

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
JANUARY 3, 2011**

COMMISSIONERS PRESENT: Josh Morton, Chairman
Jann Lowder, Vice Chairman
Tony M. Dennis
Lindsey Dunevant
Gene McIntyre

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, January 3, 2011 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. Chairman Morton called the meeting to order and Commissioner Dunevant gave the invocation.

APPROVAL / ADJUSTMENTS TO THE AGENDA

It was requested that Item # 6(B) –Appointment to the Stanly County Adult Day Care Task Force be pulled from the agenda. Commissioner Dennis moved to approve the agenda as amended and was seconded by Vice Chairman Lowder. The motion was passed by unanimous vote.

ITEM # 1 – PLANNING & ZONING

Presenter: Michael Sandy, Director

A. Public Hearing – SUP 10-03 for Larry J. McIlwaine

Mr. Sandy provided an overview of the petitioners request for a Special Use Permit to rezone the property located at 24767 Snickers Lane, Albemarle, NC (Tax Record 36089 and 11463) from Residential Agricultural (RA) with the intention to use the property to host weddings, receptions, showers, and dinners.

Chairman Morton declared the public hearing open. All parties speaking for or against were sworn in by the Clerk to the Board prior to the meeting.

Speaking in favor of the request were applicants Larry and Kim McIlwaine.

After being sworn in by the clerk, Environmental Health Supervisor David Ezzell provided testimony as an expert witness.

With no one else coming forward to speak for or against, the public hearing was closed.

Vice Chairman Lowder recommended approval of the special use permit on condition that a certificate of occupancy is issued, conditions outlined by the Planning Board are met, and the property is in compliance with all applicable codes and laws of the State of North Carolina.

FINDINGS OF FACT: The following findings were read aloud by Chairman Morton and followed by a motion to either approve or deny each based on the evidence presented.

- The use will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use.

Commissioner Dunevant moved to approve the finding and was seconded by Vice Chairman Lowder. The motion passed unanimously.

- The use will not be detrimental to the public welfare or injurious to property or public improvements in the neighborhood.

Commissioner Dennis moved to approve the finding and was seconded by Commissioner McIntyre. The motion passed with a unanimous vote.

Commissioner McIntyre moved to approve the special use permit with the conditions as stated by Vice Chairman Lowder. The motion was seconded by Vice Chairman Lowder and passed unanimously.

B. Planning Board Appointments

Commissioner Dennis moved to approve the appointment of William B. Lilly, Jr. for a two year term to expire February 2013 to fill the seat vacated by Floyd Eudy. Vice Chairman Lowder seconded the motion which then passed with a 5–0 vote.

Commissioner McIntyre moved to approve the reappointment of Brenda Hunter for a second term to expire February 2014 and was seconded by Commissioner Dennis. The motion passed unanimously.

ITEM # 2 – APPOINTMENT TO THE BOARD OF EQUALIZATION & REVIEW

Presenter: Andy Lucas, County Manager

Commissioner Dennis moved to table this item until the January 18, 2011 meeting to allow time for review of several volunteer applications recently submitted. The motion was seconded by Vice Chairman Lowder and passed by a 5-0 vote.

ITEM # 3 – PROGRAM UPDATE AND OVERVIEW OF THE STANLY COUNTY HOME HEALTH AGENCY

Presenters: Dennis Joyner, Health Director and Debbie Bailey, Home Health Supervisor

The Stanly County Home Health Agency was reaccredited in September 2010 by the Accreditation Commission for Health Care, Inc. (ACHC) for a period of three years. As the oldest home health care agency in Stanly County, it provides home health services to residents of Stanly County including intermittent skilled nursing, physical, speech and occupational therapy, pediatric nursing, and in-home aid services.

The presentation was for information only and required no action from the Board.

ITEM # 4 – PRESENTATION OF THE LOCAL COORDINATED PLAN FOR STANLY COUNTY

Presenter: Gwen Hinson, Transit Director

The Rocky River Rural Transportation Planning Organization (RRRPO) and SCUSA Transportation in coordination with the NC Department of Transportation (NCDOT) have completed an effort to identify mobility needs within the Stanly County. The goal was to bring together local transportation providers, agencies, and customers to provide the opportunity to facilitate an exchange of ideas to be used during the planning of future transit needs in the county. The plan is required in order to apply for additional federal funds in the future through NCDOT and will allow other eligible agencies such as Monarch, Inc., and Red Cross to apply for these same funds.

Commissioner Dunevant moved to approve the plan as presented and was seconded by Commissioner McIntyre. The motion passed unanimously.

ITEM # 5 – AIRPORT

Presenter: Becky Broadway, Airport Operations Specialist

Board approval was requested for the following three items:

- A. Change Order for the J. T. Russell Terminal Paving Contract** – To reduce the contract by \$21,542 by eliminating the portion that moves the runway lighting controls from the old terminal to the new terminal building.
- B. Contract between Stanly County Airport and Barnes & Powell Electrical Company** – To relocate runway lighting controls from the old terminal to the new terminal.
- C. Change Order to J. T. Russell “Taxiway D Rehabilitation” Contract** – To make repairs to the ramp adjacent to the south end of the old terminal building.

Commissioner Dennis moved to approve all three items as was seconded by Commissioner McIntyre. The motion was passed by a 5-0 vote.

ITEM #6 – BOARD APPOINTMENTS

Presenter: Andy Lucas, County Manager

- A. ABC Board** - Commissioner Dennis requested this item be tabled until the next meeting and was seconded by Commissioner McIntyre. The motion passed unanimously.
- B. Stanly County Adult Day Care Task Force** - This item was pulled from the agenda.
- C. Centralina Council of Government Delegate and Alternate Delegate Appointments**
By motion, Commissioner McIntyre moved to nominate Commissioner Dunevant as delegate to the Centralina COG and was seconded by Vice Chairman Lowder. The motion passed by unanimous vote.

Commissioner McIntyre moved to approve Commissioner Dennis as the alternate to the Centralina COG and was seconded by Commissioner Dunevant. The motion passed by unanimous vote.

ITEM # 7 – BOARD’S ANNUAL STRATEGIC PLANNING RETREAT

Presenter: Andy Lucas, County Manager

After a brief period of discussion, Friday, February 18, 2011 was the date chosen for the annual retreat which will be held in the Stanly County Airport conference room. By a 4 – 1 vote, it was decided that the County Manager would facilitate the meeting.

Ayes: Chairman Morton, Vice Chairman Lowder, Commissioner Dennis, Commissioner Dunevant

Nos: Commissioner McIntyre

ITEM # 8 – CONSENT AGENDA

Presenter: Chairman Morton

- A. Minutes – Regular meeting of December 6, 2010
- B. Register of Deeds – Memorandum regarding the destruction of marriage and health certificates in accordance with G. S. 51.9
- C. Tax – Refund for Ryan M. Jones
- D. Tax Release & Discovery Report for October & November 2010
- E. Finance – Monthly Financial Report For Five Months Ended November 30, 2010
- F. EMS – Budget amendment #2011-16

By motion, Commissioner Dennis moved to approve the consent agenda as presented and was seconded by Vice Chairman McIntyre. The motion passed with a 5 – 0 vote.

PUBLIC COMMENT

None

GENERAL COMMENTS & ANNOUNCEMENTS

Commissioner Dunevant invited anyone interested in serving on the county boards and committees to complete a volunteer application and submit it to the County Manager's office.

Commissioner McIntyre agreed with Commissioner Dunevant's comments and stated that qualified people are needed to fill these positions. He also thanked everyone for their thoughts, prayers and calls after his recent injury.

Vice Chairman Lowder reminded everyone that the volunteer application for the boards and committees can be found on the county website. She then wished everyone a happy and safe New Year.

Commissioner Dennis, County Manager and County Attorney had no comments.

CLOSED SESSION

Commissioner McIntyre 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 APGI's public records lawsuit request and the County's 401 water quality permit intervention. His motion was seconded by Commissioner Dennis and approved unanimously.

ADJOURN

Commissioner McIntyre moved to adjourn the meeting until Monday, February 7, 2011. The motion was seconded by Commissioner Dennis and passed by unanimous vote at 8:52 p.m.

Josh Morton, Chairman

Tyler Brummitt, Clerk