

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
OCTOBER 22, 2012**

COMMISSIONERS PRESENT:

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

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, October 22, 2012 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. Chairman Dunevant called the meeting to order and gave the invocation.

APPROVAL / ADJUSTMENTS TO THE AGENDA

There being no adjustments to the agenda, Commissioner Dennis moved to accept the agenda as presented and was seconded by Vice Chairman McIntyre. The motion passed by unanimous vote.

ITEM # 1 – TAX ADMINISTRATION

Presenter: Charles Johnson, Real Property Appraisal Supervisor

Mr. Johnson was present to request that the Board approve the 2013 Schedules of Values which were presented at the September 4th meeting then followed by an advertised public hearing on October 1st. Pending adoption of the Schedules, the process to publish will begin October 25, 2012 and end on November 15, 2012.

By motion, Commissioner Lowder moved to approve the schedules and was seconded by Commissioner Dennis. The motion carried with a 5 – 0 vote.

ITEM # 2 – BOARD & COMMITTEE APPOINTMENTS

Presenter: Andy Lucas, County Manager

A. Board of Adjustment

By motion, Commissioner Lowder moved to approve the following appointments:

- Reappoint Benton Payne to a second three (3) year term until June 30, 2015
- Appoint Kevin Brickman as a Regular Member for a three (3) year term until June 30, 2015 to replace Andrew Eades
- Appoint Houston B. “Buddy” Clark II as an Alternate for a three (3) year term until June 30, 2015 to replace former Alternate Member Kevin Brickman

The motion was seconded by Vice Chairman McIntyre and passed by unanimous vote.

B. Economic Development Commission (EDC)

Due to the resignation of Paul Childress, it was requested the Board appoint a new member to the EDC for the Central District to complete his unexpired term until January 31, 2014.

Vice Chairman McIntyre moved to appoint David Smith and was seconded by Commissioner Dennis. The motion carried with a 5 – 0 vote.

C. Environmental Affairs Board (EAB)

The terms of several members of the EAB expired earlier this year. They are Dale Burris (Industry), Franklin Lee (Agriculture), Lisa Myers (Industry) and Mark Dry (At Large). It was requested that Dale Burris, Franklin Lee, and Mark Dry each be reappointed to a three (3) year term until 3/31/2015, and a replacement named for Lisa Myers (Industry).

Commissioner Morton moved to reappoint Dale Burris, Franklin Lee and Mark Dry each for a three (3) year term until March 31/2015, and appoint Robert Garmon, Jr. to replace Lisa Myers (Industry) also for a three (3) year term until March 31, 2015. His motion was seconded by Commissioner Lowder and passed unanimously.

D. Gaston Community Action Board

Due to the recent resignation of Dexter Townsend, it was requested that Ms. Deloris Chambers be appointed as the Stanly County representative on the Gaston Community Action Board of Directors.

By motion, Vice Chairman McIntyre moved to approve the appointment of Ms. Chambers and was seconded by Commissioner Morton. The motion carried by a 5 – 0 vote.

ITEM # 3 – SECOND PUBLIC HEARING FOR THE PROPOSED STANLY COUNTY ANIMAL CONTROL ORDINANCE

Presenter: Dennis Joyner, Health Director

The Health Director provided a review of the specific revisions made to the proposed ordinance since the initial public hearing held September 4, 2012. Chairman Dunevant presented the following questions to allow for further clarification of the ordinance:

- Will the ordinance cover the entire county area and municipalities?
Mr. Joyner stated yes, unless the municipality were to adopt its own ordinance which cannot be less stringent than the ordinance adopted by the county.
- With the proposed revisions to the ordinance, is tethering now allowed but not required?
The Health Director stated yes.
- When asked about the reason for Article IX – Inherently Dangerous Exotic Animals, the Health Director stated that many of the animals listed are viewed as being a risk to the public's health. Without these restrictions, there is a concern that the county will not have the capacity to deal situations that may arise involving these animals.

With no further questions from the Board, Chairman Dunevant declared the public hearing open. The following individuals came forward to address the Board:

- Larry Milton, as a hunter feels the problem is with certain breeds of dogs rather than all dogs and that the county should be more specific as to what breeds of dogs are considered "ill" or "vicious."
- Ronald Almond stated his concerns with the current ordinance due to the requirements that a dog pen be 10' x 10' in size, that hot and cold water be installed to the kennel, and the type of tags required which are easily lost from a dog's collar.
- Jamie Rabon stated his concerns with the Article IV, Section (H) pertaining to hunting dogs and the requirements to restrain them.
- Shirley Shaver, owner of Pet Palace, expressed her discontent with the section pertaining to exotic animals in that it restricts what pets an individual can own.
- Henri McClees, a lobbyist for the NC Sporting Dog Association, was present to speak against the ordinance stating it is "overreaching" and would allow animal control officers to overstep their authority and possibly patrol homes for violations. She recommended the Board consider appointing a citizens action committee to help in the development of the ordinance.
- David Gardin feels that that there is no need for a new ordinance, but that Animal Control should better enforce the current ordinance.
- Bobby Barrier expressed his discontent with a visit he recently received from Animal Control pertaining to his hunting dogs.

- Jeff Stacy spoke against the ordinance noting that it is too specific. He asked the Board to focus on the dog owners and not the animals themselves to solve many of the issues.
- Nancy McDaniel, a member of a local animal rescue, disagrees with the section pertaining to the keeping of stray animals.
- Paula feels the requirements of the proposed ordinance (specifically the required housing for a dog) will be too costly and extreme for pet owners.
- Tammy Eudy, the owner of several reptiles, spoke against the section pertaining to exotic animals in that it limits the type and number of animals an individual can have as pets.

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

Commissioner Dennis stated he has some of the same concerns as those expressed during the public hearing, and feels the current ordinance is adequate and should be revisited before making any further changes.

Commissioner Morton moved to table the proposed animal control ordinance for further study, and also added that he likes the idea of forming a citizens' action committee. His motion was seconded by Vice Chairman McIntyre and passed by unanimous vote.

Commissioner Lowder shared her concerns with the section pertaining to the harboring of stray animals.

PUBLIC COMMENT – None

GENERAL COMMENTS & ANNOUNCEMENTS

Commissioner Dennis reminded everyone that early voting has begun and to please go vote.

Chairman Dunevant provided the dates and hours for early voting and encouraged everyone to vote as well.

There were no other comments.

CLOSED SESSION

By motion, Commissioner Lowder moved to recess the meeting into closed session in accordance with G. S. 143-318.11(a)(3) to discuss the 401 water quality permit intervention and APGI's public records requests lawsuit. The motion was seconded by Commissioner Dennis and carried by unanimous vote.

ADJOURN

There being no further business presented, Commissioner Lowder moved to adjourn the meeting and was seconded by Commissioner Dennis. The motion passed unanimously at 8:40 p.m.

Lindsey Dunevant, Chairman

Tyler Brummitt, Clerk