

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
SEPTEMBER 12, 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, September 12, 2011 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. Chairman Morton called the meeting to order and as the invocation, Commissioner McIntyre requested a moment of silence to remember the victims of September 11, 2001. He then presented the "Resolution in Remembrance of September 11, 2001" followed by everyone standing for the pledge of allegiance.

**RESOLUTION IN
REMEMBRANCE OF SEPTEMBER 11, 2001**

WHEREAS, in an unprovoked and senseless act of terrorism, four civilian aircrafts were hijacked on September 11, 2001, and deliberately crashed in New York, Pennsylvania, and Washington, D.C., resulting in a loss of thousands of innocent American lives; and

WHEREAS, as the United States recovered from this shocking loss, our nation's spirit was revitalized, resulting in renewed expressions of patriotism; and

WHEREAS, inspired by the heroism of ordinary citizens, along with firefighters, rescue and law enforcement personnel and military service members, our nation celebrated unity and strength; and

WHEREAS, from the tragedy of September 11th we emerged a stronger nation, with renewed spirit of national pride and love of country; and

WHEREAS, Americans responded to terror by choosing to challenge evil through good, loving their neighbors as they would like to be loved, contributing to relief efforts, and volunteering their time to aid those in need; and

WHEREAS, the threat of terrorism, destruction, and senseless violence must be opposed for any free society to exist; and

WHEREAS, our community shared in the nation's collective grief then, and wishes now to commemorate the 10-year anniversary of the September 11th tragedies.

NOW, THEREFORE, THE STANLY COUNTY BOARD OF COMMISSIONERS does hereby salute the American citizens everywhere who responded to these tragic events with courage, selfless compassion, determination, and skill both on September 11, 2001, and in the intervening ten years.

FURTHERMORE, THE STANLY COUNTY BOARD OF COMMISSIONERS urges our citizens to honor the victims of September 11, 2001 by reaffirming our commitment to sustaining patriotism and rededicating ourselves to keeping the United States as the world's shining example of freedom, generosity, and tolerance; but also unyielding resolve against enemies which would threaten our society.

This the 12th day of September 2011.

Joshua J. Morton, Jr., Chairman

Tyler Brummitt, Clerk to the Board

APPROVAL / ADJUSTMENTS TO THE AGENDA

Due to the large number of people attending, Commissioner McIntyre requested the public comment portion of the meeting be moved to the beginning of the meeting. His motion was seconded by Vice Chairman Lowder and passed unanimously.

PUBLIC COMMENT

During the public comment portion of the meeting, several citizens came forward to speak in support of Alcoa and others in support of the County Commissioners. Those speaking in support of Alcoa and Cleantech included Dick Storm, Vanessa Mullinix, Wayne Loflin, and Jim Harrison. Those who spoke in support of the County Commissioners included Mike Snyder, Ron Bryant, Dean Naujoks, Jimmy Dick, and Frankie Fraley.

Mickey Furr also addressed the Board with concerns regarding the county water lines to be installed in the Mission Area. Mr. Furr was directed to speak with Utilities Director Donna Davis who also serves as the Executive Director for the Stanly Water & Sewer Authority Board to obtain the information he needed.

ITEM # 1 – TRANSPORTATION SERVICES – PRESENTATION OF THE RURAL OPERATING ASSISTANCE PROGRAMS (ROAP) FUNDS

Presenter: Gwen Hinson, Transit Director

Ms. Hinson provided a brief overview of the Rural Operating Assistance Program and requested Board approval to allow the Transportation Services Department to apply for, receive, and distribute the following funds: 1) Elderly and Disabled Transportation Assistance Program (EDTAP) in the amount of \$69,818.00, 2) Work First / Employment Assistance Program in the amount of \$24,848.00, and 3) Rural General Public (RGP) in the amount of \$68,380.00. A 10% local match is required which will be taken from collected fares.

Chairman Dennis declared the public hearing open. Hearing no comments, the hearing was closed.

Vice Chairman McIntyre moved to approve the application for and receive the above mentioned funds will all funds to be administered by the Transportation Services Department. The motion was seconded by Commissioner Dennis and passed with a vote of 5 – 0.

ITEM # 2 – PLANNING & ZONING – ZA 11-12 – RYAN JONES REZONING REQUEST

Presenter: Michael Sandy, Planning Director

Mr. Jones requested that a 3.65 acre parcel of land (tax record 4916) be rezoned from RA to GB (General Business) in order to allow for the operation of an automobile repair business. The property is located on the east side of NC 138 Hwy approximately 400 feet north of the Chapel Road intersection.

Chairman Morton declared the public hearing forward. During this time, Ryan Jones came forward to speak in favor of the rezoning request stating he was a single parent and being able to operate his business at home helps him to be available for his children.

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

By motion, Vice Chairman Lowder moved to approve rezoning request ZA 11-12 and was seconded by Commissioner Dennis. The vote passed unanimously.

ITEM # 3 – ROCKY RIVER RPO – SWIFT ISLAND BRIDGE PRESENTATION

Presenter: Dana Stoogenke, RRRPO Director

Ms. Stoogenke provided a brief overview of the information pertaining to ownership of the Swift Island Bridge including the associated costs to do so. Since the previous meeting, Ms. Stoogenke had received a quote for the cost of general liability insurance to cover the bridge which came to \$3,500.00 annually.

After a brief discussion, it was requested by the NC DOT that the Board provide an indication as to whether or not the County has any interest in pursuing ownership of the bridge in the future.

By motion, Commissioner Dunevant moved to have Ms. Stoogenke indicate to the NC DOT that the County is interested in pursuing this in the future. His motion was seconded by Commissioner McIntyre and passed by a 5 – 0 vote.

ITEM # 4 – UTILITIES

Presenter: Donna Davis, Utilities Director

A. Greater Badin Water & Sewer District

Each year, the EPA allocates funds to North Carolina's Drinking Water State Revolving Fund (DWSRF). For the 2011 fiscal year, North Carolina is scheduled to receive \$24,305,000.00, the majority of which will be made available to local government or non-profit community water systems for the purpose of funding construction projects. Stanly County Utilities / Greater Badin Water & Sewer Authority sought authorization to apply for funding for a project to replace the aged water infrastructure serving the Greater Badin Water & Sewer District.

Board approval was requested in order to apply for funding through the Drinking Water State Revolving Fund and to authorize the signing of any applicable documents.

Vice Chairman Lowder moved to authorize Stanly County Utilities/Greater Badin Water & Sewer Authority to apply for these funds and to authorize the signing of any applicable documents. Her motion was seconded by Commissioner Dennis and passed by unanimous vote.

B. Stanly County Utilities

The North Carolina Rural Economic Development Center, Inc. has been allocated funds by the General Assembly for water and sewer capacity grants under the Clean Water Partners' Infrastructure Program. The Rural Center will award these funds through planning programs to qualified applicants.

Stanly County sought authorization to apply for funding for a capacity grant in an amount not to exceed \$40,000.00 to prepare a comprehensive assessment of the needs and means of upgrading the existing sewer infrastructure that serves the Stanly County Airport corridor. This grant would require \$40,000.00 in matching funds from the Utilities Department.

Commissioner Dennis moved to authorize the application for funding from the NC Rural Center and the signing of any applicable documents. Commissioner McIntyre seconded the motion which passed by unanimous vote.

ITEM # 5 – ANNUAL PRESENTATION & UPDATE ON THE CURRENT ACTIVITIES OF THE CVB BOARD

Presenter: Chris Lambert, CVB Director

Mr. Lambert presented an overview of the CVB accomplishments over the past year and current activities. A total of \$64.54 million has been brought into the County over the past year

through tourism. In addition, advertisements were placed on the radio, cable television, and in various magazines and travel guides to promote opportunities within the County. Copies of the CVB Board minutes were also provided for each commissioner for their information.

The presentation was for information only and required no action.

ITEM # 6 – BOARD APPOINTMENTS

Presenter: Andy Lucas, County Manager

A. Environmental Affairs Board

It was requested that Mark McCarter of Preformed Line Products be appointed as the Industry representative to the EAB for a three (3) year term beginning April 1, 2011 – March 31, 2014. Mr. McCarter will replace Mike Krause whose term expired March 31, 2011.

By motion, Commissioner McIntyre moved to appoint Mark McCarter for a three (3) year term to the EAB and was seconded by Commissioner Dunevant. The motion passed with a 5 – 0 vote.

B. Stanly Water & Sewer Authority

Due to health concerns, Ms. Jackie Beeker has requested the Board of Commissioners appoint a replacement to fulfill her unexpired term until January 31, 2014. At the August meeting of the Water & Sewer Authority, it was requested this person be from the Badin area due to an upcoming project that will serve that area.

With no applicants on file from the Badin area, Vice Chairman Lowder moved to table this appointment until the next meeting. The motion was seconded by Commissioner Dennis and passed unanimously.

ITEM # 7 – NC INTERNATIONAL TERMINAL (PORT) FEASIBILITY STUDY

Presenter: Andy Lucas, County Manager

Yes Port NC is a 501c3 non-profit organization advocating North Carolina citizens about the proposed NC International Terminal (Port) Project and Feasibility Study that was placed on hold indefinitely. The organization has requested each NC county and town's position of this project due to the economic growth potential and possible employment opportunities.

As a show of support, Commissioner McIntyre moved to adopt the resolution below as a show of support for the NCIT and feasibility study. The motion was seconded by Commissioner Dennis and passed with a vote of 5 – 0.

Resolution in Support of the Recommended Feasibility Study for the Proposed North Carolina International Terminal at Southport

WHEREAS, the facts regarding the economic impacts of the proposed North Carolina International Terminal in Southport have not been determined; **and**

WHEREAS, the facts regarding the environmental impacts of the proposed North Carolina International Terminal at Southport have not been determined; **and**

WHEREAS, the facts regarding the infrastructure needs related to the proposed North Carolina International Terminal at Southport have not been determined; **and**

WHEREAS, the movement of many Asian freight carriers to the “New Panamax” or “Post Panamax” class container vessel is logical, reasonable, economical, and inevitable; **and**

WHEREAS, the “New Panamax” container vessels can only dock in deep water ports and that the current port at Wilmington cannot handle vessels of the size; **and**

WHEREAS, the members of the County of Stanly wish for it to be known and clearly understood that we feel the proposed North Carolina International Terminal at Southport project merits a full and complete feasibility study as recommended by the U. S. Army Corps of Engineers. We feel that any project of this size and scope has the potential to dramatically affect the economic well-being of our County, the Southeast Region, and our entire State. As such, we give our full and unwavering support of the completion of the recommended feasibility study.

NOW, THEREFORE BE IT RESOLVED, that the County of Stanly fully supports the completion of the recommended feasibility study for the proposed North Carolina International Terminal at Southport.

Approved and adopted this the 12th day of September 2011.

Joshua J. Morton, Jr., Chairman
Stanly County Board of Commissioners

Tyler Brummitt, Clerk to the Board

ITEM # 8 – PROCLAMATION FOR CONSTITUTION WEEK

Presenter: Andy Lucas, County Manager

Board consideration was requested for a proclamation designating September 17 -23, 2011 as “Constitution Week.” The proclamation was presented and read by Vice Chairman Lowder.

By motion, Commissioner Dunevant moved to approve the proclamation and was seconded by Commissioner Dennis. The motion passed by unanimous vote.

ITEM # 9 – HOUSE RESOLUTION 715 – ENCOURAGING CITIZENS TO OBSERVE FIREFIGHTERS WEEK IN NORTH CAROLINA

Presenter: Andy Lucas, County Manager

After presentation of House Resolution 715, Vice Chairman Lowder moved to recognize the resolution. Her motion was seconded by Commissioner Dennis and passed by a vote of 5 – 0.

ITEM # 10 – COMMONS CONFERENCE ROOM RENTAL

Presenter: Andy Lucas, County Manager

Based on the size, services available and condition of the Commons Conference Room when compared to other County owned conference room spaces available to the public, management proposes the following rental fee arrangement:

Full Day (8:30 a.m. – 5:00 p.m.) = \$35.00

Half Day (8:30 a.m. – 1:00 p.m. or 12:30 p.m. – 5:00 p.m.) = \$20.00

Hourly rate = \$5.00

Continued use of the conference room beyond the 4.5 hour, half day time period will be charged at \$5.00 per hour.

By motion, Commissioner Dunevant moved to approve the fee schedule for FY 2011-12 to include the rental terms for the Commons Conference Room. The motion was seconded by Commissioner McIntyre and passed unanimously.

ITEM # 11 – CONSENT AGENDA

Presenter: Chairman Morton

- A. Meeting minutes of August 11th, August 15th, August 19th, August 30th, and September 1, 2011
- B. Agri-Civic Center – Request meetings of the Agri-Civic Center Advisory Committee be changed from quarterly to semi-annually
- C. Tax – Refund requests for Lila Mae Ingold, Gladys H. Thomas, Doris B. Lee, Steven & Florinda Britton and Mallie C. Lanier.
- D. Facilities – Request the attached list of items be declared surplus and sold through Gov Deals and approval of budget amendment # 2012-03
- E. Sheriff's Dept. – Request approval of the supplemental law enforcement agreements for the towns of New London, Red Cross and Richfield

Commissioner Dennis moved to approve the consent agenda as presented and was seconded by Vice Chairman Lowder. The motion passed by a vote of 5 – 0.

GENERAL COMMENTS & ANNOUNCEMENTS – None

CLOSED SESSION

Commissioner Dunevant moved to recess the meeting to closed session 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, and to discuss economic development in accordance with G. S. 143-318.11(a)(4). His motion was seconded by Commissioner McIntyre and passed unanimously.

RECESS

With no further business presented, Commissioner McIntyre moved to recess the meeting until Wednesday, September 14, 2011 at 2:00 p.m. in the Commissioners Meeting Room, Stanly Commons. The motion was seconded by Commissioner Dennis and passed by a 5 – 0 vote.

Joshua J. Morton, Jr., Chairman

Tyler Brummitt, Clerk