

Draft

BOARD OF COMMISSIONERS
REGULAR MEETING January 8, 2007

ALEXANDER COUNTY
STATE OF NORTH CAROLINA

PRESENT: W. Darrell Robertson, Chairman
 Wes Bolick, Vice-Chairman
 William L. Hammer
 Harold M. Odom

ABSENT: Larry G. Yoder

STAFF: Rick French, County Manager
 Jamie Starnes, Clerk to the Board

MEDIA: Micah Henry, The Taylorsville Times

The Alexander County Board of Commissioners held a regular meeting on Monday, January 8, 2007 in the Catawba Valley Community College / Alexander Center Multipurpose Room, Taylorsville, North Carolina. A quorum was present.

CALL TO ORDER

Chairman Robertson called the meeting to order at 6:00 PM.

INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Phillip Coffey, Victory Baptist Church, gave the invocation and Ali Price, student at Ellendale Elementary School, led the Pledge of Allegiance to the Flag.

COMMISSIONER'S REPORT

Commissioner Hammer discussed the closing of the Highway 127 bridge that occurred on Friday evening, January 5, 2007. He explained that a cement abutment which held the bridge to the ground had loosened which could have caused the bridge to collapse. He also stated that age, weather, and normal wear and tear had caused the problem. Commissioner Hammer mentioned that the bridge could be reopened as early as tomorrow morning. He thanked each organization that was involved in repairing the bridge, directing traffic and establishing detours, informing the public, etc.

Russell Greene, Emergency Services Director, reiterated Commissioner Hammer's comments regarding the bridge and mentioned that there were City of Hickory water lines, Bellsouth telephone lines, and Piedmont Natural Gas lines that would have also been affected if any major problems such as a collapse would have occurred. He also stated that the Connect Ed system was used to inform approximately 3,900 citizens of the bridge closing.

Commissioner Hammer stated that a Legislative Oversight Committee was proposing that the General Assembly set aside \$1 billion for the purchase and preservation of farm and forest land in North Carolina. He pointed out that the committee was proposing the program be funded through property tax increases, sales tax increases, trust funds, or even water usage fees which could be detrimental to counties. Chairman Robertson stated that a surtax could also be imposed on personal income taxes to pay for this venture. Commissioner Hammer stated that he and Rick French, County Manager, would be attending a meeting in Greensboro on January 10, 2007 to discuss the proposal.

ADOPTION OF AGENDA

Chairman Robertson requested that a proclamation recognizing Robert E. Lee's birthday on January 19, 2007 be added to the agenda as Agenda Item 2B.

Chairman Robertson made a motion to adopt the agenda as amended. Commissioner Hammer seconded the motion. The Board voted unanimously in favor of the motion.

PUBLIC HEARING: COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATIONS FOR 2007

Nancy Coley, WPCOG Community Development Administrator, informed the Board that North Carolina received approximately \$43 million in CDBG funds each year for which local governments could apply for various activities that benefited low to moderate income persons with severe needs. She stated that two public hearings must be held to receive public comment on any project and she noted that this was the first public hearing for 2007 projects. Ms. Coley stated that local governments could receive funding from the following categories:

Community Revitalization (Concentrated Needs) projects are defined as projects whose purpose is to use CDBG-funded activities to revitalize a residential area through improvements, preservation, or development. Applicants may request up to \$850,000 for a basic grant for housing rehabilitation and one other severe need such as water, sewer, drainage, or streets and up to \$150,000 for innovation. Alexander County's Highway 127 CDBG Project is a 2005 Concentrated Needs grant.

Scattered Site Rehabilitation grants are made to approximately 33 county governments on a rotating basis to address the most critical housing needs of very low income families throughout the county and participating municipalities. Alexander County received funds in 2005 and will be eligible to receive \$400,000 in 2008.

Infrastructure grants are to improve the quality of life in a residential area or in a local government's jurisdiction by using CDBG funds to eliminate severe water and wastewater (sewer) problems with health and environmental consequences. Activities include the installation of public water or sewer lines and improvement to water or sewer treatment plants that have specific problems. Alexander County's last Infrastructure project was the Liledown / Rink Dam Road Project. The Hook-Up Program is designed to enable eligible local governments with existing public water and / or sewer lines to connect or "hook-up" low and moderate income households to non-funded CDBG lines. Alexander County has received two water hook-up grants.

Economic Development funds provide grants to local governments for creating and retaining jobs. These applications are received on a continuing basis. CDBG funds are granted for various types of infrastructure improvements to assist for-profit businesses create or retain jobs. Under certain conditions, financial assistance to private companies is available as loans to be negotiated by the local government applicant and a participating North Carolina commercial bank at a level not to exceed 50% of the total loan need. For public facilities, a 25% local match is required. Alexander County recently received notification of the funding of the Craftmaster / Mitchell Gold + Bob Williams / Paladin Sewer Project.

Housing Development grants focus on the creation of multi-unit rental developments and single-family units which also support homeownership activities for low and moderate income families.

Urgent Needs / Contingency grants of up to \$600,000 are to be used to help meet community development needs that have arisen during the preceding 18-month period, post an imminent threat to the health or safety of the community, the applicant does not have sufficient local resources, or where other financial resources are not available or are insufficient to meet such needs. Urgent Needs grants are available on an as needed basis.

Capacity Building grants assist local non-profits in partnership with their local governments in developing appropriate and competitive projects using state CDBG funds of other grant categories.

Ms. Coley stated that local governments could not receive more than a total of \$1,250,000 in combined awards in one year; however, she noted that Scattered Site Housing funds received by counties was not included in the annual maximum.

Chairman Robertson called the public hearing to order and requested any public comment. There being no public comment, Commissioner Bolick made a motion to close the public hearing. Commissioner Hammer seconded the motion. The Board voted unanimously in favor of the motion.

JAIL PRESENTATION UPDATE

Robert Campbell, County Attorney & Jail Committee Member, presented a slide show presentation regarding the need for a new jail facility in Alexander County which included the information provided below. Hayden Bentley, Sheriff, assisted Mr. Campbell in explaining several issues relating to the current conditions of the jail.

- National trends and statistics relating to the increase in jail population, crime rates, and costs per inmate.
- The reasons why a new jail was needed in Alexander County such as state mandates, age of the facility, and overcrowding.
- Risks involved with overcrowding including unsafe conditions for inmates, staff, and citizens along with financial risks from lawsuits from prisoner rights groups and state ordered sanctions.
- Members of the Jail Committee: Judge Kim Taylor, Judge Dale Graham, Clerk of Court Seth Chapman, Sheriff Hayden Bentley, County Commissioner Darrell Robertson, former county commissioner Norris Keever, County Manager Rick French, County Attorney Robert Campbell, and Town Commissioner Bob Phillips.
- Photos of facilities visited by the Jail Committee and action taken by other counties in the 22nd Judicial District regarding the need for new jail facilities including the number of inmates, budgets, staffing, etc.
- Housing of federal inmates for a negotiated amount between \$39 and \$50 per day per inmate.
- Steps to be taken in the future including review of a feasibility study to be completed by the architect, completion of construction documents and acquisition of necessary permits, contractor bidding process, and finally construction.

It was noted that a work session with the Jail Committee would take place immediately following adjournment of the regular meeting to allow the Board to discuss the jail project in more detail.

ROBERT E. LEE 200TH BIRTHDAY PROCLAMATION

Chairman Robertson stated that the Rocky Face Rangers, Sons of the Confederate Veterans had requested the Board to approve a resolution celebrating the 200th birthday of General Robert E. Lee. He explained that the Board had declared January 19th as Robert E. Lee Day in Alexander County for the past few years. Chairman Robertson presented a proclamation declaring January 19, 2007 as Robert E. Lee Day in Alexander County and recognizing Robert E. Lee's lifetime achievements during the 200th anniversary of his birth.

Commissioner Hammer made a motion to approve the proclamation. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

PUBLIC COMMENT PERIOD

Larry Church, Rocky Face Rangers Camp Commander, informed the Board that a celebration honoring Robert E. Lee as well as Thomas "Stonewall" Jackson would be held on Friday, January 19, 2007 at 6:00 PM at the Senior Center. He stated that the celebration would be a covered dish event and he asked anyone interested in attending to contact him at (828) 632-2439. He also conveyed his appreciation to the Board for approving the proclamation.

There being no further public comment, Commissioner Bolick made a motion to close the Public Comment Period. Commissioner Hammer seconded the motion. The Board voted unanimously in favor of the motion.

HOUSING INSPECTIONS REPORT

Sylvia Turnmire, Director of Planning & Development, informed the Board that N.C.G.S. 153A-364 authorized code enforcement officers to investigate unsafe or dilapidated housing issues founded on basic health, safety, and welfare. She informed the Board that an additional inspector had been hired to assist with daily duties allowing for investigation and enforcement of these types of housing issues. She discussed the procedure involved, which included the following:

1. Complete an inspection of the structure.
2. Notify the owner of any defects and hazardous conditions.
3. Condemn the structure if there is a liability to fire, bad conditions of walls, overloaded floors, defective construction, decay, unsafe wiring or heating system, or inadequate means of egress.
4. Failure to take action results in the inspector sending official notice by certified mail giving reason for the condemnation and notification of a hearing within 10 days. Following the hearing, the inspector orders the structure to be repaired, closed, vacated, or demolished.
5. The order for corrective action lists the necessary steps that should be taken by the owner. The owner must be given at least 60 days to comply with the official order.
6. The owner can appeal to the Board of Commissioners within 10 days of the written order.
7. If the owner fails to comply, they are guilty of a Class 1 misdemeanor.
8. If no action is taken, the County may choose to take corrective action (abate the violation or prevent occupancy of the structure).

Ms. Turnmire stated that Rick Ducker, an attorney with the School of Government, had confirmed that local governments could move forward under these statutes without adopting a minimum housing code or ordinance. She also pointed out that several issues would need to be addressed within the Planning & Inspections Office including training of the new inspector, reorganization of staff, and program implementation to consist of revising the complaint form used by individuals to cite an unsafe dwelling, establishing a checklist of minimum standards to be met as prescribed by statute, meeting with the County Attorney for confirmation on the process, procedure, and forms, and establishing a "clean-up crew" list of companies or individuals that would demolish structures if needed.

Commissioner Bolick requested that the checklist of minimum standards to be met be reviewed by the Board of Commissioners.

N.C. CRIME COMMISSION 2007 GRANT PRE-APPLICATION

Hayden Bentley, Sheriff, presented a N.C. Crime Commission 2007 Grant Pre-Application for a Livescan fingerprint machine replacement. He stated that the last fingerprint machine was purchased in 1998.

Mr. Bentley provided a breakdown of costs associated with the grant including \$28,112 for the equipment and \$3,808 for supplies and operating expenses for a total of \$31,920. He pointed out that a local match of \$7,980 was required leaving the total federal request amount at \$23,940. Mr. Bentley mentioned that the General Assembly would be considering a proposal to provide one fingerprint machine to each county at no cost to local governments; however, he noted that staff would need to move forward on submitting the grant application in case the proposal was not accepted by the General Assembly

Commissioner Hammer made a motion to approve the N.C. Crime Commission 2007 Grant Pre-Application for a Livescan fingerprint machine. Commissioner Odom seconded the motion. The Board voted unanimously in favor of the motion.

BOARD APPOINTMENTS & REAPPOINTMENTS

Commissioner Hammer presented the following appointments and reappointments to County boards and committees:

A. LIBRARY BOARD

Appoint Janie McCall 3 years
Appoint Carole Rogers
Reappoint Phyllis Little

B. CHAMER OF COMMERCE BOARD OF DIRECTORS

Reappoint David Icenhour 1 year

Commissioner Hammer made a motion to approve the appointments and reappointments as presented. Commissioner Bolick seconded the motion.

BUDGET ORDINANCE AMENDMENTS #23 - #27

Rick French, County Manager, discussed the purpose of Budget Amendments #23 - #27, which included the following information:

Budget Amendment #23 – To increase the Sheriff's Department budget for donations received to purchase camera equipment. To increase the Inspections budget for furniture and equipment purchases related to the hiring of a new building inspector. To increase the Inspections budget for the purchase of a Ford F150 truck by state contract. To increase the Communicable Disease budget for additional state funds for off-site vaccination clinics for college-bound high school students. To increase the EMS budget for the purchase of a new ambulance. To increase the EMS budget for donations received.

Budget Amendment #24 – To increase a transfer from the General Fund for computer / technology purchases.

Budget Amendment #25 – To amend the budget for the buyout of old copier leases and transition to the cost-per-copy agreement with Toshiba.

Budget Amendment #26 – To amend the project ordinance for the County Buildings Renovation Project due to additional costs of \$22,400 for the Board of Elections building addition.

Budget Amendment #27 – To increase a transfer to the Capital Improvements Fund for computer / technology purchases. To increase a transfer to the County Capital Projects Fund for additional costs for the Board of Elections building addition.

Commissioner Hammer made a motion to approve Budget Amendments #23 - #27. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

OTHER BUSINESS

Rick French, County Manager, discussed the following issues during Other Business:

- A. Mr. French will be attending a meeting regarding the Concord & Kannapolis Inter-Basin Transfer in Raleigh on Wednesday, January 10, 2007.
- B. Mr. French and Commissioner Hammer will be attending the NCACC Legislative Goals Conference on January 11-12, 2007 in Pinehurst, N.C.
- C. The community meetings for the development of the new Comprehensive Plan are scheduled for January 9th at the Bethlehem Elementary School cafeteria, January 16th at the Hiddenite Elementary School cafeteria, and January 18th at CVCC Room 103. All meetings are set for 6:00-7:30 PM.

CONSENT AGENDA

- A. Minutes from the December 4, 2006 Regular Commissioners' Meeting.
- B. Tax Release Requests for December \$6,156.59 and Tax Refund Requests for December \$9,295.74.
- C. Hickory / Alexander County Cedar Woods Agreement.
- D. Hickory / Alexander County Stage 2 DDBP IDSE Study, Monitoring, & Reporting Joint Project.
- E. Two-Year Update to Previously Approved Recipient's Plan to Further Fair Housing and a Fair Housing Complaint Procedure.

Chairman Robertson mentioned two issues to be addressed regarding the Hickory / Alexander County Cedar Woods Agreement, one being a request for an average of 400 gallons per day per single family to be set aside for use by Hickory. Chairman Robertson stated that the County did not allow this for other users and felt that volume to be set aside should be purchased. Chairman Robertson also requested that the agreement state that the water system should be reverted to Alexander County after 2 months in the event that the water bill was not paid. He asked that Rick French, County Manager, discuss these issues with the City of Hickory.

Commissioner Hammer made a motion to approve the Consent Agenda. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

ADJOURNMENT

There being no further business for the regular meeting, Commissioner Bolick made a motion to adjourn at 7:30 PM to reconvene in a work session. Commissioner Odom seconded the motion. The Board voted unanimously in favor of the motion.

W. Darrell Robertson, Chairman

Jamie M. Starnes, Clerk to the Board

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BOARD OF COMMISSIONERS
WORK SESSION January 8, 2007

ALEXANDER COUNTY
STATE OF NORTH CAROLINA

PRESENT: W. Darrell Robertson, Chairman
Wes Bolick, Vice-Chairman
William L. Hammer
Harold M. Odom

ABSENT: Larry G. Yoder

STAFF: Hayden Bentley, Sheriff / Jail Committee Member
Robert Campbell, County Attorney / Jail Committee Member
Seth Chapman, Clerk of Court / Jail Committee Member
Rick French, County Manager / Jail Committee Member
Dale Graham, District Attorney Judge / Jail Committee Member
Norris Keever, Jail Committee Member
Bob Phillips, Town Commissioner / Jail Committee Member
Jamie Starnes, Clerk to the Board
Jason Williams, Existing Industry Specialist

The Alexander County Board of Commissioners held a joint work session with the Jail Committee and Jack Hemphill, Hemphill-Randel Associates, following the adjournment of the regular meeting.

CALL TO ORDER

Chairman Robertson called the work session to order at 7:42 PM.

JAIL PROJECT DISCUSSION

Jack Hemphill, Jail Project Architect, presented several items which were discussed by the group. These items included the following:

- Alexander County jail population for males and females from 2002 to 2006.
- Alexander County jail population projections based on existing data and conditions.
- N.C. Department of Corrections capacity vs. population projections.
- Alexander County jail population projections based on existing conditions with a change in immigration laws.

- Construction designs for a new jail facility at the existing courthouse location resulting in the closing of First Street. Two design types were shown, the first with options of 112 beds, 132 beds, 148 beds, and 168 beds and the second with 144 beds and 216 beds. The main difference between the two design types was location areas of the booking / law enforcement center, jail area, future courthouse annex, and parking as well as the structural layout of the jail.
- Anticipated appearance of the outside portion of the new jail facility.
- Costs associated with each construction design option including \$8,136,590 for the 112-bed facility, \$7,705,840 for the 132-bed facility, \$9,516,590 for the 148-bed facility, and \$9,095,840 for the 168-bed facility. The decrease in cost from the 112-bed to the 132-bed and also the 148-bed to the 168-bed was due to less inmate cells and more dorm cells being constructed.

Mr. Hemphill stated that he and Hayden Bentley, Sheriff, had discussed the fact that a kitchen could be needed in the future if the contract with the Department of Corrections for meals would ever expire or be terminated. He stated that each construction design included an area specifically designed for a kitchen but he pointed out that the kitchen area would result in the closing of Second Street.

Rick French, County Manager, mentioned that there would be moving expenses for the Day Reporting Office and the County Garage in addition to the construction costs. He asked the group to keep that in mind when comparing options.

Seth Chapman, Clerk of Court, felt it was unfair that citizens had to complete paperwork in the lobby area because there was no other space available for them and he mentioned that a female was assaulted today by her husband in the lobby while filling out a domestic violence order against him. He discussed the need for secure and safe areas specifically for citizens to complete paperwork and also for attorneys to meet with clients.

The group also discussed a vacant piece of property located next to the Taylorsville Fire Department and Rescue Squad for a remote site for the jail facility. Mr. Bentley felt that a remote site would result in additional costs due to transporting of inmates from the courthouse to the new jail facility. He also pointed out that the vacant property was only 2.80 acres, resulting in moving from one cramped area to another. Mr. Hemphill agreed that a remote site of at least 5 acres was necessary to allow for future expansion.

The group asked Mr. Hemphill to develop comparisons between a 5-acre remote site and the current courthouse site. It was agreed that the group would hold another work session following a February Commissioners' Meeting.

ADJOURNMENT

There being no further discussion, Commissioner Bolick made a motion to adjourn at 9:05 PM. Commissioner Hammer seconded the motion. The Board voted unanimously in favor of the motion.

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W. Darrell Robertson, Chairman

Jamie M. Starnes, Clerk to the Board

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