

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
DECEMBER 2, 2013**

COMMISSIONERS PRESENT:

Tony Dennis, Chairman
Lindsey Dunevant, Vice Chairman
Peter Ascitutto
Gene McIntyre
Josh Morton

COMMISSIONERS ABSENT:

None

STAFF PRESENT:

Andy Lucas, County Manager
Jenny Furr, County Attorney
Tyler Brummitt, Clerk

REORGANIZATIONAL MEETING

CALL TO ORDER

The Stanly County Board of Commissioners (the "Board") met in regular session on Monday, December 2, 2013 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. The County Manager, acting as temporary chairman, called the meeting to order for the purpose of reorganization of the Board pursuant to NCGS 153A-39.

ELECTION OF CHAIRMAN

The Commissioners took their seats and the County Manager opened the floor for nominations for Chairman in accordance with NCGS 153A-39. Commissioner Ascitutto nominated Commissioner Dennis for Chairman. By motion, Commissioner Ascitutto moved to close the nominations and was seconded by Commissioner Dunevant. The motion carried by unanimous vote. Commissioner Dennis was declared Chairman for 2014 by unanimous vote.

ELECTION OF VICE CHAIRMAN

The County Manager congratulated Chairman Dennis and turned the proceedings over to him. Chairman Dennis opened the floor for nominations for Vice Chairman pursuant to NCGS 153A-39. Commissioner Ascitutto moved to nominate Commissioner Dunevant for Vice Chairman. The motion was seconded by Chairman Dennis and the motion passed by unanimous vote.

APPROVAL OF BONDS

Chairman Dennis called for a motion to approve the following public official bonds:

Bond Type	Amount	Expiration Date
Tax Administrator (Clinton Swaringen)	\$100,000	June 30, 2014
Finance Officer (Toby Hinson)	\$150,000	June 30, 2014
Register of Deeds (Suzanne Lowder)	\$ 50,000	December 1, 2014
Sheriff (Rick Burris)	\$ 5,000	December 4, 2014

By motion, Commissioner Ascitutto moved to approve the public bonds as presented and was seconded by Commissioner McIntyre. Motion carried by a 5 – 0 vote.

BOARD & COMMITTEE ASSIGNMENTS

Commissioner Dunevant presented the following slate of nominees for the boards and committees for 2014:

Chairman, Economic Development Commission	Lindsey Dunevant
Alternate, Economic Development Commission	Tony Dennis
Member, Board of Health	Peter Ascitutto
Member, Social Services Board	Gene McIntyre
Member, Library Board of Trustees	Gene McIntyre
Member, Airport Authority	Tony Dennis
Alternate, Airport Authority	Peter Ascitutto
Chairman, Fire District Commission	Tony Dennis
Member, Albemarle Downtown Development Commission	Peter Ascitutto
Member, Senior Services Board	Josh Morton
Member, Rural Transportation Planning Organization (RPO)	Lindsey Dunevant
Alternate, Rural Transportation Planning Organization (RPO)	Peter Ascitutto

Member, Stanly Water & Sewer Authority	Josh Morton
Alternate, Stanly Water & Sewer Authority	Tony Dennis
Member, Centralina Council of Governments	Lindsey Dunevant
Alternate, Centralina Council of Governments	Gene McIntyre

Commissioner Morton moved to accept the assignments as read, was seconded by Commissioner Ascutto and the motion passed with a 5 – 0 vote.

APPROVAL OF THE 2014 MEETING SCHEDULE

Commissioner McIntyre moved to approve the meeting dates for the first and third Monday of each month, omitting the second meeting for the months of June, July, August, and September with the meetings being held at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. The meeting schedule for 2014 is as follows:

- Monday, January 6th and Tuesday, January 21st*
- Monday, February 3rd and Monday, February 17th
- Monday, March 3rd and Monday, March 17th
- Tuesday, April 7th and Monday, April 21st
- Monday, May 5th and Monday, May 19th
- Monday, June 2nd
- Monday, July 7th
- Monday, August 4th
- Monday, September 2nd**
- Monday, October 6th and Monday, October 20th
- Monday, November 3rd and Monday, November 17th
- Monday, December 1st and Monday, December 15th

*Rescheduled due to Monday, January 20th being a holiday (Martin Luther King holiday)

**Rescheduled due to Monday, September 1st being a holiday (Labor Day)

The motion was seconded by Commissioner Ascutto and passed by unanimous vote.

ANNOUNCEMENT

Chairman Dennis announced that during any regular meeting of the Board, the County Commissioners in order to act in their capacity as Board of Governors for the Greater Badin

Water & Sewer District, or for the Piney Point Water District may, in their discretion, recess a Commissioners' regular meeting and reconvene as the Board of Governors of either of the above two entities in order to conduct business matters related to that entity. The Chairman stated that this concluded matters related to the reorganization.

INVOCATION & PLEDGE OF ALLEGIANCE

The invocation and pledge of allegiance was led by Vice Chairman Dunevant.

APPROVAL / ADJUSTMENTS TO THE AGENDA

Commissioner Ascitutto moved to approve the agenda as amended and was seconded by Commissioner Morton. The motion carried by a 5 – 0 vote.

SCHEDULED AGENDA ITEMS

ITEM # 1 – PRESENTATION OF THE COUNTY AUDIT FOR FISCAL YEAR ENDED JUNE 30, 2013

Presenter: Ko Tang Cha-Moses, Audit Manager for Martin Starnes & Associates

Ms. Cha-Moses provided an overview of the 2013 Comprehensive Annual Financial Report via a power point presentation. Ms. Cha-Moses stated that Martin Starnes & Associates had issued an unmodified audit opinion stating there were no significant findings, questioned costs or any material weaknesses or deficiencies noted in the audit. The audit was also submitted and approved by the LGC.

No action was required from the Board.

ITEM # 2 – PLANNING & ZONING

Presenter: Michael Sandy, Planning Director

A. ZA-13-05- Text Amendment to add Solar Energy Power Generation Overlay District (SEPGS) to the Stanly County Zoning Ordinance

A public hearing on ZA 13-05 was held during the October 7, 2013 commissioners meeting. Due to concerns expressed at the hearing, the Board sent the case back to the Planning Board for further study, specifically regarding the amount of electricity a residence can generate for sale to a power company. After further review, the Planning Board recommended that the SEPGS Overlay District state that the amount of electricity a residence can generate as a permanent use be two (2) times the amount of electricity used on site.

With no further questions from the Board, Commissioner Dunevant moved to approve ZA 13-05 and was seconded by Commissioner Ascitutto. The motion carried by unanimous vote.

B. ZA 13-09 – REZONING REQUEST FOR AMERICAN TOWERS, LLC ON BEHALF OF RITA KAREN A. ESTRIDGE

American Towers and property owner Rita Karen A. Estridge requested the rezoning of a 100' x 100' portion of a 78.7 parcel (RECN 7323) located at 24733 Ridgecrest Road from RA to RA/TO to erect a 195 foot monopole telecommunications tower. The Planning Director provided a brief overview of the request including the factors used to evaluate a tower for aesthetic reasons based on section 614.4 of the Zoning Ordinance and staff recommendations for the conditions of approval. The Planning Board forwarded the case to the County Commissioners with a favorable recommendation, in accordance with the 2010 Stanly County Land Use Plan.

Chairman Dennis declared the public hearing open. During this time, Brian Pearce, an attorney with Nexsen-Pruet, came forward to address the Board in support of the rezoning request. With no one else coming forward to speak, the public hearing was closed.

By motion, Commissioner Ascutto moved to approve rezoning request ZA 13-09 and was seconded by Commissioner Morton. The motion passed with a 5 – 0 vote.

ITEM # 3 – BOARD & COMMITTEE APPOINTMENTS

A. Board of Equalization & Review

Presenter: Clinton Swaringen, Tax Administrator

It was requested the Board reappoint the three (3) members of the Board of Equalization & Review whose terms will expire on December 31, 2013: Sammy E. Estridge, Jr., Jerry D. Almond and Richard S. Cosgrove, Jr. All three (3) are eligible to serve another term and have agreed to do so if reappointed. In addition, it was requested the Board appoint Sammy E. Estridge, Jr. as Chairman of the Board. Mr. Estridge served as Chairman for the past two (2) years.

Commissioner McIntyre moved to reappoint all three members with each to serve a four (4) year term until December 31, 2017 and to appoint Mr. Estridge as Chairman. The motion was seconded by Vice Chairman Dunevant and carried by unanimous vote.

B. Stanly Water & Sewer Authority

Presenter: Donna Davis, Utilities Director

Board member Gareth Smith's current term will expire in January 2014. Mr. Smith has indicated his willingness to serve again if reappointed and is eligible to do so.

By motion, Commissioner Morton moved to reappoint Mr. Smith to serve a second, three (3) year term until January 2017. His motion was seconded by Commissioner McIntyre and passed with a 5 – 0 vote.

C. Library Board of Trustees

Presenter: Melanie Holles, Library Director

Library Board of Trustees member Wade McSwain’s term expired on June 30, 2013 and has asked to be replaced due to his length of service on the board. It was requested the Board appoint Ms. Stefanie Almond for a six (6) year term until June 30, 2019 to fill the seat vacated by Mr. McSwain.

Commissioner McIntyre moved to approve the appointment of Ms. Almond and was seconded by Commissioner Morton. The motion carried by unanimous vote.

ITEM # 4 – MANDATORY CODE OF ETHICS

Presenter: Andy Lucas, County Manager

Per the NCGS 160A-86, the County must affirm the code of ethics by December 31st of each year.

After a brief review of the code of ethics, Commissioner McIntyre moved to affirm it and was seconded by Commissioner Morton. The motion passed by a 5 – 0 vote.

ITEM # 5 – CONSENT AGENDA

A. Minutes – Regular meeting of November 18, 2013

B. Finance – Request acceptance of the Monthly Financial Report for Four Months Ended October 31, 2013

By motion, Commissioner Morton moved to approve the above items as presented and was seconded by Commissioner Ascitutto. The motion carried by unanimous vote.

PUBLIC COMMENT

None

GENERAL COMMENTS & ANNOUNCEMENTS

Commissioner Ascitutto noted the Stanly County Emergency Management Face Book Page which was recently established and encouraged everyone to “like” it.

CLOSED SESSION

By motion, Commissioner Ascitutto moved to recess the meeting into closed session to discuss a real estate transaction in accordance with G. S. 143-318.11(a)(5). His motion was seconded by Commissioner McIntyre and carried with a 5 – 0 vote at 7:45 p.m. The discussion involved a potential cell tower location on Lefler Road, Norwood, North Carolina owned by Bill Lilly.

ADJOURN

There being no further discussion, Commissioner Ascitutto moved to adjourn the meeting and was seconded by Commissioner McIntyre. The motion passed by unanimous vote at 7:58 p.m.

Tony M. Dennis, Chairman

Tyler Brummitt, Clerk