

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
AUGUST 15, 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, August 15, 2011 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. Chairman Morton called the meeting to order and Commissioner Dunevant gave the invocation.

APPROVAL / ADJUSTMENTS TO THE AGENDA

Commissioner Dennis moved to add the Library Board of Trustees appointments as Item # 9 and the consent agenda changed to agenda item # 10. His motion was seconded by Vice Chairman Lowder and passed by unanimous vote.

ITEM # 1 – ROCKY RIVER RPO – FOLLOW UP PRESENTATION ON THE SWIFT ISLAND BRIDGE

Presenter: Dana Stoogenke, RRRPO Director

Ms. Stoogenke provided information regarding the timeline for the road improvement project, the projected short-term and long-term expenses associated with the bridge maintenance, and sources of available revenue should the County decide to take ownership of the Swift Island Bridge. In addition, a resolution was provided for the Board's consideration which requests bicycle accommodations be included in the project's design on the Swift Island Bridge if preserved, or as part of the new bridge over the Pee Dee River.

Commissioner Dunevant moved to adopt the resolution as presented and was seconded by Commissioner McIntyre. The motion passed with a 5 – 0 vote.

See Exhibit A

**RESOLUTION ENDORSING BICYCLE ACCOMODATIONS ON HWY 24-27 (R-2530)
AND THE BRIDGE ACROSS THE PEE DEE RIVER, IF THE HISTORIC
SWIFT ISLAND BRIDGE IS NOT PRESERVED**

By motion, Commissioner Dunevant requested the decision regarding ownership of the bridge be delayed until the September 12th meeting in order to allow time to consider the new information presented during the meeting. The motion was seconded by Vice Chairman Lowder and passed by unanimous vote.

ITEM # 2 – PLANNING & ZONING

Presenter: Michael Sandy

A. ZA 11-10 – Rezoning Request for Cleotilde Jaimes

Ms. Jaimes requested a 1.5 acre parcel of land (tax record number 3858) located at the intersection of South Stanly School Road and Herring Road be rezoned from HB (Highway Business) to RA (Residential Agricultural). The purpose of the amendment is to allow the Jaimes family to continue to use this structure as a residence.

Chairman Morton declared the public hearing open. During this time, Ms. Jaimes came forward to speak in favor of the requested amendment. With no one else coming forward, the public hearing was closed.

By motion, Vice Chairman Lowder moved to approve ZA 11-10 and was seconded by Commissioner Dennis. The motion was passed with a vote of 5 – 0.

B. ZA 11-11 – Rezoning Request for Terrell J. Whitley

Mr. Whitley requested a portion (2.02 acres) of a 2.581 acre tract of land (tax record number 26115) be rezoned from RA (Residential Agricultural) to M-2 (Heavy Manufacturing). The purpose is to allow for the continuation of a non-conforming auto salvage yard on the property.

Chairman Morton declared the public hearing open.

Mr. Whitley came forward to speak in favor of the requested amendment stating he has been in business for 25 years and was unaware of the zoning issue until recently being

contacted by the County. Mr. Whitley stated he was requesting only a portion of the property be rezoned and that he has no plans to expand the business in the future.

Speaking against the rezoning request was Robert Swaim who owns the property east of the subject property.

With no one else coming forward, the public hearing was closed.

Commissioner Dennis moved to approve ZA 11-11 and was seconded by Vice Chairman Lowder. The motion passed by unanimous vote.

ITEM # 3 – TAX COLLECTOR’S ANNUAL SETTLEMENT PRESENTATION FOR FY 2011

Presenter: Melia Miller, Tax Administrator

The Tax Collector presented the annual settlement report and financial reports which included the collection activity for the current fiscal year. The real and personal property collection rate (excluding registered motor vehicles) was 96.57%. It was requested the Board accept and approve the annual settlement report and charge the Tax Collector with collecting the FY 2012 taxes.

By motion, Vice Chairman Lowder moved to accept and approve the annual settlement statement and charge the Tax Collector with the collection of the FY 2012 taxes. The motion was seconded by Commissioner Dennis and passed by a 5 – 0 vote.

ITEM # 4 – HEALTH DEPARTMENT – BUDGET AMENDMENT # 2012-01

Presenter: Dennis Joyner, Health Director

The Stanly County Health Department has received funding from the NC Division of Public Health in the amount of \$5,399.00 to support family planning outreach efforts, and \$100,000.00 to support two (2) school nurses in the Stanly County School System. In previous years, the school nurse funding was provided directly to the school system, but due to changes in legislation it is now required the funds go through the Health Department. Since the funds were not included in the FY 2011-2012 departmental budget, it was requested the \$105,399.00 be appropriated into the Health Department’s current fiscal year budget.

Commissioner Dennis moved that these funds be accepted into the Health Department’s budget and was seconded by Commissioner McIntyre. The motion passed by unanimous vote.

ITEM # 5 – AIRPORT RUNWAY PAVEMENT REHABILITATION PROJECT

Presenter: David Griffin, Airport Director

Airport Director David Griffin provided cost figures for the Airport Runway Pavement Rehabilitation Project as well as the anticipated revenues available to complete the work.

Board consideration was requested for the following items:

- A.** Accept revenues from the NC Division of Aviation Block Grant 36237.50.13.1 in the amount of \$4,106,703.00, and the NC Air National Guard MCCA W91242-10-2-2101 in the amount of \$2,230,000.00.

By motion, Commissioner Dennis moved to accept these revenues and was seconded by Commissioner McIntyre. The motion passed with a vote of 5 – 0.

- B.** Approve budget amendment # 2012-02 to create the construction budget and provide revenues for the project.

Vice Chairman Lowder moved to approve budget amendment # 2012-02 and was seconded by Commissioner Dennis. The motion passed unanimously.

- C.** Request Board approval of Talbert & Bright's work authorization #3803-0903 amendments 2 and 3 with an upset limit of \$691,541.00 in order to approve the additional work requested by the Air National Guard.

Commissioner McIntyre moved to approve the work authorization and amendments. His motion was seconded by Commissioner Dennis and passed by unanimous vote.

- D.** Request approval of the J. T. Russell contract for the runway rehabilitation in the amount of \$5,892,939.08.

Vice Chairman Lowder moved to approve the J. T. Russell contract and was seconded by Commissioner Dunevant. The motion passed with a 5 – 0 vote.

- E.** Approve the Talbert & Bright work authorization #3803-0906 which develops a Storm Water Pollution & Prevention Plan and Spill Prevention Control and Countermeasure Plan as required by DENR. The cost to develop this plan is \$24,877.00 and will be paid for by a Vision 100 Grant that was previously approved by the Board.

Motion to approve the Talbert & Bright work authorization was made by Commissioner Dennis, seconded by Commissioner McIntyre and passed by unanimous vote.

ITEM # 6 – FOLLOW UP PRESENTATION OF THE STANLY COUNTY COMPREHENSIVE TRANSPORTATION PLAN (CTP)

Presenter: Andy Lucas, County Manager

The County Manager stated that since the last meeting, RRRPO Director Dana Stoogenke had been in contact with Economic Development, the Convention & Visitors Bureau, and the Chamber of Commerce to request their input on the proposed CTP. At this point, no feedback has been received. It was requested the Board consider adopting the associated resolution for Stanly County.

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

ITEM # 7 – STANLY COUNTY COMMUNITY ADVISORY COMMITTEE APPOINTMENT

Presenter: Andy Lucas, County Manager

Due to the recent resignation of Janet Pickler, the Community Advisory Committee requested that William N. Rigsbee, Jr. be considered as a replacement to complete her unexpired term until February 28, 2014.

Vice Chairman Lowder thanked Ms. Pickler for her years of service then moved to appoint Mr. Rigsbee to serve the remainder of Janet Pickler's term. The motion was seconded by Commissioner McIntyre and passed by unanimous vote.

ITEM # 8 – 17TH ANNUAL BEST OF BADIN FESTIVAL

Presenter: Andy Lucas, County Manager

The Best of Badin Festival is scheduled for Friday and Saturday, September 16th – 17th, 2011 with fireworks over Badin Lake on Saturday at 9:00 p.m.

This was provided for the Board's information and required no action.

ITEM # 9 – LIBRARY BOARD OF TRUSTEES REAPPOINTMENTS

Presenter: Andy Lucas, County Manager

Three members of the Library Board of Trustees terms' expired June 30, 2011. It was requested that Kay Baucom, Patricia Bramlett, and Ben Jolly each be reappointed to serve a six (6) year term until June 30, 2017.

Commissioner McIntyre moved to approve the reappointments and was seconded by Commissioner Dennis. The motion passed unanimously.

ITEM # 10 – CONSENT AGENDA

Presenter: Chairman Morton

- A. Minutes – Regular meeting of July 11, special meeting of July 25, and recessed meeting of July 25, 2011
- B. Tax – Refund requests for Miles E. & Carol S. Little, Lowell Columbus Whitley and John M. & Muriel P. Furr
- C. IT – Request approval to auction the attached list of surplus equipment
- D. Planning – Request approval of the Interlocal Agreement between Stanly County and the Town of Richfield to administer the Town’s Flood Damage Prevention Ordinance
- E. Health Dept. – Request approval to increase the adoption fees for dogs and cats

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

PUBLIC COMMENT

None

GENERAL COMMENTS & ANNOUNCEMENTS

None

CLOSED SESSION

By motion, Commissioner Dennis 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 request lawsuit and the County’s 401 water quality permit intervention. Vice Chairman Lowder seconded the motion which passed by a 5 – 0 vote.

ADJOURN

With no further business presented, Commissioner Dennis moved to adjourn the meeting until Monday, September 12, 2011 at 7:00 p.m. His motion was seconded by Commissioner McIntyre. The motion passed unanimously at 9:13 p.m.

Joshua J. Morton, Jr., Chairman

Tyler Brummitt, Clerk