STANLY COUNTY BOARD OF COMMISSIONERS REGULAR MEETING AGENDA MARCH 18, 2013 7:00 P.M.

CALL TO ORDER & WELCOME - CHAIRMAN MCINTYRE

INVOCATION – COMMISSIONER MCINTYRE

APPROVAL / ADJUSTMENTS TO THE AGENDA

SCHEDULED AGENDA ITEMS

- 1. PRESENTATION ON THE SECONDARY INSTRUCTIONAL PROGRAMS
 Presenter: Dr. Terry Griffin, Stanly County Schools Superintendent
- 2. HEALTH DEPARTMENT

Presenter: Dennis Joyner, Health Director

3. PLANNING & ZONING – MUNICIPAL INTERLOCAL AGREEMENTS
Presenter: Michael Sandy, Planning Director

4. CONSENT AGENDA

- A. Minutes Board retreat of February 22 and regular meeting of March 4, 2013
- B. Library Request approval of budget amendment # 2013-30
- C. Finance Request acceptance of the Monthly Financial Report for Eight Months Ended February 28, 2013
- D. Health Request approval of budget amendment # 2013-31

PUBLIC COMMENT

GENERAL COMMENTS & ANNOUNCEMENTS

CLOSED SESSION: To consult with the County Attorney 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.

ADJOURN

The next regular meeting is scheduled for Tuesday, April 2nd at 7:00 p.m.

Stanly County Board of Commissioners Meeting Date: March 18, 2013 Presenter: Dr. Terry Griffin, Stanly County School **System Superintendent** Consent Agenda Regular Agenda Presentation Equipment: Lectern PC* Lectern VCR Lectern DVD Document Camera** Laptop*** Please Provide a Brief Description of your Presentations format: * PC is equipped with Windows XP and Microsoft Office XP (including Word, Excel, and PowerPoint), Internet connectivity and Network connectivity for County Employees. ** If you have need to use the Document Camera and zoom into a particular area, if possible please attach a copy of the document with the area indicated that you need to zoom into. A laser light is available to pinpoint your area of projection. *** You can bring in a laptop that will allow video out to be connected at the lectern – set display to 60Mhz. ITEM TO BE CONSIDERED PRESENTATION ON THE SECONDARY INSTRUCTIONAL PROGRAMS Subject Requested Action Presented for the Board's information only and requires no action. Signature: Dept. Date: Attachments: Yes **Review Process Certification of Action** Approved Yes No Initials

Finance Director

County Attorney
County Manager

Other:

Budget Amendment Necessary

Certified to be a true copy of the action taken by the Stanly

County Board of Commissioners on

Date

Tyler Brummitt, Clerk to the Board

Stanly County Board of Commissioners

Meeting Date: March 18, 2013 Presenter: Dennis Joyner

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	Consent Agenda Regular Agenda		
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ITEM TO BE	CONSIDERED		
currently not in heavy use at the animal shelf and have typically been used for cats housed at State licensed animal rescue organization that and could more effectively utilize these unit Humane Society has been an important particular pulls animals from the shelter to foster and add and responsible pet ownership in Stanly Count an annual agreement allowing the Stanly Count the understanding that they will remain prop Shelter, should the Animal Shelter need the un not feel that the loaning of these units will prebe reviewed annually.	has two small-animal housing units/cages that are ter. The units have a total of 13 individual sections is the shelter. The Stanly County Humane Society is a total has recently moved into a facility on Badin Road is at their expanded location. The Stanly County er with the Animal Control Program and regularly opt and is a tremendous asset in promoting adoption by. The Animal Control Program would like to enter the house the units at no cost with herty of the County and be returned to the Animal mits during the course of the year. The Shelter does exent a hardship at this time. This agreement would furnished the courts of the same and		
interior de ameninamental contra de la contra del la contra de			
Signature: Just Jayre	Dept.: Public Health (Animal Control)		
Date: 3/12/2013	Attachments: Yes Nox		
Review Process Approved Yes No Initials	Certification of Action		
Finance Director	Certified to be a true copy of the action taken by the Stanly		
Budget Amendment Necessary	County Board of Commissioners on		
County Attorney			
County Manager			
Other:	Tyler Brummitt, Clerk to the Board Date		

Stanly County Board of Commissioners Meeting Date: March 18, 2013 Presenter: Dennis Joyner Consent Agenda Regular Agenda Presentation Equipment: Lectern PC* Lectern VCR Lectern DVD Document Camera** Please Provide a Brief Description of your Presentations format: * PC is equipped with Windows XP and Microsoft Office XP (including Word, Excel, and PowerPoint), Internet connectivity and Network connectivity for County Employees. ** If you have need to use the Document Camera and zoom into a particular area, if possible please attach a copy of the document with the area indicated that you need to zoom into. A laser light is available to pinpoint your area of projection. *** You can bring in a laptop that will allow video out to be connected at the lectern - set display to 60Mhz. ITEM TO BE CONSIDERED The Stanly County Health Department's Home Health Agency has several staff vacancies that have been difficult to fill, particularly home health nurses. In order to maintain services, it is necessary that we explore the option of contracting with an agency for certain services for a period of time to address these staffing and agency needs. The projected cost of two positions through this fiscal year is \$50,000 and we are proposing to move those funds from the Home Health Fund Balance. In order to maintain our revenue streams that support the agency, it is necessary that we maintain staffing ability to meet our patient caseload demands and continue to see new patients. The current Home Health Fund Balance is \$585,216. Requested Action Request approval to appropriate funding in the amount of \$50,000 from the Health Department's Home Health Fund Balance to the Home Health FY 12-13 budget.

Signature: Minis Rysynen	Dept.: Public Health
Date: 3/12/2013	Attachments: Yes No
Review Process	
Approved	Certification of Action
Yes No Initials	
Finance Director	Certified to be a true copy of the action taken by the Stanly County Board of Commissioners on
Budget Amendment Necessary	Bound of Commissioners on
County Attorney	
County Manager	
Other:	Tyler Brummitt, Clerk to the Board Date

AMENDMENT NO:	2013-32
AIVIEINI JIVIEINI INC.	2010-02

STANLY COUNTY-BUDGET AMENDMENT

BE IT ORDAINED by the Stanly County Board of Commissioners that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2013:

To amend Fund 110, the expenditures are to be changed as follows:

FUND/DEPART NUMBER	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	CURRENT BUDGETED AMOUNT	INCREASE (DECREASE)	AS AMENDED
110.5138	190.000	Professional Services	\$ 420,645	\$ 50,000	\$ 470,645
		TOTALS	\$ 420,645	\$ 50,000	\$ 470,645

This budget amendment is justified as follows:

To budget in General Health additional revenue from the Home Health Fund Balance to cover professional services/contract staffing.

This will result in a net increase of \$50,000 in expenditures and other financial use to the County's annual budget. To provide the additional revenue for the above, the following revenues will be increased. These revenues have already been received or are verified they will be received in this fiscal year.

FUND/DEPART NUMBER	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	CURRENT BUDGETED AMOUNT	INCREASE (DECREASE)	AS _AMENDED_
110.3500	990.5138	Fund Balance App Home Hith	\$ 50,000	\$ 50,000	\$ 100,000
		TOTALS	\$ 50,000	\$ 50,000	\$ 100,000

SECTION 2. Copies of this amendment shall be furnished to the Clerk of the Board of Commissioners, Budget Officer, and to the Finance Director.

Adopted this day of, 20		
Verified by the Clerk of the Board	3-13-(3	
Department Head's Approval	Date	Posted by
Finance Director's Approval	3-/3-/3 Date	1 oolog sy
Timelines Superior of Approxim		Journal No.
County Manager's Approval	Date	Date

Stanly County Board of Commissioners

Meeting Date: March 18, 2013 Presenter: Michael Sandy

Consent Agenda Regular Agenda Presentation Equipment: Lectern PC* Lectern VCR Lectern DVD Document Camera** Laptop*** Please Provide a Brief Description of your Presentations format: * PC is equipped with Windows XP and Microsoft Office XP (including Word, Excel, and PowerPoint), Internet connectivity and Network connectivity for County Employees. ** If you have need to use the Document Camera and zoom into a particular area, if possible please attach a copy of the document with the area indicated that you need to zoom into. A laser light is available to pinpoint your area of projection. *** You can bring in a laptop that will allow video out to be connected at the lectern – set display to 60Mhz. ITEM TO BE CONSIDERED Attached are the interlocal agreements for code enforcement by the County for the City of Locust and Town of New London. The term of the agreement is from March 1, 2013 – June 30, 2014 and both agreements will renew automatically unless terminated. Subject Requested Action Request Board approval of the interlocal agreements for the City of Locust and Town of New London. Dept. Signature:

Date:				Attachments: Yes Nox_
Review Process Approved Yes No Initials Finance Director				Certification of Action
Approved				Certification of Action
	Yes	No	Initials	
Finance Director				Certified to be a true copy of the action taken by the Stanly County Board of Commissioners on
Budget Amendment Necessary				
County Attorney				
County Manager				Tulou Durummitt, Cloub, to the Decard Date
Other:				Tyler Brummitt, Clerk to the Board Date

INTERLOCAL AGREEMENT FOR ENFORCEMENT OF LOCAL ORDINANCE

	This	Agreement made and entered into this	day of	20	$_{_}$, by and
betw	een the	City of Locust, a municipal corporation	n having charter granted	by the State of No	orth
Caro	lina, he	ereinafter referred to as "Municipality",	and "Stanly County", a c	corporate and poli	tical body
and	a subdiv	vision of the State of North Carolina, he	reinafter referred to as "	County";	

WHEREAS, the Municipality has adopted a Zoning Ordinance (hereinafter referred to as "Ordinance") under the auspices of N.C. General Statute 160A-360;

WHEREAS, under 143-214.5(d), a Municipality and County may, by agreement, cede its territory to the other for the purpose of enforcement of select ordinances and regulations; and

WHEREAS, the Municipality and County have agreed to development of a joint Zoning and Code Enforcement with the County being the enforcement authority, pursuant to N.C. General Statute 143-214.5(d), and having jurisdiction for said ordinance within the Municipality's corporate limits and extraterritorial jurisdiction (if applicable).

NOW, THEREFORE, in consideration of the premises and the mutual covenants and agreements of the parties, the parties hereto agree as follows:

1. <u>Term.</u> The term of this annual Agreement is from March 1, 2013 through June 30, 2014 and shall automatically renew each year unless terminated as provided herein.

2. Responsibilities.

A. Municipality. The Municipality agrees to:

- 1. have adopted a Municipal Zoning Ordinance that is in force and full effect; and
- 2. refer any violations observed or reported in writing to the County Planning Department for processing; and
- 3. provide administrative fee \$25 per hour in addition to the mileage used at the current IRS rate and postage at current rate; and
- 4. the County is responsible for processing the violation up to but not including legal action which will be completed by the municipal attorney, including filing fees; and
- 5. not hold County responsible for enforcement of any other Municipal ordinance or regulations, unless specifically contracted.

B. County. The County agrees to:

- 1. process violation accordance to the municipal zoning or code Ordinance; and
- 2. process violations for the municipality and bill for the services rendered; and
- 3. build a file for legal reference including performing site inspections as needed; and
- 4. provide all information for legal action as requested by the municipality.

- 3. <u>Termination</u>. This agreement may be terminated by County upon thirty (30) days written notice to the Municipality's Manager. This agreement may be terminated by Municipality upon thirty (30) days written notice to the County's Manager.
- 4. <u>Indemnification</u>. Should any claims arise out of the services provided by the County under this agreement, the Municipality agrees to indemnify and hold the County, its employees, agents and contractors harmless from any and all claims for liability, loss, injury, damages to persons or property, costs or attorney's fees resulting from any action brought against the County, its employees, agents, contractors and Commissioners arising as a result of the services performed on behalf of the Municipality that are the subject matter of this Agreement.
- 5. <u>Non-Assignment</u>. Provider shall not assign all or any part of this Agreement, including rights to payments, to any other party without the prior written consent of the County.
- 6. <u>Entire Agreement</u>. The parties have read this Agreement and agree to be bound by all of its terms, and further agree that it constitutes the complete and exclusive statement of the Agreement between the parties unless and until modified by a written, signed agreement by the parties. Modifications may be evidenced by telefacsimile signatures.
- 7. Severability. If any provision of the Agreement shall be declared invalid or unenforceable, the remainder of the Agreement shall continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in duplicate by themselves for their duly authorized officers of the day and year first above written.

COUNTY	MUNICIPALITY
County Manager's Signature	Mayor's Signature
ATTEST:	ATTEST: Au Machu
Clerk's Signature and Seal	Clerk's Signature and Seal

INTERLOCAL AGREEMENT FOR ENFORCEMENT OF LOCAL ORDINANCE

This Agreement made and entered into this 8th day of March 2013, by and between the Town of New London, a municipal corporation having charter granted by the State of North Carolina, hereinafter referred to as "Municipality", and Stanly County, a corporate and political body and a subdivision of the State of North Carolina, hereinafter referred to as "County";

WHEREAS, the Municipality has adopted a Zoning Ordinance (hereinafter referred to as "Ordinance") under the auspices of N.C. General Statute 160A-360;

WHEREAS, under 143-214.5(d), a Municipality and County may, by agreement, cede its territory to the other for the purpose of enforcement of select ordinances and regulations; and

WHEREAS, the Municipality and County have agreed to development of a joint Zoning and Code Enforcement with the County being the enforcement authority, pursuant to N.C. General Statute 143-214.5(d), and having jurisdiction for said ordinance within the Municipality's corporate limits and extraterritorial jurisdiction (if applicable).

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- 4. the County is responsible for processing the violation up to but not including legal action which will be completed by the municipal attorney, including filing fees; and
- 5. not hold County responsible for enforcement of any other Municipal ordinance or regulations, unless specifically contracted.

B. County. The County agrees to:

- 1. process violation accordance to the municipal zoning or code Ordinance; and
- 2. process violations for the municipality and bill for the services rendered; and
- 3. build a file for legal reference including performing site inspections as needed; and
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- 5. Non-Assignment. Provider shall not assign all or any part of this Agreement, including rights to payments, to any other party without the prior written consent of the County.
- 6. Entire Agreement. The parties have read this Agreement and agree to be bound by all of its terms, and further agree that it constitutes the complete and exclusive statement of the Agreement between the parties unless and until modified by a written, signed agreement by the parties. Modifications may be evidenced by telefacsimile signatures.
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IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in duplicate by themselves for their duly authorized officers of the day and year first above written.

COUNTY	MUNICIPALITY
County Manager's Signature	Mayor's Signature
ATTEST:	ATTEST:
Clerk's Signature and Seal	Sugan R. almond Clerk's Signature and Seal

Stanly County Board of Commissioners

Meeting Date: March 18, 2013 Presenter:

		Consent Agenda Regular Agenda
Presentation Equipment: Lectern PC* Lectern VCR Lectern DVD Document Camera** Laptop*** Please Provide a Brief Description of your Presentations format: * PC is equipped with Windows XP and Microsoft Office XP (including Word, Excel, and PowerPoint), Internet connectivity and Network connectivity for County Employees. ** If you have need to use the Document Camera and zoom into a particular area, if possible please attach a copy of the document with the area indicated that you need to zoom into. A laser light is available to pinpoint your area of projection. *** You can bring in a laptop that will allow video out to be connected at the lectern – set display to 60Mhz.		
	ITEM TO BE	CONSIDERED
on Subject	February 28, 2013 D. Health – Request approval of budget	amendment # 2013-30 Monthly Financial Report for Eight Months Ended amendment # 2013-31
Requested Action	Request approval of the above items as present	ced.
Sign	nature:	Dept.
Date:		Attachments: Yes Nox_
	Review Process	- Certification of Action
Approved Yes No Initials Finance Director		Certified to be a true copy of the action taken by the Stanly County Board of Commissioners on
Budget Amendment Necessary		
Cou	inty Attorney	
Cou	inty Manager	
Oth	er:	Tyler Brummitt, Clerk to the Board Date

STANLY COUNTY BOARD OF COMMISSIONERS RECESSED MEETING - ANNUAL PLANNING RETREAT FEBRUARY 22, 2013

COMMISSIONERS PRESENT: Gene McIntyre, Chairman

Josh Morton, Vice Chairman

Peter Asciutto
Tony Dennis

Lindsey Dunevant

COMMISSIONERS ABSENT: None

STAFF PRESENT: Andy Lucas, County Manager

Jenny Furr, County Attorney

Tyler Brummitt, Clerk

Toby Hinson, Finance Director Emily Tucker, HR Director

CALL TO ORDER

The Stanly County Board of Commissioners (the "Board") reconvened their regular meeting of Monday, February 18, 2013 in the Stanly County Airport Conference Room. Chairman McIntyre called the meeting to order at 9:00 a.m. and gave the invocation.

OVERVIEW & INTRODUCTIONS

The Chairman stated the purpose for the day was for Board members and staff to gain knowledge and make decisions for the upcoming fiscal year. The County Manager introduced Libby Cable and Andi Stevenson, facilitators from the Lee Institute, followed by introductions of the Board and staff members in attendance.

2012 SUCCESSES AND 2013 GOAL DISCUSSION

Presenter: Andy Lucas, County Manager

The County Manager reviewed the accomplishments of FY 2011-2012 as well as those for FY 2012-2013. The Board then participated in a general discussion of the goals they would like to achieve in the coming year.

OVERVIEW OF THE TAX REFERENDUM CONCEPT

Presenter: Andy Lucas, County Manager

The County Manager presented background information related to a ¼ cent sales tax referendum, the potential amount that could be raised if approved by the citizens, and the possible use of those funds. This item was for discussion only with no action taken by the Board.

911 EMERGENCY RADIO SYSTEM RECOMMENDATIONS & SALES TAX REFERENDUM

Presenters: Andy Lucas, County Manager Brian Simpson, EMS Director

Karen McDaniel, 911 Director

EMS Director Brian Simpson and 911 Director Karen McDaniel were present to answer questions regarding the system options being considered as a replacement for the current 911 emergency radio system. Based on the needs assessment completed in October 2012, the UASI system was recommended by the Radio Advisory Committee at an initial cost of \$8.25 million - \$8.8 million. After a period of discussion, Board consensus was to move forward with the upgrade to the UASI system and authorize staff to seek funding to help cover the cost of the system. It was also requested that this item be carried forward for discussion during a budget workshop to consider a sales tax referendum as a possible source of funds to help cover the cost of the new system.

2013 TAX REVALUATION UPDATE

Presenters: Melia Miller, Tax Administrator

Charles Johnson, Real Property Appraisal Supervisor

Ms. Miller and Mr. Johnson provided an update and timeline for the property revaluation process. Based on the current market, real property values are expected to increase less than one percent (1%) with the exception of properties on Lake Tillery and Badin Lake which are expected to increase by an average of 14.7% and 8% respectively. Property valuation notices will be mailed on March 8, 2013.

UTILITY PROJECTS UPDATE

Presenters: Stephen Chambers and Granseur Dick, Chambers Engineering Donna Davis, Utilities Director

Stephen Chambers and Granseur Dick presented the recommended designs for the three phases of the Airport Corridor Sewer Facilities Improvements project which will aid in the development of the Prime Power Park. After a period of discussion, Commissioner Dennis moved to approve the start of the design phase of the project at an estimated cost of \$90,000.00. The motion was seconded by Commissioner Asciutto and carried by unanimous vote. Additionally, it was requested staff seek grant funding prior to the start of construction to help cover all or a portion of the remaining cost.

The Utilities Director provided a review of the past and proposed revenues and expenses for the Stanly County, Greater Badin and Piney Point Utilities as well as a list of future projects and their estimated costs.

At the request of the Utilities Director, Commissioner Dennis moved to recess the meeting of the Board of County Commissioners and reconvene as the Greater Badin Water & Sewer District (GBWSD). His motion was seconded by Commissioner Asciutto and passed with a 5-0 vote.

It was requested that Chambers Engineering be approved as the engineer for the Greater Badin Water Rehabilitation Project. By motion, Commissioner Dennis moved to approve the request and was seconded by Commissioner Dunevant. The motion carried unanimously.

Commissioner Asciutto moved to adjourn the meeting of the Greater Badin Water & Sewer District and reconvene as the Board of County Commissioners. His motion was seconded by Commissioner Dennis and passed with a vote of 5-0.

COUNTY SEAL UPDATE

Presenter: Andy Lucas, County Manager

Staff presented an overview of what would be involved in updating the county seal. Based on the discussion, Board consensus was to authorize staff to come back with a recommended process and the estimated costs associated with updating the seal at some point during the budget process or after July 1, 2013.

STAFF AND RECRUITMENT DIVERSITY

Presenters: Andy Lucas, County Manager Emily Tucker, HR Director

The County Manager and HR Director provided a review of the County's current recruitment process and promotional practices. At the present time, county positions are advertised with the Employment Security Commission, on the Stanly County website and within the department that has the job opening. This item was presented as information only and required no action.

FCONOMIC DEVELOPMENT PLANNING DISCUSSION

Presenter: Paul Stratos, EDC Director

EDC Director Paul Stratos provided a recap of current projects as well as opportunities to being considered to expand efforts for economic development within the county. At Commissioner

Dunevant's request, Mr. Stratos mentioned several things that the county commissioners can do to support growth and economic development in the county. These include infrastructure for water and sewer, fiber connectivity, and construction of a large spec building which would be readily available for a business coming to the area.

Both the County Manager and EDC Director provided information obtained from a recent meeting with the City of Albemarle to discuss their request to have representation on the EDC Board. Due to concerns of not having equal representation for all the municipalities on the EDC Board, consensus was to continue with the EDC Board as it is.

FY 2013-2014 BUDGET FORECAST AND PLANNING

Presenter: Andy Lucas, County Manager

The County Manager outlined anticipated revenues and expenses for the next fiscal year. Based on the anticipated tax revaluation being slightly higher than last year, property tax revenues are expected to increase by \$300,000.00. As part of the presentation, a worker's compensation analysis by department was provided to show the amount paid over the past eleven (11) years. This information allowed for a discussion as to whether or not it would be beneficial for the county to consider changing from being self-insured to being fully-insured. The Board discussed the advantages and disadvantages of both, but took no formal action.

EDUCATION FUNDING

Presenter: Andy Lucas, County Manager

For information, the Board reviewed handouts which provided a history of the local school funding from the year 2000 until present, a regional comparison of graduation rates and SAT scores, percentage of the total budget allotted for schools (county and state) and the average total school resources allotted per ADM from the state and all counties similar in size to Stanly County. This was for the Board's information only and required no action.

PROGRAM PRIORITIZATION EXERCISE

The Board participated in an exercise to rank by importance the various county programs in order to provide guidance to staff during the budget process. After a period of discussion, the Board reached the following consensus in ranking the programs:

High: 911, School's current expense, Alcoa relicensing, Airport, economic development, merit, Finance, Attorney's Office, debt service, facilities, Central Administration

Elevated Intermediate: DSS, Emergency Management, fire services, EMS, Tax Administration, Inspections, Environmental Health, Central Permitting, Planning & Zoning, Sheriff, general Health, Library/HPC, Senior Services, Jail, Solid Waste, Register of Deeds

Medium: Forestry, School's capital outlay, RPO, Stanly Community College current expenses, Soil & Water, Cooperative Extension, Agri-Civic Center, tax revaluation, SCUSA, Animal Control, Veterans Services, IT, Convention & Visitors Bureau, Clerk of Court

Low: Stanly Community College outlay, medical examiner, District Attorney, Judge's office, Elections, Piedmont Behavioral Health, JCPC

RECESS

Chairman McIntyre thanked everyone for attending the retreat and for their participation during the day. He then called for a short recess at 4:00 p.m.

CLOSED SESSION

By motion, Commissioner Asciutto moved to recess the meeting to closed session to consult with the County Attorney in accordance with G. S. 143-318.11(a)3) to discuss the water quality permit intervention and APGI's public records requests lawsuit. His motion was seconded by Commissioner Dennis and passed by unanimous vote at 4:07 p.m.

ADJOURN

There being no further discussion, Commissioner Dennis moved to adjourn the meeting and was seconded by Commissioner Dunevant. The motion carried with a 5-0 vote at 4:31 p.m.

Gene McIntyre, Chairman	Tyler Brummitt, Clerk

STANLY COUNTY BOARD OF COMMISSIONERS REGULAR MEETING MINUTES MARCH 4, 2013

COMMISSIONERS PRESENT:

Gene McIntyre, Chairman

Peter Asciutto

Tony Dennis

Lindsey Dunevant

COMMISSIONERS ABSENT:

Josh Morton, Vice Chairman

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, March 4, 2013 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. Chairman McIntyre called the meeting to order and noted that Vice Chairman Morton was absent from the meeting due to illness. Commissioner Dennis gave the invocation.

APPROVAL / ADJUSTMENTS TO THE AGENDA

There being no adjustments to the agenda, Commissioner Dennis moved to approve the agenda as presented. His motion was seconded by Commissioner Asciutto and passed by unanimous vote.

ITEM # 1 – PROCLAMATION CELEBRATING THE 100TH ANNIVERSARY OF NC EXTENSION & COMMUNITY ASSOCIATION

Presenter: Lori Ivey, NC Cooperative Extension Agent

Members of the NC Extension and Community Association were in attendance for the Board's recognition of its 100^{th} anniversary in Stanly County. Commissioner Dunevant read the proclamation and by motion moved to approve its acceptance. The motion was seconded by Commissioner Dennis and passed with a 4-0 vote.

ITEM # 2 – RECOGNITION OF MELIA MILLER, TAX ADMINISTRATOR

Presenter: Chairman McIntyre

The Board took a moment to recognize Melia Miller for her completion of the requirements of the North Carolina General Statutes for Certification as County Assessor.

ITEM #3 - PLANNING & ZONING

Presenter: Michael Sandy, Planning Director

A. ZA-13-01 – Gerald R. Whitley

Mr. Whitley requested a 13 acre parcel of land (tax record number 9685) be rezoned from RA (Residential Agricultural) to M1 (Light Industrial). The property is located at the corner of NC Highway 24/27 and Teeter Road. The purpose of the amendment is to allow Mr. Whitley to operate a construction business on the property.

Commissioner Dunevant asked if any restrictions were being placed on the rezoning request to prohibit access to the property from Highway 24/27 in order to maintain the traffic flow. Mr. Sandy stated that the County has no rules or restrictions to prohibit access to the highway. However, when the NCDOT removed a house from the property as part of the highway widening project, a driveway was added from Highway 24/27 as access. Mr. Whitley plans to continue to use the driveway from Teeter Road that was already established rather than the access road from Highway 24/27.

Chairman McIntyre declared the public hearing open. During this time, Gerald Whitley came forward to speak in favor of the rezoning request stating he has stored his equipment on the property for the past seventeen (17) years and was now requesting the property be rezoned for that purpose.

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

By motion, Commissioner Dennis moved to approve the rezoning request. His motion was seconded by Commissioner Asciutto and carried by unanimous vote.

B. ZA 13-02 - WDT Development, Inc. on behalf of Dennis Holbrook & MDS Smith GR

Commissioner Dennis asked to be excused from voting on this item, which was approved by the Board.

Mr. Holbrook and Mr. Smith submitted a request to have a 5 acre parcel of land located off Henson Street (tax record number 6276) be rezoned from M2 (Heavy Industrial) to R-8 (Residential). The purpose of the rezoning will be to allow for construction of multi-family dwellings.

ITEM # 4 – BOARD OF HEALTH APPOINTMENT

Presenter: Dennis Joyner, Health Director

Due Ms. Margaret Rudisill's recent resignation from the Board of Health, it was requested the Board appoint a Registered Nurse representative to complete the final year of her term which ends December 31, 2013.

Commissioner Dunevant moved to appoint Ms. Debora P. Norris to the Board of Health to complete the unexpired term. The motion was seconded by Commissioner Dennis and carried by unanimous vote.

ITEM # 5 - CONSENT AGENDA

- A. Minutes Regular meeting of February 18, 2013
- **B.** EDC Request approval of budget amendment # 2013-28
- **C.** EMS Request approval of budget amendment # 2013-27
- D. Health Dept. Request approval of budget amendment # 2013-29

After a review of the above items, Commissioner Dennis moved to approve them as presented and was seconded by Commissioner Asciutto. The motion passed with a 4-0 vote.

PUBLIC COMMENT

Dale Ward of Badin thanked Commissioner Asciutto for keeping everyone informed of the amount spent on the 401 relicensing issue. He stated that initially he felt the County was right to challenge Alcoa, but that when Alcoa was willing to negotiate a settlement, the County became greedy and urged the Board to come to a settlement.

GENERAL COMMENTS & ANNOUNCEMENTS

Commissioner Dennis gave a report on the Stanly County Airport noting several improvements including the installation of the new AWOS weather system and the new overlay added to the runway over the past two years, as well as groups including Team Aerodynamics, Pressley Aviation and the NC National Guard who use the facility on a regular basis.

Commissioner Asciutto stated that \$5,076,087.00 has been spent thus far on the relicensing issue and noted that if a settlement on the RSA is reached, APGI will donate one thousand (1000) acres of land to Morrow Mountain State Park. He then provided details on the economic impact of the park to the county. The previous week, he also worked with Taylor Jolly of Environmental Health as he continues to work with a different county department each month.

Chairman McIntyre declared the public hearing open. During this time, Dennis Tharington from Henderson, NC spoke in favor of the rezoning by stating he intends to build senior living apartments on the property. He also provided a preliminary plan for the development for the Board's information and review.

Commissioner Dunevant asked if transportation would be available for seniors living in the complex to provide access to the surrounding retail shops and restaurants. Mr. Tharington stated that transportation would be available. With no one else coming forward to speak, the public hearing was closed.

Commissioner Asciutto moved to approve the rezoning request and was seconded by Commissioner Dunevant. The motion carried unanimously.

C. Planning Board Appointments

Planning Board members Allan McGuire and William B. Lilly, Jr. terms expired on February 28, 2013 and both have asked not to be reappointed. It was requested the Board name two new members to take their place.

By motion, Commissioner Dunevant moved to appoint Joseph Burleson and Terry Smith to the Planning Board, each to serve a three (3) year term until February 28, 2016. The motion was seconded by Commissioner Dennis and passed with a 4-0 vote.

D. Update on the Stanly-Cabarrus County Line

As an update on the identification of the county line between Stanly and Cabarrus Counties, Mr. Sandy outlined what had taken place since being contacted by Cabarrus County in 2009 to begin the process. Based on the work completed by Dennis Lee with the NC Geodetic Survey, the western border line for the county does not follow the Rocky River as shown on the maps, but is a straight line. As a result, four (4) houses and approximately two hundred (200) acres of land currently considered to be in Stanly County were determined to be in Cabarrus County, and approximately sixty (60) acres of land considered to be in Cabarrus County were determined to be in Stanly County. Once the maps for the new county line are recorded, Stanly County will request to be allowed to continue to provide services to the four houses since Cabarrus County would not be able to serve these properties across the river.

This item was presented for the Board's information only and required no action.

Commissioner Asciutto and Commissioner Dunevant updated the Board on their recent meeting with the Board of Health concerning the proposed animal control ordinance. Once the recommended changes from the meeting are made, the ordinance will be brought before the Board again for their review and possible action.

CLOSED SESSION

Commissioner Dennis moved to recess the meeting into closed session to consult with the County Attorney 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 Dunevant and passed unanimously at 7:45 p.m.

ADJOURN

There being no f	further discussion,	Commissioner	Dennis move	d to	adjourn	the	meeting	and
was seconded by	Commissioner Dun	evant. The mo	otion carried v	vith a	4-0 vot	e at	8:02 p.m	١.

Gene McIntyre, Chairman	Tyler Brummitt, Clerk	

AMENDMENT NO: 2013-30

STANLY COUNTY-BUDGET AMENDMENT

BE IT ORDAINED by the Stanly County Board of Commissioners that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2013:

To amend the General Fund, the expenditures are to be changed as follows:

FUND/DEPART NUMBER	ACCOUNT NUMBER	ACCOUNT DESCRIPTION			 REASE REASE)	AS AMENDED	
110.6110	351.000	Rep & Maint - Bldg & Grounds	\$	10,735	\$ 15,800	\$	26,535
		TOTALS	\$	10,735	\$ 15,800	\$	26,535
		6 . II					

This budget amendment is justified as follows:

To amend the budget for funds donated by the Stanly County Historical Society for repairs made to the Isaiah W. Snuggs House.

This will result in a net increase of \$ 15,800 in expenditures and other financial use to the County's annual budget. To provide the additional revenue for the above, the following revenues will be increased. These revenues have already been received or are verified they will be received in this fiscal year.

FUND/DEPART NUMBER	ACCOUNT NUMBER	ACCOUNT BUDG				INCREASE (DECREASE)		AS _AMENDED	
110.3611	840.10	Donations	\$	200	\$	15,800	\$	16,000	
		TOTALS	\$	200	\$	15,800	\$	16,000	

SECTION 2. Copies of this amendment shall be furnished to the Clerk of the Board of Commissioners, Budget Officer, and to the Finance Director.

Adopted this_____ day of _____, 20_____

3/11/10	
<u> </u>	
Date	Posted by
3-11-13	1 00104 5)
Date	
	Journal No.
Date	Date
	Date

STANLY COUNTY

Stanly County Board of Commissioners

Meeting Date: March 18, 2013 Presenter: Dennis Joyner

40

Consont Agon

Regular Agenda

Presentation Equipment: Lectern PC* Lectern VCR Please Provide a Brief Description of your Presentations form *PC is equipped with Windows XP and Microsoft Office XP (including Worfor County Employees. ** If you have need to use the Document Camera and zoom into a particular that you need to zoom into. A laser light is available to pinpoint your area o *** You can bring in a laptop that will allow video out to be connected at the	nat: d, Excel, and PowerPoint), Internet connectivity and Network connectivity area, if possible please attach a copy of the document with the area indicated f projection.
ITEM TO BE	CONSIDERED
prevent the use of tobacco, support diabetes sel	ablic Health through the Healthy Communities provides funding for county and district health
Request acceptance of funding in the amount of and appropriation to the Health Department's	
Signature: 10 mg/ (Aggree	Dept.: Public Health
Date: 3/12/2013	Attachments: Yes No
Review Process Approved	Certification of Action
Yes No Initials Finance Director Budget Amendment Necessary	Certified to be a true copy of the action taken by the Stanly County Board of Commissioners on
County Attorney	
0 1/	
County Manager	Tyler Brummitt, Clerk to the Board Date

AMENDMENT NO: 2013-31

STANLY COUNTY-BUDGET AMENDMENT

BE IT ORDAINED by the Stanly County Board of Commissioners that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2013:

To amend Fund 110, the expenditures are to be changed as follows:

FUND/DEPART NUMBER	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	CURRENT BUDGETED AMOUNT	INCREASE (DECREASE)	AS AMENDED	
110.5110	261.000	Departmental Supplies	\$ 4,000	\$ 12,480	\$ 16,480	
		TOTALS	\$ 4,000	\$ 12,480	\$ 16,480	

This budget amendment is justified as follows:

To budget in General Health additional revenue from the DPH for Healthy Communities activity.

This will result in a net increase of \$ 12,480 in expenditures and other financial use to the County's annual budget. To provide the additional revenue for the above, the following revenues will be increased. These revenues have already been received or are verified they will be received in this fiscal year.

FUND/DEPART NUMBER	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	BU	JRRENT DGETED MOUNT		CREASE ECREASE)	1A	AS MENDED
HOMBER	HOMBER	<u>BECOMM THOM</u>			(22			
110.3500	330.10	Donations	\$	733,065	\$	12,480	\$	745,545
		TOTALS	\$	733,0 <mark>65</mark>	\$	12,480	\$	745,545

SECTION 2. Copies of this amendment shall be furnished to the Clerk of the Board of Commissioners, Budget Officer, and to the Finance Director.

Adopted this day of, 20		
Verified by the Clerk of the Board	-1 (-	
Department Head's Approval	3/13/13 Date	
Finance Director's Approval	3-13-13	Posted by
Finance Director's Approval	Date	
/		Journal No.
County Manager's Approval	Date	Date

1	1	\$281,101.00	\$0.00	\$0.00	\$954,382.00	\$1,23,463.00	72,000,000
<u> </u>	1	\$2,840.00				#1 22E 483 00	\$1.856.059.0
	1					\$12,480.00	\$18,685.0
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	1					\$12,480.00	\$18,685.0
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•			-			\$12,480.00	\$18,686.0
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•	-					\$12,480.00	\$18,686.0
•	1					\$37,440.00	\$56,675.0
•	1						\$18,686.0
•	1				-		\$18,686.0
-	1						\$18,686.0
•	-						\$18,686.00
	1						\$18,686.00
•	1						\$18,686.00
•	2						\$56,055.00
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Signature and Date - DPH Program Administrator

Signature and Date- DPH Section Chief

2/26/13

Signature and Date- DPH Contracts Office

Signature and Date - Division of Public Health Budget Officer

Allocation Page For Fiscal Year:12/13

Waiting for Budget Admin Approval

CONTRACTS

FEB 27 2013

Estimate Number: 2

T. T				886		886	Proposed Total	lew Total
		- 1	1110 5501 PH					
			Payment Perlod 05/01-06/30	Payment Period 07/01-06/30	Payment Period 11/01-06/30	Payment Period 05/01-06/30		
			Service	Service	Service	Service		
		AA	Period	Perlod	Period	Period		
1 ALAMANCE	-,-	1	\$2,839.00	06/01-05/31 \$0.00	\$0.00	\$9,641.00	\$12,480.00	\$18,686.00
1 ALBEMARLE REG		1	\$19,773.00	\$0.00	\$0.00	\$67,487.00	 	\$130,695.00
2 ALEXANDER	•	1	\$2,839.00	\$0.00	\$0.00	\$9,641.00		\$18,686.00
4 ANSON	٠	1	\$2,839.00	\$0.00	\$0.00	\$9,641.00	\$12,480.00	\$18,686.00
2 APPALACHIAN	•	1	\$8,517.00	\$0.00	\$0.00	\$28,923.00	\$37,440.00	\$56,055.00
7 BEAUFORT	*	1	\$2,839.00	\$0.00	\$0.00	\$9,641.00	 	\$18,686.0
9 BLADEN	•	1	\$2,839.00	\$0.00	\$0.00	\$9,641.00		\$18,686.0
0 BRUNSWICK	•	2	\$2,839.00	\$0.00	\$0.00	\$9,641.00	· · · · · · · · · · · · · · · · · · ·	\$19,307.0 \$18,686.0
1 BUNCOMBE	 -	1	\$2,839.00	\$0.00 \$0.00	\$0.00	\$9,641.00 \$9,641.00	 	\$18,686.0
2 BURKE 3 CABARRUS	÷	1 2	\$2,839.00 \$2,839.00	\$0.00				\$19,307.0
4 CALDWELL		1	\$2,839.00	\$0.00	+	\$9,641.0		\$18,686.0
6 CARTERET		1	\$2,839.00	\$0.00		\$9,641.0	\$12,480.00	\$18,686.0
7 CASWELL	,	1	\$2,839.00	\$0.00	\$0.00	\$9,641.0	\$12,480.00	\$18,686.0
8 CATAWBA	•	2	\$2,839.00	\$0.00	\$0.00	\$9,640.0		\$19,306.0
MAHTAHO 6	\equiv	1	\$2,839.00	·	+			\$18,685.0
0 CHEROKEE	•	1	\$2,839.00					\$18,685.0
2 CLAY		1	\$2,839.00			-		\$18,685.0 \$19,306.0
3 CLEVELAND	-	1	\$2,839.00	·				\$19,306.0
4 COLUMBUS	\vdash	1	\$2,839.00	·				\$18,685.0
6 CUMBERLAND		T T	\$2,839.00	+				\$18,685.0
28 DARE	 	1	\$2,839.00		+			\$18,685.0
29 DAVIDSON		1	\$2,839.0	\$0.0	\$0.0	\$9,640.0	0 \$12,479.00	\$18,685.0
30 DAVIE	•	1	\$2,839.0	\$0.0	0 \$0.0	\$9,640.0	0 \$12,479.00	\$18,685.0
31 DUPLIN	٠	1	\$2,839.0	\$0.0				\$18,685.
32 DURHAM		1	\$2,839.0					\$18,685.0
33 EDGECOMBE	١÷	1	\$2,839.0					\$18,685.
34 FORSYTH	:	1-	\$2,839.0					\$18,685. \$18,685.
35 FRANKLIN	-	2	\$2,839.0					
36 GASTON 38 GRAHAM	 	Ϋ́	\$2,839.0		-			
D3 GRAN-VANCE	 	1	\$5,678.0					·
40 GREENE	1	ī	\$2,839.0		00 \$0.0	\$9,640	00 \$12,479.00	· · · · · · · · · · · · · · · · · · ·
41 GUILFORD	·	1	\$2,839.0	0 \$0.0	00 \$0.0	9,640.		·
42 HALIFAX	<u> · </u>	1	\$2,839.0	~				
43 HARNETT	<u> </u>	1	\$2,839.0					+
44 HAYWOOD	 	1	\$2,839.0					-
45 HENDERSON 46 HERTFORD	+÷	1	\$2,839.0					
47 HOKE	+-	1	\$2,839.0					
48 HYDE	+-	1	\$2,839.0					\$18,685
49 IREDELL	1.	1	\$2,839.0			00 \$9,640.		\$18,685
50 JACKSON	1	2			00 \$0.	00 \$9,640	00 \$12,479.0	
51 JOHNSTON	•	1	\$2,839.					
52 JONES	<u> </u>	1						
53 LEE	+		\$2,839.					
54 LENOIR	+:	+ +						
55 LINCOLN	╁	1						
56 MACON 57 MADISON	+-	+ 1						
D4 MAR-TYR-WASI		-						
60 MECKLENBURG	+,	1						0 \$18,686
62 MONTGOMERY	٠,	1		00 \$0	00 \$0	00 \$9,640	.00 \$12,480.0	0 \$18,686
63 MOORE			\$0.		00 \$0		.00 \$0.0	
64 NASH	•	1	\$2,840					
65 NEW HANOVER						.00 \$9,640		
66 NORTHAMPTON						.00 \$9,640		
67 ONSLOW	 '					.00 \$9,640		
68 ORANGE	+:					.00 \$9,640		
69 PAMLICO	+-;		\$2,840 \$2,840			.00 \$9,640		
71 PENDER 73 PERSON	+		52,840			.00 \$9,640		
74 PITT	١-,		1 \$2,940			.00 \$9,640		
							0.00 \$12,480.0	