness in the amount of \$31,425.60. The outstanding balance would then remain a lien against the property until paid in full by either Ms. Thompson's heirs or future owners of the property.

The County Manager, County Attorney and Attorney Bud Singletary, representing the Estate of Mary Margaret Thompson, recommended Option 2 based on the information provided.

After a brief period of discussion, Commissioner McIntyre moved to accept Option 2 as recommended and was seconded by Commissioner Dennis. The motion passed with a vote of 5 – 0.

ITEM # 11 – CONSENT AGENDA

Presenter: Chairman Morton

- A. Minutes – Regular meeting of May 16, 2011 and special meeting of May 24, 2011
- B. Finance – Request acceptance of the Monthly Financial Report for Ten Months Ended April 30, 2011

Commissioner Dennis moved to approve the consent agenda as presented and was seconded by Commissioner McIntyre. The motion passed by unanimous vote.

PUBLIC COMMENT

None

GENERAL COMMENTS & ANNOUNCEMENTS

None

CLOSED SESSION

Commissioner Dunevant moved to recess the meeting to closed session in order to consult with the County Attorney in accordance with G. S. 143-318.11(a)(3) to discuss APGI's public records request lawsuit and the County's 401 water quality permit intervention. His motion was seconded by Commissioner Dennis and passed by a 5 – 0 vote.

RECESS

There being no further business, Commissioner McIntyre moved to recess the meeting until Monday, June 13, 2011 at 6:00 p.m. for a budget workshop in the Manager's Conference Room, Stanly Commons. The motion was seconded by Commissioner Dennis and passed unanimously at 9:51 p.m.

Joshua J. Morton, Jr., Chairman

Tyler Brummitt, Clerk