

Draft

BOARD OF COMMISSIONERS
REGULAR MEETING April 6, 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, April 6, 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

Pastor Rosa Erickson, Shiloh Lutheran Church, gave the invocation and Chairman Robertson led the Pledge of Allegiance to the Flag.

ADOPTION OF AGENDA

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

PUBLIC COMMENT

There was no one present to speak during the Public Comment Period.

PUBLIC HEARING: CONDITIONAL USE 09-2 – BRADBURN

Sylvia Turnmire, Director of Planning & Development, presented Conditional Use Permit 09-1 submitted by Bill Bradburn & Tim Houser who requested conditional use approval to construct and operate a shaving mill on property located on Sulphur Springs Road. The size of the property is 45.527 acres and the current land use is vacant. Ms. Turnmire stated that zoning within 100 feet of the subject property was RA-20 on all sides. There is single-family residential and vacant property to the north, south, and east of the property as well as additional vacant property to the west and agricultural to the south.

She stated that the proposal included a shaving mill with a 40' by 80' building, which would total a land area of three acres to be disturbed. She mentioned that the subject property had existing access by a 45' easement to Sulphur Springs Road but had no access to public utilities. Therefore, any water or sewage service would require individual systems. She informed the Board that the applicant was willing to limit operation of the shaving mill to daylight hours.

Ms. Turnmire explained that the RA-20 Zoning District allowed the proposed use with conditional approval by the Board of Commissioners. She stated that no comments, calls, or visits pertaining to the request had been received and noted that Planning & Development staff recommended approved of the conditional use permit with the following conditions:

1. The hours of operation are to begin at 7:00 AM and end at 8:00 PM.
2. All other Zoning Ordinance dimensional requirements shall be met.

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

Public Comment

Billy Bradburn, owner of the property, stated that trees would completely surround the shaving mill once constructed. He also noted that the closest home was approximately 1,200 feet away and that most were 1,800 to 2,000 feet away from the proposed location. Mr. Bradburn also mentioned that the mill would be enclosed inside a building which would reduce the noise.

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 09-2 with conditions recommended by staff to include hours of operation between 7:00 AM and 8:00 PM and meeting all other Zoning Ordinance dimensional requirements. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

PUBLIC HEARING: APPALACHIAN REGIONAL COMMISSION GRANT

Nancy Coley, WPCOG Community Development Administrator, presented an Appalachian Regional Commission budget amendment and explained that an amendment was necessary if more than 10 percent of any line item was moved into another line item. The original ARC budget has \$65,000 in the sewer line item and \$135,000 in the water line item. She stated that the proposed amendment would move all \$65,000 of sewer funds into the water line item, resulting in \$200,000 for water expenses and she noted that this amendment was necessary due to the increased water costs of the Craftmaster Furniture Project. Ms. Coley mentioned that the budget amendment would be submitted to the NC Department of Commerce, Commerce Finance Center for approval.

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 Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

Commissioner Bolick made a motion to approve the submittal of the ARC budget amendment to the NC Department of Commerce as requested. Commissioner Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

CHILD ABUSE PREVENTION AWARENESS MONTH PROCLAMATION

Holly Yongue, Children's Services Program Manager, announced that April was Child Abuse Prevention Awareness Month and discussed the Blue Ribbon for Kids Campaign which began in 1989 by a Virginia grandmother whose grandson was a victim of child abuse. She also mentioned several events taking place this month to promote child abuse awareness including spots on the radio, blue ribbons being distributed to schools and businesses, a booth at Wal-Mart, and a memorial service to be held on April 14, 2009 at 6:00 PM at Matheson Park to remember children from Alexander County that died as a result of child abuse in 2007. In the case of rain, the event will be held at First United Methodist Church.

Ms. Yongue requested the approval of a proclamation to declare April 2009 as Child Abuse Prevention Month in Alexander County.

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

SMOKY MOUNTAIN CENTER UPDATE

Claudia Earle, Central Region Director, began by introducing Shelly Lackey, Community Relations Coordinator, who discussed her position as liaison to the board of directors and her work with boards of commissioners and development of informational materials.

Ms. Earle mentioned that the Peace Haven Group, a home for adolescent girls, could now accept 4 entries and noted that staff was working with Wesley Development Corporation in writing a grant for a 6-unit apartment complex to include utilities and rental assistance. Other projects mentioned included organization of a committee to address issues of homelessness and housing for the disabled as well as parenting classes and development of a brochure listing names and contact information of therapists and forms of payment accepted.

She also discussed New River Behavioral Center who will begin a new service called tele-psychiatry which would allow clinicians to speak with patients with the use of monitors instead of face-to-face meetings. A program similar to Caldwell County's Helping Hands Program is also being considered.

Involuntary commitments by the Sheriff's Department were also mentioned. Ms. Lackey explained how difficult the involuntary commitment process was compared to voluntary. Ms. Earle stated that staff was working on getting a mobile crisis team that could help with this process.

HIDDENITE SEWER PROJECT UPDATE

Rick French, County Manager, reported that all of the gravity sewer and force mains were complete and have passed testing. Both pump stations are complete with the exception of electrical components. He stated that the water booster pump station had been delivered and noted that the water main was complete except for the connection to the booster pump and the tie into the 8-inch water main to be abandoned on Craftmaster Road. The project is 99% complete.

NORTHEAST AREA WATER PROJECT UPDATE

Rick French, County Manager, provided the following update on the Northeast Area Water Project:

1. York Institute Road and Sharpe Mill Road water lines have been completed, tested, and put into service.
2. The crew is currently working on Vashti Road and are proceeding slowly due to rock.
3. A total of 7,710 linear feet of pipe was installed in March for a total of 21.8 miles in the ground. That equates to 85% left to be complete or 4.1 miles to go.
4. The current deadline for substantial completion is June 6, 2009. Recent progress appears adequate to meet this deadline.
5. Plans and specifications for Hopewell Church Road are complete and submitted to government agencies for review. This addition can probably be put out for bids in May.

Mr. French also announced that the next project meeting was scheduled for April 17, 2009 at 9:00 AM at EnergyUnited Water Corporation.

JAIL PROJECT UPDATE

Rick French, County Manager, informed the Board that plans and specifications would be completed in June and bidding for the project could begin as early as July. Proposals for soil boring are currently being reviewed.

RESOLUTION IN FAVOR OF HB 313

Chairman Robertson discussed HB 313 (An Act Prohibiting a City from Exercising Extraterritorial Jurisdiction in an Area if the County has Adopted and is Enforcing a Zoning Ordinance) and requested approval of a resolution in favor of the bill.

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

RESOLUTION IN FAVOR OF HB 314

Chairman Robertson discussed HB 314 (An Act to Provide that Municipalities May Not Annex Into Another County Without the Approval of the Board of Commissioners of that County) and requested approval of a resolution in favor of the bill.

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

ROCKY FACE PARK MASTER PLAN SCHEDULE

Rick French, County Manager, presented the following schedule of event related to the Rocky Face Park project:

- Commissioners appoint advisory committee – April
- First meeting with advisory committee to explain the master plan process – week of April 13
- Second meeting with advisory committee to present site analysis and plan public meeting – 1st or 2nd week in May
- Public meeting – 1st week in June

- Third meeting with advisory committee to analyze input from public meeting and rank recommendations for facilities, programming, and management into phases – 1st week of July.
- Fourth meeting with advisory committee to review draft plan – 1st week of August
- Fifth meeting with advisory committee to present final plan – 1st week of September
- Present master plan to commissioners – mid September

Commissioner Bolick made a motion to approve the schedule as presented. Commissioner Odom seconded the motion. The Board voted unanimously in favor of the motion.

BOARD APPOINTMENTS & REAPPOINTMENTS

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

Rocky Face Park Advisory Committee – Appoint Rev. Mark Dula, Alisha Hayes, Trena Warren, Kent Herman, Rick French, David Icenhour, Jason Williams, George Brown, Robert Campbell, Jon Presnell, Leslie Meadows, Dan McClure, Wendell Kirkham, and Sam Erwin.

Mr. French stated that members would be added or removed as necessary as phases progressed.

Commissioner Yoder made a motion to approve the appointments to the Rocky Face Park Advisory Committee. Commissioner Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

Equalization & Review Board – Appoint Sue Watts as an alternate.

Chairman Robertson made a motion to approve the appointment to the Equalization and Review Board. Commissioner Yoder seconded the motion. The Board voted unanimously in favor of the motion.

BUDGET ORDINANCE AMENDMENTS #32 - #35

Rick French, County Manager, discussed the purpose of Budget Amendments #32 - #35, which included the following information:

Budget Amendment #32 – To transfer funds within the Juvenile Crime Prevention Council programs. To increase the Emergency Services budget for grant funds available

to update the Emergency Operations Plan. To increase the Animal Control budget to purchase kennels and carriers with donations received.

Budget Amendment #33 – To transfer funds from the General Fund to the Capital Improvements Fund for technology purchases.

Budget Amendment #34 – To transfer funds from the General Fund to the Multi-Year Grant Fund for the agreement with the WPCOG to provide technical assistance for the Rocky Face Park Master Plan.

Budget Amendment #35 – To budget for the NC Housing Finance Agency Home Energy Loan Pool in the amount of \$10,000.

Commissioner Odom made a motion to approve Budget Amendments #32 - #35. Commissioner Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

OTHER BUSINESS

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

- A. The NCACC District Meeting will be held on April 16, 2009 in Iredell County from 5:30-9:00 PM.
- B. County staff is trying to schedule a meeting with our local representatives to discuss several bills including bill 758 that would transfer secondary road responsibility from the state to counties. Approval of this bill alone would result in the need for a 12-cent property tax increase.

The Board encouraged the public to contact legislation to discuss the impact this would have on the county and its citizens.

- C. The NC Employment Security Commission released unemployment rates for our area. Alexander County's unemployment rate is currently 15.8%
- D. The third annual Household Hazardous Waste Day is scheduled for Saturday, April 25, 2009 from 9:00 AM-1:00 PM in the County Administration Building parking lot. A Shred-It truck will be on-site.
- E. One bid was received for the recent surplus sale of property located on Glass Road. The bid was well below the value of the property. Mr. French requested the Board reject the bid and re-advertise.

Commissioner Yoder made a motion to reject the bid and re-advertise as requested. Commissioner Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

- F. Mr. French requested the Board declare an old gas chamber previously used at the Animal Shelter as surplus.

Commissioner Bolick made a motion to declare the chamber as surplus. Commissioner Odom seconded the motion. The Board voted unanimously in favor of the motion.

- G. No word has been received from the stimulus project requests. Mr. French stated that updates for these projects would be placed on the agendas for the first meeting of every month to keep the Board posted.

CONSENT AGENDA

- A. Tax Release Requests for March \$4,366.92 and Tax Refund Requests for March \$1,242.50.
B. Minutes from the March 16, 2009 Regular Commissioners' Meeting.

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

Commissioner Odom made a motion to enter into Closed Session at 7:03 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 Bolick seconded the motion. The Board voted unanimously in favor of the motion.

ADJOURNMENT

Commissioner Bolick made a motion to adjourn at 8:20 PM. Commissioner Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

W. Darrell Robertson, Chairman

Jamie M. Starnes, Clerk to the Board