

Draft

BOARD OF COMMISSIONERS
REGULAR MEETING October 20, 2008

ALEXANDER COUNTY
STATE OF NORTH CAROLINA

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

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, October 20, 2008 in the Catawba Valley Community College / Alexander Center Multipurpose Room, Taylorsville, North Carolina.

CALL TO ORDER

Vice-Chairman Hammer called the meeting to order at 6:00 PM. He explained that Chairman Yoder would be arriving late.

INVOCATION & PLEDGE OF ALLEGIANCE

Commissioner Robertson gave the invocation and also led the Pledge of Allegiance to the Flag. Chairman Yoder entered the meeting immediately following.

*****SPECIAL RECOGNITION*****

Chairman Yoder recognized the Alexander County Commissioners' Task Force for Healthy Alexandrians for their receipt of the Thad B. Wester Community of Excellence Award given by the Governor's Task Force for Healthy Carolinians. He explained that the award recognized communities that demonstrated outstanding strategies in health promotion, disease prevention, and the needs of the disadvantaged. Chairman Yoder also recognized the task force for receiving a Certificate of Certification for 2008-2010.

Several commissioners thanked the members of the task force for their faithfulness to making the community better for children.

ADOPTION OF AGENDA

Chairman Yoder requested Agenda Item #7 (Floodplain Notification & Insurance Policies) be moved up on the agenda as Item #3.

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

PUBLIC HEARING: REZONING CASE 08-3 – RIDER

Sylvia Turnmire, Director of Planning & Development, presented Rezoning Case 08-3 submitted by Thomas Rider. The applicant requested rezoning of property located at 1231 Shiloh Church Road from RA-20 (Residential-Agricultural) to H-C (Highway Commercial) to allow for service uses. The size of the property tract is 11.46 acres total (3 tracts) and the current land use is vacant. Ms. Turnmire stated that zoning within 100 feet of the property was RA-20 to the north, west, and south as well as H-C also to the south and east. She noted that land uses within 100 feet of the property were single-family site-built homes and vacant property to the north and west, single-family site-built, a manufactured home, and commercial property to the south, commercial property and multi-family residential to the east.

Ms. Turnmire stated that the subject property was obtained by the current owner in 2005, noting that the property had access to public water and sewer. She pointed out that, if the request was granted, compliance with landscaping and parking requirements would be required prior to issuance of a Certificate of Occupancy.

She explained that Section 154.140 of the Alexander County Zoning Ordinance states that the RA-20 District is established as a district in which the principal use of the land is for low-density residential and agricultural purposes including single-family dwellings, two-family dwellings, individual manufactured homes, and related uses necessary for a sound neighborhood. Section 154.170 of the Alexander County Zoning Ordinance states that the H-C District is to provide suitable locations for those commercial activities which serve primarily the traveling public, including those which function rather independently of each other.

Ms. Turnmire also mentioned that the 2008 Comprehensive Plan shows this area as having the services necessary to support future industrial development including railroad proximity, public water, and proximity to a major thoroughfare. The 1995 Thoroughfare Plan mentions that the widening of Highway 127 from the Catawba County line to US Highway 64/90 was an unfunded "identified future need." The NCDOT 2007 annual average daily traffic county for the intersection of Shiloh Church Road and Highway 127 was 990 trips per day.

She reported that letters were sent by first class mail to the property owners within 100 feet of the parcel boundary, a sign was posted on the property, and an advertisement was placed in *The Taylorsville Times*. She noted that staff received 3 calls requesting information, one call in opposition, and another call today from a citizen who said they would be in attendance tonight.

Ms. Turnmire informed the Board that Planning & Development staff recommended approval of the request due to consistency with the existing Comprehensive Plan and also that the Planning & Zoning Commission had voted unanimously at the October 2, 2008 public hearing to recommend approval of the request based on the following findings:

1. Compatibility with the 2008 Comprehensive Plan.
2. The subject property adjoins a Highway-Commercial Zoning District.
3. The subject property is located near a major thoroughfare.

Ms. Turnmire stated that based on the information provided, the Board must determine whether the rezoning request meets the guidelines set forth above. She also noted that Section 154.351(C)(2) of the Alexander County Zoning Ordinance required the Board to state whether the request was consistent / not consistent with the adopted plans.

Chairman Yoder called the public hearing to order and requested any public comment. The following comments were heard:

Public Comment / Board Response

Scott Nealen, adjoining property owner, expressed concerns with increased traffic and noise, as well as how the rezoning would affect his property taxes. He also explained that, due to sloping of Mr. Rider's property, runoff water spilled into a spring on his land. He was concerned that any commercial presence creating waste would contaminate the runoff into his spring. Mr. Nealen stated that he moved to Alexander County to get away from noise and commercial uses.

Commissioner Bolick asked if the runoff water would be regulated in any form. Ms. Turnmire replied that the properties in question were located in a protected area of the watershed and that any land in excess of one acre disturbed would be required to meet state standards for sedimentation and erosion. She also mentioned that only 24% of the subject property would be suitable for development due to watershed restrictions and the layout of the land.

Mr. Nealen pointed however out that Mr. Rider was requesting rezoning of the entire 3 acres even though it was not suitable for development and he inquired about any future expansion. Ms. Turnmire replied that any future expansion requests would be required to follow a variance process and that all property owners would again be notified.

Thomas Rider, applicant, stated that the front portion of his property was the only useable location due to the drastic sloping of the rear of the tracts. He felt that it would cost millions of dollars to grade and make the rear portion buildable, also noting that the property was protected by the Watershed Ordinance. Mr. Rider also reported that he did

not anticipate any runoff other than rainwater or such created by normal residential since there would be no industrial uses on the property.

The Board inquired as to Mr. Rider's plans for the property. Mr. Rider stated that he wished to expand his current dental office and have a personal garden. He also mentioned that the veterinarian office wished to expand and also construct a kennel in the future.

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

Chairman Yoder stated that he was concerned with the runoff that would be created and how it would affect adjoining property owners.

Commissioner Bolick made a motion to approve Rezoning Case 08-3 based on the compatibility with the 2008 Comprehensive Plan. Commissioner Robertson seconded the motion. The Board voted 4 in favor of the motion (Commissioners Bolick, Hammer, Odom, and Robertson) and one against the motion (Chairman Yoder). The motion carried.

PUBLIC HEARING: 2008 CDBG INFRASTRUCTURE HOOK-UP PROGRAM

Nancy Coley, WPCOG Community Development Administrator, requested citizen comment before submitting the application for the 2008 CDBG Infrastructure Hook-Up Program to provide taps and connections to existing water and sewer lines for low and moderate income households. She stated that the maximum grant amount was \$75,000 with no local match and that the funds would pay for tap fees, private service connection lines, and grant administration.

She explained that the Division of Community Assistance required proposed households be selected prior to the County's submission of the application; therefore, staff advertised in *The Taylorsville Times* and on the local government channel as well as visited each household and estimated the amount needed to connect them. Since more applications were received than funds were available, a waiting list has been developed.

Ms. Coley informed the Board that the proposed application included the connection of 22 households to public water and two households to public sewer. There are also currently 9 households on the waiting list.

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

Commissioner Robertson made a motion to approve the Authorizing Resolution and to submit the 2008 CDBG Infrastructure Hook-Up Program application to the NC Department of

Commerce Division of Community Assistance. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

FLOODPLAIN NOTIFICATION & INSURANCE POLICIES

Sylvia Turnmire, Director of Planning & Development, explained that in December 2007, a new Flood Damage Prevention Ordinance and Flood Insurance Rate Maps were approved by the Board, which had been incorporated into the Geographic Information System to provide better precision in issuing permits and assessing potential flood locations for property owners. The former data used prior was from the 1970's.

She announced that, as a result of the state mapping effort, approximately 300 waterfront properties were no longer located within a flood zone and she encouraged property owners to review their insurance policies based upon the new flood data. Updated maps are available on the County webpage or property owners may contact Seth Harris at the Planning Department.

CENTENNIAL CELEBRATION OF 4-H IN NORTH CAROLINA

Suzanne Rhinehart, Extension Agent & 4-H Youth Development, discussed the 100th anniversary of 4-H and efforts to promote the Centennial Celebration. She introduced Trevor Davis, 4-H Vice President, who is currently leading a local government program named Alexander County Government in Action as well as Rachel Rogers, leader of the Kids Vote 2008 Program.

Trevor Davis explained that the Alexander County Government in Action Program was a 4-hour series on local government requiring 4-H participants to attend a Town Council, Board of Education, and Board of Commissioners' Meeting.

Rachel Rogers stated that the Kids Vote 2008 would allow Alexander County students ages 5-17 to vote at all 16 precincts on Election Day, which would later be compared with voting results from registered voters. Ms. Rhinehart added that a \$50 Wal-Mart gift card would be presented to the school teacher with the highest percentage of students voting in their class. She also noted that volunteers were needed at Stony Point and Hiddenite Elementary Schools as well as East Middle School if anyone was interested.

Other 4-H participants attending the meeting were Vanessa Jansen, Faith Wahlers, Miranda Jansen, and Makala Byrd.

“WAR BONDS” VETERAN’S SPECIAL EVENT

Barbara Poole, Veteran’s Services Director, reminded the Board and citizens that “War Bonds” would be held this coming Saturday, October 25, 2008 at 3:00 PM at the ACHS Auditorium, noting that all veterans, their wives, or their widows would be admitted free. She explained that

the program would focus on the WWII era but was intended for all veterans of the county and she noted that several letters from local veterans would be included in the program.

Advance tickets are available at the Veteran's Office as well as the Administration Office.

ANNOUNCEMENT OF STATE-WIDE AWARDS

Karen Hoyle, DSS Director, recognized Carol Farthing, Judy Pennell, and Sandy Elder from the Child Support Department which was recently named #1 in the state for support collections.

Ms. Hoyle also introduced Susan Taffe and Debbie Richard from the Adult Medicaid Department which was given a Best Practice Award for cost saving measures and improvement in efficiency.

The Board congratulated Ms. Hoyle and her staff for a job well done and thanked them for their dedication to helping others.

DWI GRANT UPDATE

Leeanne Whisnant, Health Director, presented a slide show related to alcohol induced crashes and deaths in Alexander County, which included the following information:

- Alcohol related traffic injuries cost U.S. taxpayers \$15 billion per year.
- 218 alcohol related crashes between 2002-2006 with the majority of those being white males aged 25-34 and white women aged 35-44.
- Most accidents occurred in May, August, and December between 5:00 PM to 12:00 AM, especially on Saturdays.
- Major focus areas include community norms, enforcement and adjudications, low perceived risk, and social availability.
- Community Advisory Panel's strategic plan is to increase sobriety checkpoints, highly visible checkpoints, media campaigns, and community education.

Ms. Whisnant informed the Board that the Community Advisory Panel was a subcommittee of the Health Alexandrians Task Force. She announced that Alexander County was one of 18 counties in NC to receive a DWI grant, noting that the grant was federally funded.

Commissioner Hammer inquired about percentages of alcohol related crashes in surrounding counties. Ms. Whisnant replied that Alexander County's rate was 7.5%, Iredell County's was 5.2%, Caldwell County's was 6.7%, and Catawba County's was 5.5% and she pointed out that Alexander County was the only dry county in this group. She also noted that 75% of the counties awarded the grant were dry counties; however, she mentioned that Cherokee County was a dry county when the grants were awarded but had since approved liquor by the drink, which could produce some interesting statistics.

BOARD APPOINTMENTS & REAPPOINTMENTS

Commissioner Hammer requested that Linda Barriger be appointed to the Joint Nursing and Adult Care Advisory Committee for a 3-year term. He also stated that replacements were needed for Max Smith and Susie Barkley on this particular committee as well as for Donald Robertson on the Town Planning Board of Adjustments.

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

BUDGET ORDINANCE AMENDMENTS #8 & #9

Rick French, County Manager, discussed the purpose of Budget Amendments #8 and #9, which included the following information:

Budget Amendment #8 – To increase the Health Department budget for TANF state funds and Healthy Carolinians state funds.

Budget Amendment #9 – To increase the Capital Improvements Fund budget for the school system's use of Public School Building Capital Fund grant monies for Stony Point Elementary School.

Commissioner Hammer made a motion to approve Budget Amendments #8 and #9. Commissioner Robertson seconded the motion. The Board voted unanimously in favor of the motion.

OTHER BUSINESS

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

- A. Mr. French has been asked by the NCACC to volunteer at the state fair in Raleigh on October 22, 2008.
- B. A Smoky Mountain Center Meeting is scheduled for October 23, 2008 at 3:00 PM in Asheville.
- C. The November 3, 2008 Commissioners' Meeting has been canceled but will be rescheduled at a later date.
- D. A Finance Committee Meeting will be held on November 10, 2008 at 5:45 PM at the County Administration Building.

CONSENT AGENDA

- A. Minutes from the October 6, 2008 Regular Commissioners' Meeting.
- B. Proposed Agreement for Revolving Loan Fund.

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

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

Chairman Yoder made a motion to enter into Closed Session at 7:44 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 Hammer made a motion to adjourn at 8:12 PM. Commissioner Odom seconded the motion. The Board voted unanimously in favor of the motion.

Larry G. Yoder, Chairman

Jamie M. Starnes, Clerk to the Board