

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
DECEMBER 5, 2016**

COMMISSIONERS PRESENT:

Bill Lawhon, Chairman
Joseph Burleson, Vice Chairman
Scott Efird
Janet K. Lowder
Gene McIntyre
Ashley Morgan
Matthew Swain

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 5, 2016 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.

SWEARING IN CEREMONY & OATHS OF OFFICE FOR NEWLY ELECTED COUNTY COMMISSIONERS

Mr. Ashley Morgan and Mr. Matthew Swain participated in a swearing in ceremony where each took their oaths of office. Commissioner Morgan's oath was given by Representative Justin Burr and Commissioner Swain's by Clerk of Superior Court Michael Huneycutt.

ELECTION OF CHAIRMAN

The County Manager opened the floor for nominations for chairman for 2017 in accordance with NCGS 153A-39. Commissioner Efird nominated Commissioner Lawhon. Commissioner Lowder moved to close the nominations and was seconded by Commissioner Efird. The motion

carried by a 6-1 vote with Commissioner McIntyre voting against. The County Manager congratulated Chairman Lawhon and turned the proceedings over to him.

ELECTION OF VICE CHAIRMAN

Chairman Lawhon opened the floor for nominations for Vice Chairman pursuant to NCGS 153A-39. Commissioner McIntyre nominated Commissioner Burleson for Vice Chairman. Commissioner McIntyre then moved to close the nominations and declared Commissioner Burleson Vice Chairman by acclamation.

APPROVAL OF BONDS

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

Bond Type	Amount	Expiration Date
Tax Administrator (Clinton Swaringen)	\$100,000	October 28, 2017
Finance Officer (Toby Hinson)	\$150,000	June 30, 2017
Register of Deeds (Suzanne Lowder)	\$ 50,000	December 1, 2017
Sheriff (George Burris)	\$ 5,000	December 1, 2017

By motion, Vice Chairman Burleson moved to approve the public bonds as presented and was seconded by Commissioner Efird. Motion carried with a 7 – 0 vote.

BOARD & COMMITTEE ASSIGNMENTS FOR 2017

Commissioner Lowder presented the following slate of nominees:

Chairman, Economic Development Commission	Jann Lowder
Alternate, Economic Development Commission	Bill Lawhon
Member, Board of Health	Jann Lowder
Member, Social Services Board	Gene McIntyre
Member, Library Board of Trustees	Ashley Morgan
Member, Airport Authority	Ashley Morgan
Alternate, Airport Authority	Scott Efird
Chairman, Fire District Commission	Matthew Swain

Member, Senior Services Board	Gene McIntyre
Member, Rural Transportation Planning Organization (RPO)	Matthew Swain
Alternate, Rural Transportation Planning Organization (RPO)	Joseph Burleson
Member, Stanly Water & Sewer Authority	Joseph Burleson
Alternate, Stanly Water & Sewer Authority	Scott Efird
Member, Centralina Council of Governments	Bill Lawhon
Alternate, Centralina Council of Governments	Ashley Morgan

Commissioner Lowder then moved to accept the assignments as read. Chairman Lawhon called for discussion. Commissioner McIntyre stated that although he will be voting against the assignments as presented, he looks forward to serving on the committees he will be appointed to. With no further discussion, Chairman Lawhon called for the vote. The motion passed by a 6 – 1 vote. (Commissioner McIntyre voted against.)

CREATION OF A REGULATORY REFORM COMMITTEE

Commissioner Morgan moved to create a regulatory reform committee to consider ways to better utilize the county’s resources with Vice Chairman Burleson, Commissioner Swain and himself agreeing to serve on it. Commissioner McIntyre seconded the motion.

Commissioner Lowder requested Commissioner Morgan consider tabling this item until the Board’s planning retreat in February to allow for more in depth discussion at that time. Vice Chairman Burleson responded that waiting to begin the process does no one any good and that the Board should move forward with forming the committee. Commissioner Lowder responded stating that the retreat in February will address the request in a timely manner and provide an opportunity for other Board members to address any concerns they may have. She added that she is not against forming the committee, but feels the retreat would be a more appropriate time to discuss it. Vice Chairman Burleson noted that the committee would have no authority to take action, but would bring recommendations back to the full Board for discussion. With three (3) Board members serving on the committee, Commissioner Lowder stated that the public may have an interest in being represented as well. In response, Commissioner Morgan added that once established he hopes to have 2 contractors (one residential and one commercial) participate on the committee as well.

At the Chairman's request, Commissioner Morgan restated the motion to request approval to create a regulatory reform committee with Vice Chairman Burleson, Commissioner Swain and himself serving on it. For clarification, Commissioner Lowder asked if the committee will be a utility regulatory reform committee to which Commissioner Morgan replied yes.

With a motion and a second, Chairman Lawhon called for the vote. The motion carried by a 4 – 3 vote.

Ayes: Vice Chairman Burleson, Commissioner McIntyre, Commissioner Morgan, Commissioner Swain

Nos: Chairman Lawhon, Commissioner Efir, Commissioner Lowder

APPROVAL OF THE 2017 REGULAR MEETING SCHEDULE

Chairman Lawhon presented the following meeting dates for approval based on the first and third Mondays of each month with the exception of June, July, August, September and December when only one meeting is held. Meetings will be held in the Commons Meeting Room, Stanly Commons at 7:00 p.m.

Tuesday, January 3rd and Tuesday, January 17th *
Monday, February 6th and Monday, February 20th
Monday, March 6th and Monday, March 20th
Monday, April 3rd and Monday, April 17th
Monday, May 15th (May 1st meeting was cancelled)
Monday, June 5th
Monday, July 10th
Monday, August 7th
Tuesday, September 5th**
Monday, October 2nd and Monday, October 16th
Monday, November 6th and Monday, November 20th
Monday, December 4th

Commissioner McIntyre requested the schedule be amended to include only one meeting in May and recommended the May 15th meeting be cancelled. Vice Chairman Burleson requested Commissioner McIntyre amend the motion to cancel the May 1st meeting instead since staff will be in the process of preparing the proposed budget with plans to present it to the Board at the second meeting in May. Commissioner McIntyre agreed to amend the motion as requested.

By motion, Commissioner McIntyre then moved to approve the amended schedule to include one meeting in May on the 15th. The motion was seconded by Vice Chairman Burleson and passed by unanimous vote.

ANNOUNCEMENT

Chairman Lawhon 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 then stated that this concluded matters related to the reorganization.

INVOCATION & PLEDGE OF ALLEGIANCE

The invocation and pledge of allegiance was led by Commissioner Lowder.

APPROVAL / ADJUSTMENTS TO THE AGENDA

Vice Chairman Burleson moved to amend the agenda to add the following: two budget amendments for the Sheriff's Office # 2017- 24 and # 2017-25 as consent items # 6(E) and # 6(F) and a closed session for economic development in accordance with G. S. 143-318.11(a)(4). The motion was seconded by Commissioner Lowder and passed by unanimous vote.

SCHEDULED AGENDA ITEMS

ITEM # 1 – WREATHS ACROSS AMERICA

Presenter: John Welsh

Mr. Welsh gave a brief presentation on the "Wreaths Across America" annual tribute in honor of United States veterans and extended an invitation to the Board for the upcoming ceremony at Liberty Gardens on December 17th.

No Board action was required.

ITEM # 2 – ANNUAL AUDIT PRESENTATION FOR YEAR ENDED JUNE 30, 2016

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

Ms. Cha-Moses provided an overview of the 2016 Comprehensive Annual Financial Report stating that Martin Starnes & Associates had issued an unmodified opinion stating there were no significant findings, questioned costs, material weaknesses or deficiencies noted. The final audit was submitted to the Local Government Commission earlier that day with a response expected over the next few weeks.

After a brief period of questions, Commissioner Efirm moved to accept the audit as presented and was seconded by Vice Chairman Burleson. The motion passed by a 7 – 0 vote.

ITEM # 3 – ALBEMARLE TO NC HWY 200 WATER TRANSMISSION MAIN PROJECT RESOLUTION

Presenter: Andy Lucas, County Manager

The County Manager noted that a previous Board had approved a resolution seeking federal legislative support for the above project in December 2014. However, given there is now a new Board in place, it was recommended the Board consider reaffirming their support of the project via resolution. It was noted that the US Army Corps of Engineers is the lead agency for the project with federal funding expected to cover 75% of the anticipated \$9 million project cost. The County previously committed the required 25% match (or \$2 million) which will also be reaffirmed with the new resolution.

Vice Chairman Burleson moved to adopt the resolution and was seconded by Commissioner McIntyre. The motion carried by unanimous vote.

**See Exhibit A
RESOLUTION**

Albemarle to NC Hwy 200 Water Transmission Main Project

ITEM # 4 – SELECTION OF A VOTING DELEGATE FOR THE 2017 LEGISLATIVE GOALS CONFERENCE

Presenter: Andy Lucas, County Manager

It was requested the Board designate a voting delegate for the conference to be held on January 12 – 13, 2017 at the Raleigh Marriott Crabtree Valley in Wake County.

Vice Chairman Burleson noted his willingness to serve. Commissioner Efird then moved to appoint Vice Chairman Burleson as the delegate for Stanly County and was seconded by Commissioner McIntyre. The motion passed with a 7 – 0 vote.

ITEM # 5 – MANDATORY CODE OF ETHICS

Presenter: Andy Lucas, County Manager

Per NCGS 160A-86, the County must reaffirm its code of ethics by December 31st of each year. The code was included in the Board’s agenda packets for their review and consideration.

By motion, Vice Chairman Burleson moved to reaffirm the code of ethics as requested. The motion was seconded by Commissioner McIntyre and carried by unanimous vote.

**See Exhibit B
Code of Ethics**

Stanly County Board of Commissioners

ITEM # 6 – CONSENT AGENDA

Presenter: Chairman Lawhon

- A.** Minutes – Regular meeting of November 21, 2016.
- B.** Finance – Request approval of the attached vehicle tax refund report.
- C.** Utilities – Request approval of budget amendment # 2017-22.
- D.** Health Dept. – Request approval of budget amendment # 2017-23.

- E. Sheriff's Office – Request approval of budget amendment # 2017-24.
- F. Sheriff's Office – Request approval of budget amendment # 2017-25.

Vice Chairman Burleson moved to approve the consent agenda as amended and was seconded by Commissioner Lowder. Motion passed unanimously.

PUBLIC COMMENT

Richard Huneycutt updated the Board on the repairs made to five of his rental properties in order to try and bring them into compliance with the County's minimum housing code. With the 90 days he was given to complete the repairs ending December 3rd, he requested the Board grant him additional time to have the electrical repairs completed by an electrician. Chairman Lawhon reminded Mr. Huneycutt that during public comment the Board is not required to respond to questions and directed him to contact the Planning Department with the request.

Phil Burr noted a recent segment on 60 Minutes related to economic development and encouraged the Board to consider a different approach to economic development versus what has been done in the past.

BOARD COMMENTS, ANNOUNCEMENTS & COMMITTEE REPORTS

Commissioner Morgan stated that he looks forward to working with the Board members in the future.

Commissioner Swain thanked the citizens for the opportunity to serve as a county commissioner and looks forward to working with the Board as well.

Chairman Efird congratulated Commissioners Morgan and Swain on their recent election and Commissioners Lawhon and Burleson for being elected as chairman and vice chairman for 2017. He also wished every a Merry Christmas.

Commissioner Lowder wished everyone a Merry Christmas and safe travels during the holiday.

Commissioner McIntyre wished everyone a Merry Christmas.

Vice Chairman Burleson congratulated Commissioner Lawhon on his election as chairman and Commissioners Morgan and Swain as county commissioners. He also congratulated Melvin Poole, Ryan McIntyre and Glenda Gibson on their election to the school board and wished everyone a Merry Christmas.

Chairman Lawhon congratulated Commissioner Burleson on his election as vice chairman and reiterated previous comments congratulating Commissioners Morgan and Swain. He also stressed the importance of each Board member attending the meetings of the boards and committees they are assigned to.

CLOSED SESSION

Vice Chairman Burleson moved to recess the meeting into closed session to discuss economic development in accordance with G. S. 143-318.11(a)(4). The motion was seconded by Commissioner Efird and carried by unanimous vote at 8:02 p.m.

ADJOURN

With no further discussion, Vice Chairman Burleson moved to adjourn the meeting, seconded by Commissioner McIntyre. The motion passed by a 7 – 0 vote at 8:18 p.m.

Bill Lawhon, Chairman

Tyler Brummitt, Clerk