

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
MARCH 15, 2010**

COMMISSIONERS PRESENT: Tony Dennis, Chairman
Gene McIntyre, Vice Chairman
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

CALL TO ORDER

The Stanly County Board of Commissioners (the "Board") met in regular session on Monday, March 15, 2010 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. Chairman Dennis called the meeting to order and Commissioner Smith gave the devotion.

APPROVAL / ADJUSTMENTS TO THE AGENDA

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

ITEM # 1 – FY 2010-2011 COMMUNITY TRANSPORTATION PROGRAM APPLICATION

Presenter: Gwen Hinson, SCUSA Transportation Director

It was requested the Board approve an application to the Community Transportation Program for submission to the NC Department of Transportation. With Board approval, SCUSA Transportation intends to apply for \$227,000 in administrative funds which would require a 15% local match estimated at \$34,050. These funds will be used for 2 full time and 2 part time positions, vehicle insurance, drug testing, and daily office operations. The application also includes a request for capital funds estimated at \$200,000 with a 10% local match of \$20,000 to be used for the replacement of 2 vehicles, vehicle lift replacement, replacement security system for the parking lot, and 3 mobile radio replacements. Secondly, approval of a resolution was requested to apply for and receive the Community Transportation Program Funds to be administered by the Transportation Services Department for FY 2010-2011.

Chairman Dennis declared the public hearing open. During this time it was requested that anyone who wished to comment on the proposed funding please come forward to address the Board. Having no one come forward, Chairman Dennis declared the public hearing closed.

Vice Chairman McIntyre moved to approve the FY 2010-2011 Community Transportation Program Application and approval of the resolution to apply for and receive the funds for the Transportation Services Department. The motion was seconded by Commissioner Dunevant and passed unanimously.

See Exhibit A
Community Transportation Program Resolution

ITEM # 2 – TAX ADMINISTRATION - APPOINTMENTS TO THE 2010 BOARD OF EQUALIZATION & REVIEW

Presenter: Rick Johnson, Tax Administrator

It was requested the following individuals be appointed as members of the 2010 Board of Equalization & Review:

Wilson Barbee / 2 year term (Recommended as chairman)
Reba Smith / 4 year term
Richard Cosgrove, Jr. / 4 year term
Anita Blair / 2 year term
Sam Estridge, Jr. / 4 year term

By motion, Commissioner Lowder moved to approve the above appointments and was seconded by Commissioner Smith. The motion passed by a vote of 5 – 0.

ITEM # 3 – ECONOMIC DEVELOPMENT - INTERNATIONAL AUTOMOTIVE COMPONENTS (IAC) PERFORMANCE AGREEMENT AMENDMENT

Presenter: Kevin Gullette, EDC Director

Based on the criteria outlined in the performance agreement, IAC has not fully met the required employment numbers but has exceeded the dollar amount in equipment investment. It was determined that a new pro-rata formula should be developed to give credit for meeting the required investment and weigh that against the shortfall in job creation. After reviewing the new formula, Board approval was requested to accept it as well as the reduction in IAC's grant amount accordingly.

Commissioner Smith moved to approve the amended formula and the reduction in IAC's grant amount. His motion was seconded by Vice Chairman McIntyre and passed by a unanimous vote.

ITEM # 4 – FACILITIES MANAGEMENT

Presenter: Jerry Morton, Facilities Director

A. Cleaning Contract for FY 2010-2011

After reviewing the bids received from several vendors, it was requested the cleaning contract for the county facilities be awarded to Summer Express Cleaning in Norwood.

A motion to approve the award of the contract to Summer Cleaning Express was made by Vice Chairman McIntyre. His motion was seconded by Commissioner Lowder and passed with a 5 – 0 vote.

B. Lawn Care Service Contract for FY 2010-2011

After consideration of the bids, it was requested the lawn service contract be awarded to Spanky's Lawn Care & Landscaping in Norwood.

By motion, Vice Chairman McIntyre moved to approve the award of the contract to Spanky's Lawn Care & Landscaping. His motion was seconded by Commissioner Lowder and passed by unanimous vote.

ITEM # 5 – EMS / FIRE MARSHALL

Presenter: Michael Roark, Fire Marshal

A. Request Approval of the New Stanly County Fire Prevention and Protection Ordinance

At the meeting on January 19, 2010, the new ordinance was presented for the Board's consideration and was tabled to allow for further review and discussion. The new ordinance was now being brought before the Board to answer any remaining questions and request approval of its adoption.

After a period of discussion, Commissioner Smith made the motion to approve the ordinance as presented. His motion was then seconded by Commissioner Lowder and passed by a 5 – 0 vote.

B. Request Approval of the Inter-Local Agreement on Behalf of the County

The proposed inter-local agreement will outline the duties of the Fire Marshal's Office in regards to fire code enforcement within the municipalities based on the newly adopted ordinance. The Board expressed concerns as to whether or not the agreement should be approved by the county prior to the municipalities being allowed to review it as well as the new fire prevention and protection ordinance. Mr. Roark informed the Board that each municipality would be given the opportunity to review both and have any questions or concerns answered prior to its approval. Each municipality would then be required to adopt the ordinance by resolution at a regular council meeting and approve the inter-local agreement thereafter.

After some discussion, Vice Chairman McIntyre moved to approve the agreement on behalf of the County at the time the ordinance is approved by the municipalities. Commissioner Lowder seconded the motion which passed by unanimous vote.

ITEM # 6 – UTILITIES – HWY 52 SOUTHSIDE ROAD WATERLINES PROJECT

Presenter: Donna Davis, Utilities Director

A. Award of Contracts for the Stanly County Portion and the NC Department of Transportation (NC DOT) Portion of the Project

Based on the bids received, it was requested the contract for the Stanly County portion be awarded to RDR, Inc. of Locust, NC for a total of \$824,772.50 which includes a \$50,000 allowance for rock excavation. The portion affected by the NC DOT R2320-G Realignment Project was requested to be awarded to J.T. Russell & Sons, Inc. of Albemarle, NC for a total amount of \$246,864.30 which also includes a \$50,000 allowance for rock excavation.

Commissioner Dunevant moved to approve the award of both contracts as stated above and was seconded by Commissioner Smith. The motion passed with a vote of 5 – 0.

B. Consideration and Approval of the NC Department of Transportation (NC DOT) Utility Agreement

The NC DOT sought to execute a utility reimbursement agreement with the County for a completed water line relocation project. The relocation is related to the Airport Road realignment and the NC 740 widening project which requires a one-time reimbursement payment of \$36,620.75. Currently, the NC DOT is holding County reimbursements of approximately \$285,000 for the Hwy 73 waterline relocation and the Hwy 138 waterline relocation projects. The NC DOT Utility Agreement was presented for the Board's consideration and approval contingent on the receipt of the outstanding reimbursements owed to the County.

Vice Chairman McIntyre made the motion to approve the agreement pending review by the County Attorney and Finance Director as well as receipt of the outstanding reimbursement obligations from the NC DOT for other non-related projects. His motion was seconded by Commissioner Dunevant and passed by unanimous vote.

ITEM # 7 – COUNTY CELL PHONE PLAN

Presenter: Andy Lucas, County Manager

In an effort to comply with IRS regulations and identify cost savings, management recommended transitioning the County's cell phone plan from an employer based plan to an employee reimbursement plan. This will save approximately \$2,000 annually in addition to the time saved by the IT and Finance Departments in re-coding and reconciling the monthly statements currently received from Verizon.

Commissioner Smith moved to approve the transition of the County cell phone plan from an employer based plan to a reimbursement plan effective April 19, 2010. The motion was seconded by Commissioner Lowder and passed with a unanimous vote.

ITEM # 8 – CONSENT AGENDA

Presenter: Chairman Dennis

- A. Minutes – Meetings on February 26, March 1, and March 8, 2010
- B. Approval of the 2010 National Day of Prayer proclamation
- C. Tax – Tax Release & Discovery Report for January & February, 2010
- D. Library – Request attached list of books be declares surplus, donated to the Friends of the Library and sold in an ongoing book sale in the branch libraries

- E. Agri-Civic Center – Reappointment of Lori Ivey to the Advisory Committee for a second term
- F. EMS – Budget amendment # 2010-47

Commissioner Lowder made the motion to approve the consent agenda as presented and was seconded by Vice Chairman McIntyre. The motion was passed with a vote of 5 – 0.

PUBLIC COMMENT

None

GENERAL COMMENTS

Commissioner Smith stated that the recent personal attacks made against Board members was not based on credible information. He feels that members of the Board work hard to do a good job for the citizens of the County and thanked everyone for their continued support.

Commissioner Lowder wished everyone a Happy St. Patrick’s Day.

Vice Chairman McIntyre stated he had the privilege of attending the NACo Conference in Washington DC recently and while there met with staff members of Congressman Kissell, Senator Burr, and Senator Hagan offices. During the meetings, he provided information on many of the County’s current projects in hopes of receiving additional funding.

Commissioner Dunevant encouraged citizens to be diligent and search out all information over the next few months with the upcoming elections before making a decision. In response to a recent ad published in the paper by Alcoa referring to the website HowManyMillion.com, Commissioner Dunevant stated the information contained on the site was not accurate and encouraged citizens to be aware.

Chairman Dennis agreed with Commissioner Dunevant stating the County’s information is based on facts and encouraged residents to contact the Board members with any questions they may have regarding the Alcoa relicensing issue.

The County Manager and County Attorney had no comments.

CLOSED SESSION

Vice Chairman McIntyre made the motion to recess to closed session in order to consult with the County Attorney in accordance with G.S. 143-318.11(a)(3) and to discuss a personnel issue in accordance with G.S. 143-318.11(a)(6). The motion was seconded by Commissioner Dunevant and passed unanimously at 8:01 p.m.

RECESS

By motion, Vice Chairman McIntyre moved to recess the meeting until Thursday, March 25, 2010 at 4:00 p.m. in the Commissioners Meeting Room, Stanly Commons for the Webinar:

Ethics Training for Local Elected Officials. The motion was seconded by Commissioner Dunevant and passed with a 5 – 0 vote at 9:10 p.m.

Tony M. Dennis, Chairman

Tyler L. Brummitt, Clerk