

Draft

BOARD OF COMMISSIONERS
REGULAR MEETING February 16, 2009

ALEXANDER COUNTY
STATE OF NORTH CAROLINA

PRESENT: W. Darrell Robertson, Chairman
 Wes Bolick, Vice-Chairman
 Ryan Mayberry
 Harold M. Odom
 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, February 16, 2009 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 Bolick gave the invocation and also led the Pledge of Allegiance to the Flag.

*****SPECIAL RECOGNITIONS*****

The following recognitions took place:

Key to the County

Chairman Robertson, on behalf of the entire Board, presented a Key to the County to Kimberly S. Taylor for her service as District and Superior Court Judge. He provided some background information about Ms. Taylor and noted that she had recently retired as a Superior Court Judge to return to practicing law. Chairman Robertson also mentioned Ms. Taylor's work with many organizations and committees including those which provide awareness and education regarding autism, such as the Autism Society of America.

Members of the Board thanked Ms. Taylor for her dedication to Alexander County.

ServSafe Program

Margo Mosley discussed the ServSafe Program, a 16-hour restaurant management certification course. She introduced two recent graduates including Krystal Bennett from Scotty's Hometown Grill and Richard Brantley from the Taylorsville House and she noted that there were 50 other individuals that had successfully completed the course. Ms. Mosley pointed out that the response to the class proved the commitment to providing quality food service and safety in Alexander County.

The Board conveyed its appreciation to Ms. Mosley and commended the participants for their efforts.

ADOPTION OF AGENDA

Chairman Robertson requested the addition of several resolutions – one related to the payment of property taxes and two dealing with state loan assistance for water projects, as Agenda Item #9A.

Commissioner Odom 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: CONDITIONAL USE 09-1 – DANNY JONES / STONY POINT VOLUNTEER FIRE DEPARTMENT

Sylvia Turnmire, Director of Planning & Development, presented Conditional Use Permit 09-1 submitted by Danny Jones with the Stony Point Volunteer Fire Department who requested conditional use approval to construct a 4,000 square foot substation on property located on Paul Payne Store Road. The size of the property is .848 acres and the current land use is vacant. Ms. Turnmire stated that zoning with 100 feet of the subject property was RA-20 on all sides. There is single-family residential and agricultural to the north, vacant property to the south, east, and west, as well as single-family residential to the west.

She stated that the proposed substation equaled 4,000 square feet or 50 feet by 80 feet. A site plan was not submitted with the application; however, Ms. Turnmire noted that any structures must meet the area, yard, and height requirements of the Zoning Ordinance. She mentioned the Improvement Permit Diagram provided in the agenda packet, explaining that the fire department wished to move the structure more south and would be working with Bert Gibson from Environmental Health to redraw the permit diagram. She stated that the property had access to a 6-inch water line and that it fronted along a state maintained road, which would trigger a driveway permit from the NCDOT. The property owner has agreed to deed an additional 13 feet along the rear property line for compliance with the rear yard setback.

Ms. Turnmire informed the Board that the RA-20 Zoning District allowed the proposed development as a conditional use, without changing the zoning district. She stated that staff received one phone call from a neighbor who had concerns about how the substation would affect her property value. She has since spoken with Luther Stocks, Tax Administrator, and Russell Greene, Emergency Services Director, who addressed that issue.

She reported that staff recommended approval of the conditional use permit with a condition that the property maintains a 10 foot buffer width along the side and rear property lines consistent with the regulations as set forth in Section 154.039 of the Zoning Ordinance.

Chairman Robertson called the meeting to order and requested any public comment. The following comments were given:

Public Comment

Randy Dellinger, Deputy Chief for the Stony Point Volunteer Fire Department, explained the decision to move the building farther south, which was to allow room for expansion in 10-15 years. He also stated that the fire department had been debt free until 3 months ago when a new fire truck was purchased and he mentioned the many efforts that had been or would be made such as cash and land donations as well as Ladies Auxiliary fundraisers to help pay for the new substation. Mr. Dellinger felt the substation would help the department to better serve the community and county.

Commissioner Yoder pointed out that property owners within 5 miles of the substation would receive a reduction in their insurance rates.

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

Commissioner Yoder made a motion to approve Conditional Use Permit 09-1 subject to approval of the septic permit by Environmental Health staff with a condition that the property maintains a 10 foot buffer width along the side and rear property lines consistent with the regulations as set forth in Section 154.039 of the Zoning Ordinance. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

AIR QUALITY NON-ATTAINMENT BOUNDARY LETTER & MAP APPROVAL

Sylvia Turnmire, Director of Planning & Development, stated that the EPA lowered the ozone standard last year and was now considering the locations to designate as non-attainment. The monitor located in Taylorsville is currently recording levels above the standard; therefore, the WPCOG staff has asked that all Unifour Area local governments send a letter in support of a proposed boundary of the Metropolitan Planning Organization boundaries in Burke, Caldwell, and Catawba Counties and then census tracts 403, 404, 406, and 407 in Alexander County.

Chairman Robertson stated that the ozone levels in this area were caused by winds carrying pollutants northward and he felt it was unfair for Alexander County and neighboring counties to be penalized for ozone that was not generated here.

Commissioner Yoder made a motion to approve the boundary letter and map as requested. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

21ST CENTURY COMMUNITY PROGRAM UPDATE

Sara Day Evans, NC Department of Commerce, gave a progress update on the Alexander County 21st Century Communities Program. She began by stating that in February 2008, Alexander County received designation of a 21st Century Community which provides resources needed to help communities move forward in today's economy by receiving preferential status in consideration of NC Department of Commerce grants and advocacy from the Commerce Department when applying for other state agency grants.

She reviewed the results from the community interviews held on November 6-7, 2008 where 46 local government and community leaders were interviewed to receive input on the direction and scope for the program. Several issues dealt with during the interviews were strengths/weaknesses, economy, needed services/businesses, environmental issues, health care, etc.

WPCOG PRESENTATION

Dee Blackwell, WPCOG Executive Director, presented a slide show presentation related to the economic status of the Unifour Area and Alexander County, which included the following information:

- Population estimates 2000-2007
- Types of population change
- Changes in minority – increase in Hispanics in Unifour, increase in African Americans in Alexander County
- Population projections to 2030 – 43,434 in Alexander County
- Age distribution to 2030
- Age group growth 2007-2030
- Employment 2000-2008
- Types of jobs 1990-2008
- Employment change by percentage 2000-2008
- Employment losses 2000-2008
- Manufacturing losses 2007-2008
- Net job losses 2007-2008
- Employment gains 2007-2008
- Change in total employment 2007-2008

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- Average weekly wage 2000-2008
 - Poverty rates 2000-2007
 - Foreclosure cases 2000-2008
 - Education attainment comparison 2007
 - Retail sales 2007-2008

Mr. Blackwell stated that the WPCOG employed HUD certified counselors that could assist individuals facing a foreclosure.

The Board thanked Mr. Blackwell for his presentation.

LOCAL EMERGENCY PLANNING COMMITTEE ANNUAL REPORT

Russell Greene, Emergency Services Director and LEPC Chairman, presented the 2008 LEPC annual report, which included the following information:

The Alexander County LEPC met on Friday, February 8, 2008. A total of 13 members and 6 visitors were present and the meeting was chaired by Russell Greene. The following items were discussed and action was taken as needed:

1. Grants update was provided.
2. Communication update was provided by Sheriff Hayden Bentley.
3. Strategic National Stockpile Plan update provided.
4. Regionalization update given.
5. Emergency Management Technology Reports provided.
6. Annual report approved.
7. Election of Vice-Chair Leeanne Whisnant.
8. Established a recommendation for membership to Board of Commissioners.

At the July 10, 2008 meeting, 10 members and 2 visitors were present and the following items were presented:

1. Review of the Public Health Plan.
2. Tier II Reports.
3. Communication update.
4. Regionalization update.
5. Review of statewide avian drill.
6. Major incident review of bus accident.
7. Grants update.
8. Report of Department of Correction audit.

At the October 30, 2008 meeting, 16 members, 2 guests, and 2 staff members were present and the following items were reviewed:

1. Strategic National Supply State Review update.

2. Communication update.
3. Regionalization update.
4. Red Cross update.
5. Emergency Management Conference update.
6. Major incident review of manhunt.
7. Grants report.
8. Hazard Mitigation Plan update.

Mr. Greene also mentioned that the Board would be considering some reappointments of LEPC members later in the meeting.

EMS UNIT REPLACEMENT BIDS

Russell Greene, Emergency Services Director, informed the Board that requests for bids were mailed out to 14 separate companies on January 12, 2009. From those, staff received two letters of no bid, 3 returns from mail unable to forward, and 4 sealed bids that were opened on February 3, 2009. He presented the following bid results:

2009 Chassis	North Western	TaylorMade	South Eastern	1st Class Fire
C4500	\$137,731	\$123,311	No bid	No bid
G4500	\$108,998	\$112,236	\$108,201	\$146,814
3500	\$106,312	\$109,136	No bid	No bid
C4500 Demo	\$125,000			
G4500 Demo	\$102,989			

Mr. Greene provided an estimated cost per mile comparison relating to brake wear, tires, fuel filters for the C4500 and G4500. He also noted that he had several safety concerns with the G4500 unit before viewing one in West Jefferson on Friday along with Johnny Chapman and Tommy Pennell. Mr. Greene stated that he had no reservations with recommending the purchase of the G4500 demo unit from North Western Emergency Vehicles at a cost of \$102,989, noting that the County received an insurance settlement of approximately \$109,000 for the recently wrecked ambulance. He also asked permission to purchase a new radio for the unit at a cost of approximately \$4,000, explaining that the radio in the wrecked ambulance was not damaged but that it was no longer supported by Motorola.

Mr. Greene also mentioned that he would like to explore the costs for an extended warranty, which could be initiated anytime prior to the expiration of the warranty provided with the unit.

Commissioner Yoder made a motion to purchase the G4500 demo unit from North Western Emergency Vehicles as well as a new radio. Commissioner Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

BOARD APPOINTMENTS & REAPPOINTMENTS

Rick French, County Manager, presented the following appointments and reappointments to County boards and committees:

Juvenile Crime Prevention Council – Appoint Mike Millsaps and Felicity Price for one year.

Criminal Justice Partnership Board – Reappoint Tammy Lippard, Ingrid Townsend, Tony Jones, Rick French, and Sarah Lunsford for one year. Reappoint Kelly Wicker, Linda Graham, Crystal Sain, and Hayden Bentley for two years.

Local Emergency Planning Committee – Appoint Jason Williams for three years and Jeff Roseberry to replace Tony Setzer whose term expires 2/2010. Reappoint David Odom, Sylvia Turnmire, Patti Foster Bob Burns, and Karen Hoyle for three years.

Library Board – Appoint Joe Strickland and reappoint Blake Jones and Eric Burgess for three years.

WPCOG Sister Cities Association – Reappoint Dwight Shook and David Icenhour (alternate) for one year.

Commissioner Bolick 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.

BUDGET ORDINANCE AMENDMENTS #24 & #25

Rick French, County Manager, discussed the purpose of Budget Amendments #24 and #25, which included the following information:

Budget Amendment #24 – To budget for January and February architect fees for the Jail Project.

Budget Amendment #25 – To budget for the portion of the orthophotography project that will occur during the 2008-2009 fiscal year.

Chairman Robertson suggested the Finance Committee meet to review and consider postponing the 4-year revaluation cycle due to the County's flat growth rate.

Commissioner Yoder made a motion to approve Budget Amendments #24 and #25. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

CONSIDERATION OF RESOLUTIONS

Rick French, County Manager, presented a Resolution in Support of Payment of Property Taxes Before Recording of Deeds along with two resolutions relating state loan assistance for water improvements in Alexander County including extending water lines, providing a looping system a circulation feed, a storage tank, and booster station.

Commissioner Bolick made a motion to approve the Resolution in Support of Payment of Property Taxes Before Recording of Deeds. Commissioner Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

Commissioner Yoder made a motion to approve the two resolutions relating to state loan assistance for water improvements. 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. Two House bills have been filed that would restrict how counties euthanize unwanted or dangerous animals at animal shelters. H6 would eliminate the County's ability to use carbon monoxide or any other gas as a method of euthanasia and would require shelters to dismantle any facility or equipment used for that purpose. This could result in additional costs for the County and Town.
- B. The House and Senate have set deadlines for local bills. For the House, local bills must be submitted to the bill drafting division by 4:00 PM on March 18, 2009. Bills must be filed in the Senate by 3:00 PM on April 1, 2009.
- C. Representative Ray Warren contacted the County Office about HB103 – A BILL TO BE ENTITLED AN ACT PROVIDING THAT CHOWAN COUNTY MAY PROHIBIT THE ISSUANCE OF A BUILDING PERMIT TO A DELINQUENT TAX PAYER. Several counties have attached to the bill including David, Gates, Greene, Iredell, Lenoir, Lincoln, Wayne, and Yadkin. Mr. French suggested Alexander County be included and asked for approval. The Board agreed.
- D. Mr. French recommended discussion related to the financial part of the Jail Project at the March 16, 2009 Commissioners' Meeting.
- E. Mr. French presented the newest version of the Sheriff's Department Records and Retention Schedule for approval.

Chairman Robertson made a motion to approve the Sheriff's Department Records and Retention Schedule as presented. Commissioner Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

CONSENT AGENDA

- A. Minutes from the February 2, 2009 Regular Commissioners' Meeting.
- B. Unseal Closed Session Minutes from January 9, 2006 – December 4, 2006.

Commissioner Bolick made a motion to approve the Consent Agenda. Commissioner Odom 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 Robertson made a motion to enter into Closed Session at 8:55 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 Yoder seconded the motion. The Board voted unanimously in favor of the motion.

ADJOURNMENT

There being no further business, Commissioner Bolick made a motion to adjourn at PM. 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