

Draft

BOARD OF COMMISSIONERS
REGULAR MEETING October 22, 2007

ALEXANDER COUNTY
STATE OF NORTH CAROLINA

PRESENT: W. Darrell Robertson, Chairman
 Wes Bolick, Chairman
 William L. Hammer
 Harold M. Odom
 Larry G. Yoder

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

The Alexander County Board of Commissioners held a regular meeting on Monday, October 22, 2007 in the Catawba Valley Community College / Alexander Center Multipurpose Room, Taylorsville, North Carolina.

CALL TO ORDER

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

INVOCATION & PLEDGE OF ALLEGIANCE

Commissioner Yoder gave the invocation and also led the Pledge of Allegiance to the Flag.

COMMISSIONER'S REPORT

Chairman Robertson commented on the Apple Festival held on Saturday, October 20, 2007. He stated that the festival was a huge success and he thanked all the volunteers and sponsors who made the event possible.

ADOPTION OF AGENDA

Chairman Robertson requested the additional of Budget Amendment #15 to Agenda Item #5 as well as an appointment to the Jail Committee under Agenda Item #6.

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

ONE YEAR ANNIVERSARY RECOGNITION OF BETHLEHEM BRANCH LIBRARY

Susan Dudley, Bethlehem Branch Library Manager, reported on the success of the Bethlehem Branch Library which was opened on October 22, 2006. She stated that the branch library began with a collection of 2,000 items that had grown to 6,286 and she noted that the library had 8,425 patrons. She informed the Board that, within the past year, 794 library cards had been issued, 16,637 items had been checked out, 1,436 citizens used the computers, and 43 children's programs were held involving 637 participants. Ms. Dudley also read comments from many of the branch library's patrons.

Ms. Dudley introduced Laura Crooks, Bethlehem Branch Library Assistant. She thanked the County for its continued support and stated that she looked forward to the branch library's second year.

Gary Hoyle, Library Director, stated that he was extremely pleased with the success of the Bethlehem Branch Library as well as the job done by both Ms. Dudley and Ms. Crooks.

The Board members mentioned that they were happy to see the Bethlehem Branch Library being used in the community and thanked staff for the report.

ALEXANDER COUNTY RED CROSS ACTIVITIES UPDATE

Bob Burns, Alexander County Red Cross Branch Manager, began by thanking the Board for supporting the American Red Cross Alexander County Branch, which began in January 2005. He stated that the Red Cross provided blood services and disaster relief and he noted that the Red Cross had exceeded its goals in blood drives. He mentioned that 5 schools and 5 churches in Alexander County were designated as disaster shelters and that the Red Cross played an active role in the County Emergency Services and fire protocols and activities. Mr. Burns also pointed out that the Red Cross was capable of providing food, clothing, and shelter to fire victims.

He briefly mentioned the Youth Club at Alexander Central High School that included 13 youths that were involved in the community and held fundraiser to also assist citizens.

Mr. Burns discussed the importance of volunteers. He explained that the Red Cross had a presence in Alexander County during the Vietnam War and also in the early 1990's but that it dissolved both times because of lack of volunteers. He stated that the Red Cross needed a large volunteer base to survive and he encouraged anyone interested in volunteering to contact him.

Commissioner Bolick discussed the possibility of having a volunteer appreciation day to recognize all volunteers in the community.

The Board thanked Mr. Burns for the update and for the contribution made to the community by the Red Cross.

CRIMINAL BACKGROUND CHECK POLICY & PROCEDURES

Sandra Gregory, Human Resources Director, presented a proposed Criminal Background Check Policy & Procedures for the Board's review. She explained that the purpose of the policy was to safeguard County assets, employees, and Alexander County citizens as well as to assure that prospective employees were an asset to the County rather than a liability.

She stated that the policy would affect all full-time, part-time, and temporary positions and she noted that background checks would occur for all applicants for County positions, current employees who were promoted, demoted, or transferred to other positions within County employment, and current employees for reasonable cause. Ms. Gregory also informed the Board that the policy would require employees to report any criminal convictions and/or charges to Human Resources and their department head. Background checks shall consist of a review of the National Criminal and Driving Records to include felonies, misdemeanors, and traffic violations as well as the U.S. Sex Offender Registry and maiden name check for a cost of approximately \$1,500 per year based on 2006 turnover rates.

Ms. Gregory also reviewed the procedures outlined in the policy for withdrawals of the Conditional Offer of Employment for applicants that were found disqualifiable due to information provided by the background checks and she discussed disciplinary action that would be taken if employees failed to report convictions and/or charges.

Chairman Robertson requested several changes to the proposed policy to include:

1. Change "Applicants should be given the opportunity to supply information that refutes the charges..." to read that "Applicants should be given the opportunity to supply information to appeal the charges..."
2. Remove the Sheriff's Office from the list of departments that would be the final decision maker for interpretation of background checks since the Sheriff's Office was listed as exempt from the policy due to state requirements.
3. Change "background information that includes infractions and other personal information should not be retained beyond its usefulness..." to "will not be retained beyond its usefulness..."

Ms. Gregory noted that the Sheriff's Office would be voluntarily participating in these procedures, even though they were not required to. She also requested an effective date of November 1, 2007.

Commissioner Yoder made a motion to approve the Criminal Background Check Policy & Procedures to include changes specified by Chairman Robertson to become effective November 1, 2007. Commissioner Hammer seconded the motion. The Board voted unanimously in favor of the motion.

PRE-EMPLOYMENT PHYSICAL GUIDELINES & PROCEDURES POLICY

Sandra Gregory, Human Resources Director, presented a proposed Pre-Employment Physical Guidelines & Procedures Policy for the Board's review and recommended an effective date of November 1, 2007 for this policy. She explained that the policy would require all applicants, upon being given a Conditional Offer of Employment, or current employees being promoted, demoted, or transferred to another County department to undergo a pre-employment physical.

Ms. Gregory informed the Board that Human Resources would provide Family Medicine Associates / Occupational Health Center with a detailed job description to allow the physician or nurse to sign off on the job description approving or disapproving what portions of the essential job functions could or could not be performed by the applicant. She stated that functions that could not be performed by the applicant on a permanent basis as deemed by FMA / OHC would be evaluated by Human Resources, the appropriate department head, and the County Manager for reasonable accommodations as defined by the America's Disability Act. She also pointed out that, due to state requirements, the Sheriff's Office and Register of Deeds would have the discretion as to whether or not pre-employment physicals would be required for their departments; however, she noted that the Sheriff's Office would be voluntarily participating.

Chairman Robertson pointed out that the price of physicals had been printed in the policy and suggested that those prices be listed as an attachment in the event that they increased in the future.

Commissioner Yoder made a motion to approve the Pre-Employment Physical Guidelines & Procedures Policy to include the change in the price listing as specified by Chairman Robertson to become effective November 1, 2007. Commissioner Hammer seconded the motion. The Board voted unanimously in favor of the motion.

BUDGET ORDINANCE AMENDMENTS #13 - #15

Rick French, County Manager, discussed the purpose of Budget Amendments #13 - #15, which included the following information:

Budget Amendment #13 – To increase the Public Buildings budget for taxes and tag on a used vehicle purchased in August. To increase the Sheriff's Department budget for taxes and tag on a used vehicle purchased in August. To increase the budget for routine maintenance at the courthouse. To budget for additional TANF state funds for Family Planning. To increase the Recreation Department budget for improvements to Dusty Ridge Park and East Park. To increase the Senior Center budget for local match requirements of General Purpose State Funding.

Budget Amendment #14 – To budget for an economic development loan to Carrigan & Sons Trucking, Inc.

Budget Amendment #15 – To increase the Pre-Trial release budget for a Governor’s Crime Commission grant, including a 25% local match.

Commissioner Yoder made a motion to approve budget amendments #13 - #15. Commissioner Hammer 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. WPCOG REGION E DEVELOPMENT CORPORATION

Appoint Milton Campbell 1 year

B. HEALTH BOARD

Appoint Thomas Rider 3 years

C. BUILDING SERVICES ADVISORY COMMITTEE

Reappoint Ryan Mayberry 1 year
Reappoint Larry Jenkins
Reappoint Clint Canaday
Reappoint Brent Fox
Reappoint Mark Foy
Reappoint Tony Lackey
Reappoint Norris Kever
Reappoint Sylvia Turnmire
Reappoint Lynn Teague
Reappoint Darrell Robertson

D. UNIFOUR HOME CONSORTIUM

Reappoint Sylvia Turnmire

E. FIRE DEPARTMENT BOARDS OF TRUSTEES

Appoint Dewayne Dyson for Wittenburg Fire Department
Appoint Jeremy Fortner for Sugar Loaf Fire Department

F. JAIL COMMITTEE

Appoint William Hammer

Commissioner Hammer made a motion to approve the appointments and reappointments as presented. Commissioner Odom 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. Clean Alexander Day will be held on Saturday, October 27, 2007 from 8:00 AM to 4:00 PM.
- B. Stage 3 water restrictions are still projected for our region but no effective date has been set by the City of Hickory as of yet.
- C. County staff received a letter from Governor Mike Easley requesting that NC citizens reduce water consumption by 50% between now and October 31, 2007.
- D. The City of Hickory has requested the Protect the Catawba Coalition members to stand with them in asking Concord and Kannapolis to withdraw their inter-basin transfer request as well as asking the Environmental Management Commission to rescind their order. Mr. French requested the Board allow staff to draft a letter in support of these requests.

Commissioner Yoder made a motion to allow staff to draft a letter as requested and that a copy of the letter be sent to Governor Easley.

CONSENT AGENDA

- A. Minutes from the September 24, 2007 Regular Commissioners' Meeting and minutes from the October 8, 2007 Regular Commissioners' Meeting.
- B. Resolution to NC Division of Forest Resources Requesting Fire Protection Assets at the Hickory Regional Airport.

Commissioner Hammer made a motion to approve the Consent Agenda. Commissioner Odom 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 7:20 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 October 22, 2007

ALEXANDER COUNTY
STATE OF NORTH CAROLINA

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

STAFF: Rick French, County Manager
Patti Gahagan, Animal Control Director
Seth Harris, Building Development Coordinator
Jamie Starnes, Clerk to the Board
Sylvia Turnmire, Director of Planning & Development

The Alexander County Board of Commissioners held a work session following the adjournment of the regular meeting.

CALL TO ORDER

Chairman Robertson called the work session to order at 7:25 PM.

FLOOD INSURANCE RATE MAPS & FLOOD DAMAGE PREVENTION ORDINANCE

Sylvia Turnmire, Director of Planning & Development, informed the Board that the NC Division of Emergency Management in conjunction with FEMA had released the final flood maps for the Catawba and Yadkin River basins, which affect Alexander County. She stated that the state undertook a new flood mapping initiative after Hurricane Floyd which began with the eastern part of the state and extended westward.

She stated that the new maps included detailed studies on tributaries that were not included in the past such as Stirewalt Creek, Duck Creek, Middle Little River, and Lower Little River, among others. She explained that participation in the National Flood Insurance Program was contingent upon adoption of the new Flood Insurance Rate Maps and the Flood Damage Prevention Ordinance and she noted that FEMA required these to be approved prior to December 18, 2007.

Ms. Turnmire provided the maps for the Board's viewing. She also reviewed the Flood Damage Prevention Ordinance in detail and explained that the ordinance allowed the Board several

options for Alexander County relating to flood protection elevation, 10-year substantial damage, designation of floodplain administrator, elevation certificates, and variance procedures.

She mentioned that the review and approval process was similar to that of countywide zoning in that a half-page ad must be published in *The Taylorsville Times* for 4 consecutive weeks prior to the public hearings. Also, all affected property owners who reside outside the general newspaper circulation area must be notified by first class mail. Ms. Turnmire also pointed out that the Planning & Zoning Commission would hold a special meeting on November 27, 2007 to consider the revised maps and ordinance and that the public hearing for review by the Board of Commissioners would be held on December 3, 2007.

The Board thanked Ms. Turnmire for the information and noted that the Board would take appropriate action on December 3, 2007.

RESPONSIBILITY OF OWNER TO CONTROL DOGS POLICY

Patti Gahagan, Animal Control Director, presented a proposed Responsibility of Owner to Control Dogs Policy. She explained that the purpose of this policy was to raise awareness for dog owners to take responsibility for their animals, to decrease the number of complaints and dog bites in the county, and to also give the Animal Control Department an opportunity to better control dangerous dogs which would also provide legal recourse.

She felt that most dog bites could be eliminated if owners would simply take responsibility for their dogs and she noted that 50% of complaints received by citizens related to an aggressive animal running loose in the neighborhood.

Ms. Gahagan explained that currently the Animal Control Department could not fine or take action against a citizen owning an aggressive or nuisance dog until the animal actually bit someone. Under this new policy, dog owners would automatically be in violation if their dog was running loose outside of the owner's property and would receive a warning. A second violation would result in a fine and a third violation would result in legal action. She informed the Board that the policy would not affect well behaved dogs and law abiding citizens nor would it affect hunting dogs, law enforcements canines, or search and rescue dogs.

Chairman Robertson expressed concerns about farming dogs. Ms. Gahagan stated that farming dogs would also be exempt from the policy because they would be working on the owner's property.

The Board felt this policy would be beneficial to the Animal Control Department and the citizens. Ms. Gahagan requested she be allowed to consult with the County Attorney before bringing the policy before the Board for approval. The Board agreed.

CLOSED SESSION – N.C.G.S. 143-318.11(a)(1, 4, 5, & 6) TO PREVENT DISCLOSURE OF CONFIDENTIAL INFORMATION, ECONOMIC DEVELOPMENT, CONTRACTUAL, & PERSONNEL

Commissioner Bolick made a motion to enter into Closed Session at 8:15 PM to prevent the disclosure of confidential information and to discuss economic development, contractual matters, and personnel issues pursuant to N.C.G.S. 143-318.11(a)(1, 4, 5, & 6). Commissioner Hammer seconded the motion. The Board voted unanimously in favor of the motion.

ADJOURNMENT

There being no further business, Commissioner Yoder made a motion to adjourn at 9:03 PM. Commissioner Hammer seconded the motion. The Board voted unanimously in favor of the motion.

W. Darrell Robertson, Chairman

Jamie M. Starnes, Clerk to the Board