

Draft

**BOARD OF COMMISSIONERS**  
**REGULAR MEETING**     August 17, 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, August 17, 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**

Matt Jordan, 911 Communications Shift Supervisor, gave the invocation and also led the Pledge of Allegiance to the Flag.

Mr. Jordan stated that he had been employed with Alexander County for 13 years, beginning as a part-time telecommunicator in 1996. He became full-time in 1998 and was promoted to shift supervisor in 2003. He informed the Board that there were currently 9 full-time and 6 part-time employees in 911 Communications and he discussed the certifications required to work as a telecommunicator including national certification in Emergency Medical Dispatch, CPR, Sheriff's Standards as a basic telecommunicator, and Division of Criminal Information System certification.

He reported that 110,867 calls had been received so far in 2009 as well as 279,867 radio transmissions for the Sheriff's Department, Taylorsville Police Department, NC Highway Patrol, Animal Control, Are You O.K.? Program, EMS, Emergency Management, Fire Marshal, NC Forestry, NC Wildlife, Rescue Squad, and all 8 fire departments.

## **ADOPTION OF AGENDA**

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

## **PUBLIC HEARING: CONDITIONAL USE PERMIT 09-3 – RATLIFF**

Sylvia Turnmire, Director of Planning & Development, presented Conditional Use Permit 09-3 submitted by Scotty & Kerry Ratliff on behalf of Shining Light Baptist Church who requested conditional use approval for a private cemetery on property located on Black Oak Ridge Road. The size of the property is 2.01 acres, zoned RA-20, 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 vacant property to the north, doublewide manufactured homes and vacant property to the south and east, as well as site-built residential, a singlewide manufactured home, and a poultry house to the west.

She stated that the proposed cemetery for the members of Shining Light Baptist Church had road frontage on Black Oak Ridge Road and would not require any utility connections. The property is not adjacent to the church building.

Ms. Turnmire informed the Board that the RA-20 Zoning District allowed the proposed use with conditional approval by the Board. She explained that the property was located within the Protected Area of a Class II Watershed for the South Yadkin River and that a tributary of Muddy Fork served as the northern boundary line. Section 151.038 of the Watershed Ordinance requires a minimum 30-foot vegetative buffer along all perennial waters. She also noted that NC Environmental Health regulations required a 100-foot radius from springs and wells and 15 feet from any septic systems. In addition, the NC Cemetery Commission recommends that a survey description be created.

She stated that letters were sent by first class mail, a sign was posted on the property, and a legal advertisement was placed in *The Taylorsville Times* to announce the public hearing. Staff did not receive any calls or visits regarding the request.

She reported that staff recommended approval of the conditional use permit with the following conditions:

1. A 30-foot vegetative buffer along the creek.
2. Burial plots shall be set back 100 feet, measured radially, from any spring or well.
3. Burial plots shall be set back 15 feet from any septic system.
4. Side and rear yard setbacks of 20 feet.
5. A front yard setback of 30 feet.

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

Commissioner Yoder suggested a diagram of the cemetery be drafted to include the location of plots so that they could be identified at a later date if needed.

Commissioner Bolick made a motion to approve Conditional Use Permit 09-3 with the conditions specified by the Planning & Development staff as well as Commissioner Yoder's suggestion for a diagram of the cemetery. Commissioner Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

### **ALEXANDER COUNTY SCHOOLS UPDATE & 2008-2009 TEST RESULTS**

Jack Hoke, Alexander County Schools Superintendent, informed the Board that 2008-2009 was the best year related to academic achievement results with all 10 schools meeting expected growth or high growth. He also noted that 9 of 10 schools met adequate yearly progress as defined by No Child Left Behind. The state average is 78% and Alexander County rated at 90%.

He discussed the performance composite in grades 3-8, stating that there was a 13-point gain in mathematics and a 12-point gain in language arts

Mr. Hoke stated that 5,585 students were expected to enroll on August 25, 2009 and noted that the Opening Ceremony would be held on August 20, 2009 at 8:30 AM in the ACHS Auditorium.

Chairman Robertson inquired about the amount of funding provided by the federal government for No Child Left Behind. Mr. Hoke replied that the federal government had contributed very little; however, he noted that the school system would be receiving some stimulus funding in the amount of \$1.25 million for the Exceptional Children's Program and \$555,000 in Title I over the next 2 years.

Commissioner Bolick asked about the number of jobs lost and classroom size for the 2009-2010 year. Mr. Hoke explained that Alexander County would have to revert \$857,000 back to the state once their allotment was distributed this year and \$1.15 million next year. Therefore, in June, the Board of Education decided to non-renew 22 teachers but have re-employed 14 of those after the final budget was received from the state. Also, 6 teacher assistants lost their job as well as one guidance person. He also noted that class size in grades 4-12 were allowed by law to increase by two.

Commissioner Yoder asked if school systems would receive lottery funds for construction as originally intended. Mr. Hoke replied that the Governor had received a lot of negative feedback from the withholding of those lottery funds during 2008-2009 and did plan to distribute them to school systems this budget year.

## **UPDATE ON THE 2009 OZONE SEASON**

Sylvia Turnmire, Director of Planning & Development, pointed out that in March 2008, the Environmental Protection Agency official lowered 8-hour ozone standards from .084 ppm to .076 ppm as well as re-evaluated the Air Quality Index by altering the categories of sensitivity.

She stated that so far this year, the monitor on Waggin' Trail has not recorded an exceedance of .076 ppm. She also explained that the EPA used the 4<sup>th</sup> highest reading to determine non-attainment on a 3-year rolling average and noted that our 4<sup>th</sup> highest reading was .063 ppm and 0.733 ppm for the 3-year rolling average. Therefore, the Taylorsville monitor is in compliance.

## **ENVIRONMENTAL NEWS UPDATE**

Suzanne Rhinehart, NC Cooperative Extension 4-H & Youth Development Agent, updated the Board on educational opportunities offered to kids during the summer including a 4-H2O Water Exploration Day Camp where kids learn graduate level assessment of stream quality by collecting and studying water bugs found in Alexander County streams. Participants also test for dissolved oxygen and nitrates near farms and businesses to determine if there is any leaching problems.

She also discussed several math and science engineering activities being held this summer, in particular an electricity workshop focusing on energy conservation and the Hands to Service Day Camp where kids perform community service oriented activities.

Ms. Rhinehart offers educational programs to teachers during the month of April in observance of Earth Day to promote recycling.

Josh Mitchell, Solid Waste Director, mentioned the School Recycling Program which resulted in 550 less dumpster pickups in 2008-2009 than in the 2007-2008 year with a savings of approximately \$25,000. He thanked Suzanne Rhinehart for her part in promoting the program as well as Jack Hoke for allowing participation.

He also reported that the County's tonnage for recycling had increased by 300 tons for 2008-2009. In relation to per capita recycling, Alexander County ranked 75<sup>th</sup> in the state in 2002-2003 which has been elevated to 31<sup>st</sup> last year. Mr. Mitchell anticipated Alexander County to rank between 24<sup>th</sup> and 20<sup>th</sup> this year.

Mr. Mitchell also informed the Board that the state would enforce 3 new disposal bans beginning October 1, 2009 for landfills to include palettes, oil filters, and plastic bottles. He pointed out that oil filters and plastic bottles could be recycled at convenience centers. Items currently banned from the landfill are aluminum cans, appliances, car batteries, motor oil, antifreeze, scrap tires, and yard waste; however, he noted that alternative means of disposal were available for these items. Beginning January 2011, televisions and computer equipment will also be banned from landfill.

He also announced that Clean Alexander Day would be held on Saturday, October 31, 2009 where citizens could dispose of their garbage for FREE!

### **ALEXANDER COUNTY / CALDWELL COUNTY JAIL AGREEMENT**

Rick French, County Manager, presented an agreement between Alexander County and Caldwell County for the housing of inmates. He explained that Alexander County would pay Caldwell County \$45 per day per inmate for 12 male beds and 8 female beds in an effort to reduce the number of inmates being housed at the Alexander County jail and make the situation safer for employees until funding was available to construct a new jail facility.

He informed the Board that Caldwell would arrange for video first appearances and would also transport inmates to and from medical or dental appointments, which would be reimbursed by Alexander County.

The agreement is for 3 years and includes provisions for quarterly meetings to revise any part of the contract if necessary.

Commissioner Yoder made a motion to approve the agreement with Caldwell County for the housing of inmates. Commissioner Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

### **BOARD APPOINTMENTS & REAPPOINTMENTS**

Rick French, County Manager, requested the reappointment of Ardeal Roseboro, Kathleen Rowe, Gerry Koning, Margo Mosley, Genny Masters, Emmett Pruett, and Alfred Dooley to the Senior Center Advisory Committee for 2-year terms.

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

### **BUDGET ORDINANCE AMENDMENT #5**

Rick French, County Manager, discussed the purpose of Budget Amendment #5 to account for the annual landfill monitoring costs related to the closure and post closure care in the Landfill Closure Fund rather than the Solid Waste Fund.

Commissioner Bolick made a motion to approve Budget Amendment #5. 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. Several important upcoming events include the Alexander County Schools Opening Session on August 20<sup>th</sup> at 8:30 in the ACHS Auditorium, the NCACC Annual Conference on August 27-30<sup>th</sup> at the Hickory Metro Convention Center, and the next furlough day for County employees on September 4<sup>th</sup>.
- B. The NC Department of Commerce has released the funds for the Vashti water project. Staff hopes to have a project schedule in September.
- C. The County performed 51 inspections in town limits during the month of July as well as responded to 12 animal related calls.

## **CONSENT AGENDA**

- A. Minutes from the August 3, 2009 Commissioners Meeting.

Commissioner Yoder 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 Robertson made a motion to enter into Closed Session at 7:33 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 Mayberry 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 7:50 PM. Commissioner Odom seconded the motion. The Board voted unanimously in favor of the motion.

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W. Darrell Robertson, Chairman

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Jamie M. Starnes, Clerk to the Board