

**STANLY COUNTY  
BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
DECEMBER 7, 2009**

**COMMISSIONERS PRESENT:** Tony Dennis  
Gene McIntyre  
Lindsey Dunevant  
Jann Lowder  
Sherrill Smith

**COMMISSIONERS ABSENT:** None

**STAFF PRESENT:** Andy Lucas, County Manager  
Jenny Furr, County Attorney  
Tyler Brummitt, Clerk to the Board

**REORGANIZATIONAL MEETING**

**CALL TO ORDER**

The Stanly County Board of Commissioners (the “Board”) met in regular session on Monday, December 7, 2009 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. County Manager, Andy Lucas, 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 County Manager opened the floor for nominations for Chairman and noted that in accordance with NCGS 153A-39 at its first meeting in December of each year, the Board shall also choose a Vice-Chairman to act in the absence or disability of the Chairman.

A motion to nominate Tony Dennis to serve as Chairman was made by Commissioner Smith and seconded by Commissioner Lowder. No other nominations were made and the nomination was unanimously approved.

The County Manager announced that Tony Dennis had been elected Chairman for 2010 and relinquished the proceedings to Chairman Dennis.

**ELECTION OF VICE-CHAIRMAN**

Chairman Dennis opened the floor for nominations for Vice-Chairman in accordance with NCGS 153A-39.

Motion was made by Commissioner Lowder to nominate Gene McIntyre to serve as Vice-Chairman and was seconded by Commissioner Dunevant. No other nominations were made and the nomination was approved by a 5 – 0 vote.

**APPROVAL OF BONDS**

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

<b>Bond Type</b>	<b>Amount</b>	<b>Expiration Date</b>
Tax Administrator (Rick Johnson)	\$100,000	June 30, 2010
Finance Officer (Toby Hinson)	\$100,000	June 30, 2010
Register of Deeds (Suzanne Lowder)	\$ 50,000	December 1, 2010
Sheriff (Rick Burris)	\$ 5,000	December 4, 2010

Commissioner Dunevant made the motion to approve the bonds as presented and was seconded by Commissioner Smith. The motion passed with a vote of 5 – 0.

**BOARD APPOINTMENTS**

Chairman Dennis opened the floor for appointments to the following Boards and Committees.

- |  |                                      |
|--|--------------------------------------|
| 1. Chairman, Economic Development Commissioner               | S. Smith<br>J. Lowder (Alternate)    |
| 2. Member, Board of Health                                   | G. McIntyre                          |
| 3. Member, Piedmont Behavioral Healthcare                    | L. Dunevant                          |
| 4. Member, Social Services Board                             | S. Smith                             |
| 5. Member, Library Board of Trustees                         | G. McIntyre                          |
| 6. Member, Airport Authority                                 | T. Dennis<br>G. McIntyre (Alternate) |
| 7. Member, Historic Preservation Commission                  | L. Dunevant                          |
| 8. Chairman, Fire District Commission                        | T. Dennis                            |
| 9. Member, Downtown Development Commission                   | L. Dunevant                          |
| 10. Member, Senior Services Board                            | J. Lowder                            |
| 11. Member, Rural Transportation Planning Organization (RPO) | G. McIntyre                          |
| 12. Member, Stanly County Water & Sewer Authority            | J. Lowder<br>T. Dennis (Alternate)   |

Commissioner Lowder made a motion to approve the appointees as listed above. Her motion was seconded by Commissioner Smith and passed by unanimous vote.

**SET MEETING DATES FOR 2010**

Commissioner Smith made the motion to establish the regular meeting dates for 2010 with the meetings being held at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons on the first and third Monday of each month except for June, July, August and September. His motion was seconded by Commissioner Lowder and passed unanimously.

The approved meeting schedule for 2010 is as follows:

- January 4 and 19
- February 1 and 15
- March 1 and 15

April 5 and 19  
 May 3 and 17  
 June 7  
 July 12  
 August 9  
 September 13  
 October 4 and 18  
 November 1 and 15  
 December 6

**ADOPTION OF THE HOLIDAY SCHEDULE**

Commissioner Dunevant moved to approve the County Holiday Schedule for 2010 and was seconded by Vice Chairman McIntyre. Vice Chairman McIntyre seconded the motion which passed by a unanimous vote.

<b>Holiday</b>	<b>Observance Date</b>	<b>Day of Week</b>
New Year's Day	January 1, 2010	Friday
Martin Luther King, Jr.	January 18, 2010	Monday
Good Friday	April 2, 2010	Friday
Memorial Day	May 31, 2010	Monday
Independence Day	July 5, 2010	Monday
Labor Day	September 6, 2010	Monday
Veteran's Day	November 11, 2010	Thursday
Thanksgiving	November 25 & 26, 2010	Thursday & Friday
Christmas	December 24 & 27, 2010	Friday & Monday
New Year's Day (2011)	December 31, 2010	Friday

**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.

**DEVOTION**

Vice Chairman McIntyre gave the devotion.

**APPROVAL / ADJUSTMENTS TO THE AGENDA**

By motion, Vice Chairman McIntyre moved to approve the agenda as presented. The motion was then seconded by Commissioner Lowder and passed by a vote of 5- 0.

**ITEM # 1 – STANLY COUNTY CHAMBER OF COMMERCE**

**Presenters: Tom Ramseur, President and CEO**  
**David Rudisill, Chairman of the Board**

Mr. Ramseur and Mr. Rudisill took a few moments to thank the Board for its support and for their continued service to the citizens of Stanly County.

**ITEM # 2 – 2001 AND 2002 GENERAL OBLIGATION BOND REFUNDING UPDATE & ASSOCIATED ACTION ITEMS**

**Presenter: Toby Hinson, Finance Director**

**Chris Alexander, First Tryon Securities**

Toby Hinson and Chris Alexander provided an update on the proposed general obligation bond refunding. Included in the presentation was an updated analysis of the projected savings, a recommendation requesting that US Bank serve as escrow agent for the refunding, presentation of a resolution describing facts associated with the bond issue, and a bond order authorizing a not to exceed bond refunding in the amount of \$18,800,000.

**See Exhibit A**

**Resolution of the Board of Commissioners of the County of Stanly, North Carolina  
Making Certain Statements of Fact Concerning Proposed Bond Issue**

Vice Chairman McIntyre made the motion to approve US Bank to serve as the escrow agent for the bond refunding and to approve the bond order authorizing a not to exceed bond refunding amount of \$18,800,000. His motion was seconded by Commissioner Smith and passed by unanimous vote.

Vice Chairman McIntyre made a second motion to approve the resolution of facts associated with the bond issue and was seconded by Commissioner Dunevant. The motion passed with a 5 – 0 vote.

Vice Chairman McIntyre made a third motion authorizing staff to execute a contract with the underwriter for the negotiation of the sale, subject to the underwriter complying with the presale requirements of the RFP for the local financial institution. The motion was seconded by Commissioner Lowder and approved by unanimous vote.

**ITEM # 3 – HEALTH DEPARTMENT – APPOINTMENTS TO THE STANLY COUNTY BOARD OF HEALTH**

**Presenter: Dennis Joyner, Director**

Three Board of Health members' terms are due to expire on December 31, 2009. It was requested that Laura Mauldin (dentist member) and Debby Johnston (general public member) be reappointed for a three year term ending December 31, 2012. Due to Lana Riemann being ineligible for reappointment, it was requested that Aretha Sherrill be appointed as a general public member for a three year term until December 31, 2012.

A motion to approve the appointments was made by Commissioner Lowder and seconded by Vice Chairman McIntyre. The motion carried with a 5 – 0 vote.

**ITEM # 4 – STANLY COUNTY FARMLAND PROTECTION PLAN**

**Presenter: Lori Ivey, Director**

Ms. Ivey provided a brief summary of the plan which was developed to encourage long-term policies in support of agriculture while providing a specific framework to guide local programs regarding agricultural economic development and land use initiatives. The public hearing was held at the Board's previous meeting on November 16, 2009 to allow for public comment and was now submitted for Board approval.

Commissioner Dunevant moved to approve the Stanly County Farmland Protection Plan. His motion was then seconded by Commissioner Smith and passed by unanimous vote.

## **ITEM # 5 – UTILITIES**

**Presenter: Donna Davis, Director**

### **A. Albemarle to Highway 200 Water Project**

The project will consist of the design and construction of one pump station and approximately 63,000 LF of water lines including a connection to the existing water lines near Canton Road and at Highway 205 and Highway 73. The project will be financed through funds from a federal appropriation under the Energy & Water Development Act, a commercial loan, and Utilities Fund balance with no funds required from the County.

To proceed with the project, it was requested the project ordinance and corresponding budget amendments # 2010-24 and # 2010-25 be approved in addition to authorizing staff to examine commercial loan options for approximately \$1,500,000.

Commissioner Dunevant made the motion to approve the project ordinance, budget amendments #2010-24 and #2010-25, and authorize staff to examine commercial loan requests for approximately \$1,500,000. The motion was seconded by Vice Chairman McIntyre and passed with a vote of 5 – 0.

### **B. Tyson Village Rolling Hills Mobile Home Parks Water Project**

The project will consist of the installation of 14,850 LF of water lines, fire hydrants, and associated appurtenances. Financing for the project will come from CDBG-Recovery with no local matching funds required for the grant. To proceed, a project ordinance is required as well as approval of the corresponding budget amendment # 2010-23.

Vice Chairman McIntyre made the motion to approve the project ordinance and associated budget amendment, which was seconded by Commissioner Smith. The motion passed by unanimous vote.

### **B. Award of the Engineering Services Bid for the CDBG Recovery Infrastructure Project for the Extension of Water Services to Tyson Village and Rolling Hills Mobile Home Parks**

After reviewing the two proposals received for the CDBG project, it was requested the bid for the continuing contract be awarded to Chambers Engineering.

By motion, Commissioner Lowder moved to award the bid to Chambers Engineering and was seconded by Commissioner Dunevant. The motion passed with a 5 – 0 vote.

**ITEM # 6 – EDC UPDATE**

**Presenter: Kevin Gullette, Director**

Mr. Gullette updated the Board on their efforts to develop a new logo and tag line for the Economic Development Commission. The two designs chosen by the Marketing Committee will be unveiled at the next meeting in order to receive feedback from the Board.

No action was required by the Board.

**ITEM # 7 – OPTIONS REGARDING THE OLD CENTRAL ELEMENTARY SCHOOL FACILITY**

**Presenter: Andy Lucas, County Manager**

The Board of Education has requested permission to seek formal bids for the old Central Elementary School facility with the Board of Commissioners having the first right of refusal before accepting any offer. Any funds received from the sale of the property must be used to pay down the school's debt service or for capital improvement projects.

Commissioner Smith made the motion to approve the Board of Education's request as stated above and was seconded by Commissioner Dunevant. The motion was passed by a vote of 5 – 0.

**ITEM # 8 – ANNUAL STRATEGIC PLANNING RETREAT**

**Presenter: Andy Lucas, County Manager**

The Board set the date for the annual strategic planning retreat for Friday, February 26, 2010 with the location to be determined. The Board requested the County Manager proceed with securing a facilitator for the meeting.

**ITEM # 9 – HOMES OF HOPE FUNDING REQUEST FOLLOW-UP**

**Presenter: Andy Lucas, County Manager**

A written request has been received from Homes of Hope for the \$5,000 donation included in the FY 2009-10 budget. The County Manager informed the Board the check would be issued and mailed the following week. However, based on current expenditures and potential budget reductions in FY 2009-10, staff would be unable to recommend appropriating an additional \$5,000 as previously requested by Homes of Hope.

No action was required by the Board.

**ITEM # 10 – CONSENT AGENDA**

**Presenter: Chairman Dennis**

- A. Minutes – Regular meeting on November 16, 2009
- B. Finance – Monthly financial report for the four months ended October 31, 2009
- C. Library – Request the attached list of books be declared surplus and donated to the Friends of the Library and sold in an ongoing book sale in the branch libraries
- D. EDC – Request approval of the letter of commitment, resolution, and application for the Building Reuse and Restoration Grant Program for New Finish
- E. Transportation – Budget Amendment # 2010-26
- F. Health Department – Budget amendments # 2010-27, #2010-28, #2010-29, and #2010-30

Vice Chairman McIntyre made the motion to approve the consent agenda and was seconded by Commissioner Smith. The motion passed by a 5 – 0 vote.

### **PUBLIC COMMENT**

None

### **GENERAL COMMENTS**

Commissioner Dunevant commended the Health Department on their continued efforts to obtain funding through various grants and noted several budget amendments submitted for approval as part of the consent agenda.

Commissioner Smith thanked everyone for their thoughts and prayers recently for his son, Jason.

Chairman Dennis thanked the Board for re-electing him as Chairman for another year.

The County Manager requested the Board consider recessing the meeting until later this week to discuss several items pertaining to the Utilities Department and the Airport.

Vice Chairman McIntyre, Commissioner Lowder, and the County Attorney had no comments.

### **CLOSED SESSION**

Commissioner Smith made the motion to recess into closed session to consult with the County Attorney to discuss APGI's public records lawsuit and the County's 401 water quality permit intervention in accordance with G.S. 143-318.11(a)(3). His motion was seconded by Commissioner Dunevant and passed by unanimous vote.

### **RECESS**

With no further business being presented, Vice Chairman McIntyre made the motion to recess the meeting until Wednesday, December 9, 2009 at 8:30 a.m. in the Manager's Conference Room. The motion was seconded by Commissioner Smith and passed by a 5 - 0 vote at 8:25 p.m.

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**Tony M. Dennis, Chairman**

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**Tyler Brummitt, Clerk**

