

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
OCTOBER 6, 2008**

COMMISSIONERS PRESENT: Tony Dennis, Chairman
Gene McIntyre, Vice Chairman
Lindsey Dunevant
Dr. Nalin Mehta
Sherrill Smith

COMMISSIONERS ABSENT: None

STAFF PRESENT: Andy Lucas, County Manager
John Roberts, County Attorney
Tyler Brummitt, Clerk to the Board

CALL TO ORDER

The Stanly County Board of Commissioners (the "Board") met in regular session on Monday, September 8, 2008 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. Chairman Dennis called the meeting to order and Commissioner Dunevant gave the devotion.

APPROVAL / ADJUSTMENTS TO THE AGENDA

Chairman Dennis requested approval of the agenda as presented. Motion to approve was made by Commissioner Mehta and seconded by Commissioner Smith. Motion passed by unanimous vote.

ITEM # 1 – PUBLIC HEARING – \$75,000 CDBG INFRASTRUCTURE HOOK-UP GRANT

Presenter: Michael Kepley, Hobbs & Upchurch Associates, P.A.

This was the first of two required public hearings regarding the Infrastructure Hook-Up grant. The purpose of the hearing was to receive citizen comments or concerns regarding the use of CDBG funds from the NC Department of Commerce and U.S. Department of Housing and Urban Development. Mr. Kepley provided a brief overview of the purpose and benefits of the grant.

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

No action was required by the Board.

ITEM # 2 – PUBLIC HEARING – TAX ADMINISTRATION

Presenter: Rick Johnson, Director

As part of the process of adopting the Schedules of Values, a public hearing is required at least seven days prior. This will provide citizens the opportunity to express their opinions concerning the schedules and receive answers to any questions.

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

No action was required by the Board.

ITEM # 3 – HUMAN RESOURCES

Presenter: Andy Lucas, County Manager

Mr. Lucas introduced the new Communications Director, Karen McDaniel and gave a brief summary of her prior experience with Guilford County. Afterwards, the Board members welcomed Ms. McDaniel to Stanly County.

ITEM # 4 – PLANNING & ZONING – REZONING REQUEST

Presenter: Michael Sandy, Director
Daphne Smith, Owner

The Board held a public hearing on this item previously at its September 8, 2008 meeting and tabled the item for further consideration. Ms. Smith has requested that a 2.5 acre portion of land be rezoned from R-20 to R-A in order to place a single-wide mobile home on her property. The Planning Board unanimously denied this request at its August 18, 2008 meeting.

During public comment, Ms. Smith addressed the Board and offered additional letters of support from neighbors. Max Little and Vanessa Mullinix spoke against the rezoning and asked that the request be denied.

A motion to uphold the Planning Board's decision to deny Ms. Smith's request was made by Vice Chairman McIntyre and was seconded by Commissioner Mehta. The motion passed by unanimous vote.

ITEM # 5 – ENDY VOLUNTEER FIRE DEPARTMENT

Presenter: Dean Scott

The Endy Volunteer Fire Department requested approval to file an application for a tax free loan that will be used to refinance a balloon payment loan that has now come due. The current loan was used to fund the building of the new fire department and to purchase a new fire truck.

A motion to approve to application for a tax free loan was made by Vice Chairman McIntyre and seconded by Commissioner Smith. The motion passed by unanimous vote.

ITEM # 6 – SHERIFF’S DEPARTMENT

Presenter: Sheriff Rick Burris

Stanly Community College has requested a full-time Deputy Sheriff position to work at the college. The community college will fund the position, including benefits and a vehicle, through their own budget. The deputy would report to the Office of the Sheriff of Stanly County and will be titled as Director of Security for Stanly Community College.

If not approved, Vice Chairman McIntyre questioned what another option would be. Sheriff Burris stated the college would contract with a private security firm which would be more expensive than having the position fall under the county’s supervision.

Motion to approve the Deputy Sheriff position at Stanly Community College was made by Commissioner Smith and seconded by Commissioner Dunevant. The motion passed by unanimous vote.

ITEM # 7 – SENIOR SERVICES

Presenter: Mary Troutman

Information was presented to the Board from the annual evaluation of the In-Home Services Program as required to meet state licensing regulations. The annual review compiles program statistics and examines policies and procedures in accessing the quality of service and identifying possible improvements to the program where necessary. For the FY 2007-2008, 111 clients received 15,760 hours of direct services through these programs. Clients receiving this service were all residents of Stanly County age 60+..

No action was required by the Board.

ITEM # 8 – UTILITIES

Presenter: Donna Davis, Director

A) Informal bids were received in September for the installation of sewer pipe and the relocation of a waterline across City Lake that is adjacent to the NC 73 Hwy Bridge being reconstructed by the NC DOT. Two bids were received: 1) Gilbert Engineering Company with a total base bid of \$447,610.00 and 2) BRS, Inc. with a total base bid of \$514,767.50. It was requested that the Board award the contract to Gilbert Engineering Company.

A motion to award the contract to Gilbert Engineering Company in an amount not to exceed \$447,610.00 was made by Vice Chairman McIntyre and seconded by Commissioner Mehta. Motion passed by unanimous vote.

- B) The Board was asked to consider an agreement to formalize the County's ownership and maintenance of the sewer collection system in and around the Running Creek and Ridgecrest area. The agreement includes specifics regarding the County's collection system responsibilities, treatment rates extended by Oakboro and the County's treatment capacity within the Oakboro waste water treatment system.

Chairman Dennis asked to be excused from voting due to a conflict of interest. Commissioner Smith then made a motion to excuse Chairman Dennis and was seconded by Commissioner Mehta. The motion was approved by unanimous vote.

It was then requested that the Board allow the county staff to move forward in an agreement with the Town of Oakboro and negotiate for ownership and maintenance of the sewer collection system.

A motion to approve the agreement was made by Commissioner Dunevant and seconded by Commissioner Smith. The motion passed by unanimous vote.

Motion to reinstate Chairman Dennis was made by Commissioner Dunevant and seconded by Commissioner Mehta. Motion passed by unanimous vote.

ITEM # 9 – BOARD APPOINTMENTS

Presenter: Chairman Dennis

A) Board of Adjustment

- 1) Benton Payne was recommended to fill a vacant regular member position that expires on June 30, 2009.
- 2) Richard Cosgrove was recommended to serve as an alternate member.

Motion to approve the recommended appointments was made by Vice Chairman McIntyre. His motion was seconded by Commissioner Mehta and motion passed by unanimous vote.

B) 911 Advisory Board

- 1) Randy Huneycutt was recommended to fill one "at large" position.

Motion to approve the appointment of Mr. Huneycutt was made by Commissioner Smith and was seconded by Vice Chairman McIntyre. Motion passed by unanimous vote.

ITEM # 10 – CONSENT AGENDA

- A) Minutes – Regular meeting on September 8, 2008
- B) Minutes – Recessed meeting on September 29, 2008
- C) Tax Release & Discovery Report – August, 2008
- D) Library Book Sale – October 9 – 11, 2008

- E) Request approval of grant and performance agreements for the NC One Fund for the IAC Grant Project. (See attached Exhibit A)
- F) B.A. # 2009-15 – To transfer funds from Drug Forfeiture to purchase a new K-9.
- G) Designation of Brian Simpson as the County’s applicant agent for the NCEM grant process.
- H) Approval of the “Hold Harmless Agreement” for Central Elementary School for use of the Senior Center.
- I) B.A. # 2009-16 – To amend the General Fund for purchase of land for HPC.
- J) B.A. #2009-17- To amend the General Fund to appropriate \$300,000 to SWASA for the Phase 2 Cottonville Project.
- K) B.A. #2009-18- To amend Fund 110 to accept ROAP operating funds from the NC DOT into the Transportation budget.
- L) IT Department – Request approval of changes made to the Information Security Policy
- M) IT Department – Request approval to auction surplus items through Innovative Solutions
- N) Request approval of Carolinas Medical Center contract for EAP services

Motion to accept the consent agenda was made by Commissioner Smith and seconded by Vice Chairman McIntyre. Motion passed by unanimous vote.

PUBLIC COMMENT
GENERAL COMMENTS

Commissioner Smith encouraged everyone who has not registered to vote to please do so and to take advantage of early voting.

Commissioner Mehta stated that the upcoming election was a very important one for our country and encouraged everyone to vote. He also encouraged everyone to get their flu shots.

Vice Chairman McIntyre stated that Linda Evans of the Planning & Zoning Department would be in his prayers due to her mother’s recent illness.

Commissioner Dunevant agreed with the importance of voting and asked everyone to become more involved with government.

Chairman Dennis agreed that the upcoming election is very important and for everyone to please take time to vote.

The county manager and county attorney had no comments.

CLOSED SESSION

Commissioner Smith made a motion to recess to closed session to consult with the county attorney in accord with G.S. 143-318.11(a)(3), discuss a personnel matter in accord with G.S. 143-318.11(a)(6), and an economic development matter in accord with G.S. 143-318.11(a)(4). His motion was seconded by Vice Chairman McIntyre and the motion passed by unanimous vote.

RETURN TO OPEN SESSION

There being no further business, Commissioner Smith made a motion to return to open session. His motion was seconded by Commissioner Dunevant and the motion passed by unanimous vote.

ADJOURN

Vice Chairman McIntyre made a motion to adjourn the meeting until Monday, October 20, 2008 at 7:00 p.m. His motion was seconded by Commissioner Mehta. The motion passed by unanimous vote at 8:25 p.m.

Tony M. Dennis, Chairman

Tyler Brummitt, Clerk to the Board

