

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
FEBRUARY 16, 2009**

COMMISSIONERS PRESENT: Tony Dennis, Chairman
Gene McIntyre, Vice-Chairman
Lindsey Dunevant
Sherrill Smith
Jann Lowder

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, February 16, 2009 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. Chairman Dennis called the meeting to order and gave the devotion.

APPROVAL / ADJUSTMENTS TO THE AGENDA

Vice-Chairman McIntyre made a motion to approve the agenda as presented and was seconded by Commissioner Smith. The motion was passed by unanimous vote.

Chairman Dennis requested to be excused from voting on agenda items # 1 and # 5 due to a conflict of interest. Motion to excuse Chairman Dennis was made by Commissioner Dunevant and seconded by Commissioner Smith. Motion passed by a 4 – 0 vote.

**ITEM # 1 – PUBLIC HEARING – FY 2009-2010 COMMUNITY
TRANSPORTATION PROGRAM APPLICATION**

Presenter: Gwen Hinson, Director

Ms. Hinson requested the Board approve an application to the Community Transportation Program for submission to the NC Department of Transportation. She stated with the Board's approval she would apply for \$265,000 in administrative funds which would require a 15% local match estimated at \$39,750. These funds would be used for 2 full time and 2 part time positions, vehicle insurance, drug testing, and daily office operations. The application also included a request for capital funds in the amount of \$19,000 to be used for the replacement of 5 vehicles, diagnostic computer upgrade, and 6 mobile radio replacements.

Lastly, Ms. Hinson requested the Board approve a resolution to apply for and receive the Community Transportation Program Funds for the Transportation Services Department for FY 2009-2010.

COMMUNITY TRANSPORTATION PROGRAM RESOLUTION

Section 5311

FY 2009-2010 RESOLUTION

Applicant seeking permission to apply for Community Transportation Program funding,
enter into agreement with North Carolina Department of Transportation
and to provide the necessary assurances.

A motion was made by (Board Member's Name)___ and seconded by (Board Member's Name or N/A, if not required) ___ for the adoption of the following resolution, upon being put to a vote was duly adopted.

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for rural public transportation projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural public transportation services consistent with the policy requirements for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis);

WHEREAS, (Legal Name of Applicant) ___ hereby assures and certifies that it will comply with the federal and state Statutes, regulations, executive orders, Section 5333 (b) Warranty, and all administrative requirements which relates to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U. S. C.

NOW, THEREFORE, be it resolved that the (Authorized Official's Title)* ___ of (Name of Applicant's Governing Body) ___ is hereby authorized to submit a grant application for federal and state funding, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural public transportation services.

I (Certifying Official's Name)* ___ (Certifying Official's Title) ___ do hereby certify that the above is a true and correct copy of an excerpt from the minutes of a meeting of the (Name of Applicant's Governing Board) ___ duly held on the ___ day of ____, 20__.

Signature of Certifying Official

***Note that the authorized official, certifying official, and notary public should be three separate individuals.**

Seal Subscribed and sworn to me (date) _____

Notary Public*

Address

My commission expires (date) _____

Vice-Chairman McIntyre acting as temporary chairman, declared the public hearing open. Hearing no comments, the public hearing was closed.

Commissioner Smith made the motion to approve the resolution to apply for and receive Community Transportation Program funds for FY 2009-2010. Commissioner Dunevant seconded the motion which passed by a vote of 4 – 0.

ITEM # 5 – UTILITIES

Presenter: Donna Davis, Director

The Board was asked to consider a revised agreement with the Town of Oakboro to formalize the County's ownership and maintenance of the sewer collection system in and around the Running Creek / Ridgecrest area.

A motion to approve the revised agreement with the Town of Oakboro was made by Commissioner Dunevant. The motion was seconded by Commissioner Smith and passed by a 4 – 0 vote.

A motion to reinstate Chairman Dennis to the meeting was made by Commissioner Dunevant and seconded by Commissioner Smith. The motion passed by unanimous vote.

ITEM # 2 – HEALTH DEPARTMENT

Presenter: Dennis Joyner, Director

A) STANLY COUNTY HEALTH DEPARTMENT ACCREDITATION AWARD

In December 2008, the Stanly County Health Department became one of 44 county health departments in North Carolina to be awarded the status of Accreditation. This Accreditation recognizes those health departments that perform at or above a standard level of quality in the three core functions of assessment, assurance, and policy development and the 10 essential services outlined in the National Public Health Performance Standards Program. North Carolina is the only state in the United States that requires local health departments be accredited every four years in order to insure quality public health services are provided to residents.

The award was presented by representatives from the N.C. Institute for Public Health and the Local Health Department Accreditation office.

No action was required by the Board.

B) BUDGET AMENDMENT #2009-34 – ROTARY DISTRICT SIMPLIFIED GRANT PROGRAM

The health department has been awarded grant funding through the Rotary District Simplified Grant Program and the local Albemarle and West Stanly Rotary Clubs to assist in the development and promotion of a prenatal education series entitled “Embrace” starting in March 2009. These funds will be used for educational materials, supplies, publicity and promotional items.

It was requested that the Board approve the acceptance of the grant funds in the amount of \$6,650 and appropriate them to the Stanly County Health Department budget.

ITEM # 3 – CRIMINAL JUSTICE PARTNERSHIP PROGRAM (CJPP)

Presenter: Allen Lawrence, Director

The Governor’s proposed budget cuts include eliminating the Criminal Justice Partnership Program from the Department of Corrections. The Stanly County CJPP Advisory Board is requesting the Board approve the presented resolution urging support from the NC General Assembly in securing funding for the continuation of the program during its upcoming budget process.

Motion to approve the CJPP resolution as presented was made by Commissioner Smith and seconded by Commissioner Dunevant. The motion passed by a 5 – 0 vote.

ITEM # 4 – TAX ADMINISTRATION

Presenter: Rick Johnson, Director

According to G.S. 105-369, the Tax Collector must report to the Board the total amount of unpaid taxes for the current fiscal year that are liens on real property. Once this information is received, the Board must issue an order requesting the liens be advertised. It was requested that the Board issue an order to advertise these liens on March 10, 2009.

Motion to approve this request was made by Commissioner Lowder and seconded by Vice-Chairman McIntyre. The motion was passed by unanimous vote.

ITEM # 6 – STANLY COUNTY AIRPORT AUTHORITY

Presenter: Chairman Dennis

The Board was requested to appoint two members to the Stanly County Airport Authority to replace members Gary Lowder and C.B. Crook whose terms expire on March 31, 2009.

Due to her husband currently being a member of the Airport Authority Board, Commissioner Lowder asked to be excused from voting. Motion to excuse

Commissioner Lowder was made by Commissioner Smith and seconded by Vice-Chairman McIntyre. The motion passed by a 4- 0 vote.

Commissioner Smith nominated Gary Lowder for reappointment and Vice-Chairman McIntyre nominated Stephen Chambers.

Motion to close nominations and to reappoint Gary Lowder and to appoint Stephen Chambers for four year terms beginning April 1, 2009 was made by Vice-Chairman McIntyre. His motion was seconded by Commissioner Dunevant and passed by unanimous vote.

ITEM # 7 – STANLY COUNTY COMPREHENSIVE TRANSPORTATION PLAN

Presenter: Andy Lucas

The Rocky River RPO in conjunction with the NC Department of Transportation is beginning a Stanly County Comprehensive Transportation Plan. It was requested that the Board appoint a commissioner and staff member to attend the Focus Group meetings.

Vice-Chairman McIntyre made a motion to appoint Commissioner Lowder as the commissioner and was seconded by Commissioner Smith. The motion passed by unanimous vote.

A motion to appoint Dana Stoogenke as the staff representative was made by Commissioner Dunevant and seconded by Commissioner Lowder. The motion passed by a 5 – 0 vote.

ITEM # 8 – CONSENT AGENDA

Presenter: Chairman Dennis

- A) Minutes – Regular meeting on February 2, 2009
- B) Budget Amendment #2009-31 – To amend the 2008-09 DSS budget to accept funds into the Adult Day Care Program in the amount of \$2,887.
- C) Budget Amendment #2009-32- To amend the 2008-09 DSS budget to accept federal funds into the Crisis Intervention Program (CIP) in the amount of \$181,786.
- D) Tax Release & Discovery Report – January 2009
- E) Sheriff's Department – Request approval of the new County Sheriff's Records, Retention and Disposition Schedule published in November 2008.
- F) Sheriff's Department – Request approval of the Supplemental Law Enforcement Services agreement for Stanly Community College for FY 2008-09.

Motion to approve the consent agenda as presented was made by Commissioner Smith and seconded by Commissioner Dunevant. The motion passed by unanimous vote.

PUBLIC COMMENT

None

GENERAL COMMENTS

Commissioner Smith stated that due to current economic conditions tough decisions would need to be made during the upcoming budget process on both the state and county levels.

Commissioner Dunevant congratulated the health department on receiving its accreditation and expressed his appreciation for the public's support during the recent meeting with DENR and the State Health Department. He also thanked the Rotary Clubs for the grant funds donated to the health department.

Vice-Chairman McIntyre, Commissioner Lowder, Chairman Dennis, county manager, and county attorney had no comments.

RECESS

Commissioner Smith made a motion to recess the meeting until February 27, 2009 at 9:00 a.m. in the Dennis Room at Stanly Community College and was seconded by Commissioner Dunevant. The motion passed by unanimous vote.

Tony M. Dennis, Chairman

Tyler Brummitt, Clerk to the Board