

Draft

BOARD OF COMMISSIONERS
REGULAR MEETING January 19, 2010

ALEXANDER COUNTY
STATE OF NORTH CAROLINA

PRESENT: Larry G. Yoder, Chairman
 Ryan Mayberry, 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 Tuesday, January 19, 2010 in the CVCC / Alexander Center Multipurpose Room, Taylorsville, North Carolina.

CALL TO ORDER

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

INVOCATION & PLEDGE OF ALLEGIANCE

Phyllis Little gave the invocation and Susie Barkley led the Pledge of Allegiance to the Flag. Both individuals are member of the Alexander County Friends of the Library.

Jennie Masters, Friends of the Library President, explained that the Friends raised money to purchase books and other needed items and promoted programs at both the Taylorsville and Bethlehem branches. She stated that a fee of \$10 was charged to join the Friends, \$15 for a family, or \$50 for a patron and she noted that applications were available at the library. Any donation made is tax deductible.

She also promoted the upcoming reading of "The Pleasure Was Mine" by Tommy Hayes on April 25, 2010 at 3:00 PM at Reformation Lutheran Church and she discussed the book sales held in April and October which was the Friends largest fundraiser.

Commissioner Robertson conveyed his appreciation to the Friends of the Library for their volunteerism to making the library what it is today.

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

Chairman Yoder, on behalf of the entire Board, recognized Vickie Watts who recently retired after 33 years of service at the Alexander County Library. He stated that she was a devoted employee who would be missed.

Members of the Board congratulated Ms. Watts and encouraged her to enjoy her retirement.

COMMISSIONER'S REPORT

Commissioner Mayberry informed the Board that effective April 22, 2010 anyone paid to perform work that disturbs paint in housing and child-occupied facilities built before 1978 must be a Certified Renovator. Activities include remodeling, electrical work, plumbing, painting, carpentry, or window replacement. Commissioner Mayberry stated that those who fail to comply with the program could be fined \$37,500. The Hickory-Catawba Valley Home Builders Association is offering certification classes.

ADOPTION OF AGENDA

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

PUBLIC HEARING: 2008 INFRASTRUCTURE HOOK-UP PROGRAM CDBG #08-C-1843

Nancy Coley, WPCOG Community Development Administrator, explained that the original CDBG #08-C-1843 application proposed to install 22 water taps and connections and two sewer taps and connections to serve 24 identified low and moderate income households in Alexander County. Included in this application were 9 additional identified households, which triggered the creation of a waiting list in the event that excess funds were available due to lower plumbing bids or if any of the 24 original households declined.

She stated that of the original 22 households identified to receive public water, three of those declined assistance and two others are now deceased. The remaining 17 received assistance and are now connected to either County or EnergyUnited water lines. She also noted that the two households identified for sewer assistance were receiving public sewer from the Town of Taylorsville. She informed the Board that of the original 9 households placed on the waiting list, 8 of those had either received assistance or were scheduled to be connected to public water lines within the next month. Due to an easement problem, the 9th applicant was unable to be served.

Ms. Coley announced that additional grant funds still remained, which could be used to connect two additional households to public water lines. She asked the Board to approve the amendment

so it could be submitted to the NC Department of Commerce for their approval. She also reported that no local funds were used in this project and that CDBG would provide 100% of the total project costs.

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

Commissioner Mayberry made a motion to approve the submitting of the amendment adding these beneficiaries to the NC Department of Commerce, Division of Community Assistance, as requested. Commissioner Robertson seconded the motion. The Board voted unanimously in favor of the motion.

PUBLIC HEARING: CONDITIONAL USE 10-1 – CRAIG STAFFORD

Sylvia Turnmire, Director of Planning & Development, presented Conditional Use Permit 10-1 submitted by Craig Stafford who requested conditional use approval to construct a boat repair and detailing facility at 228 Taylorsville Beach Court. The size of the property is 1.6 acres, zoned N-B, and the current land use is a former restaurant. Ms. Turnmire stated that zoning with 100 feet of the subject property was RA-20 on all sides. There is also single-family site built on all sides as well as vacant property to the east.

She stated that the proposal included a boat repair and detailing facility of 3,000 square feet as well as additional parking for the associated marina.

Ms. Turnmire informed the Board that the N-B Zoning District allowed the proposed use with conditional approval, while considering the following:

Transportation – the subject property has frontage along Ben Eller Lane and Taylorsville Beach Court, both of which are maintained by NCDOT.

Environmental Conditions – The property is not within a watershed area; therefore, all applications as it pertains to land, air, and water quality shall be administered and enforced by the NC Department of Environment and Natural Resources. Use of an individual septic system will require approval from the County Environmental Health Department.

Landscaping – A vegetative buffer is required along the western and southern property lines and should conform to the requirements of Section 154.144. The applicant stated that adjoining property owners did not want additional trees planted that would block their view of the lake; however, the Ordinance requires a buffer between such uses.

Development and Dimensional Requirements – The Zoning Ordinance sets forth a 25 foot setback on the rear and side yards when abutting a residential district and is required

for this property. The site plan provided by the applicant includes this setback, but the front yard setback is not noted and a 40 foot setback from the right-of-way line of Taylorsville Beach Court is required.

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 only received calls from individuals requesting information.

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

1. The facility must meet all dimensional requirements, including a 40 foot front yard setback as measured from the right-of-way line of Taylorsville Beach Court.
2. The property must comply with Section 154.144 (landscaping).
3. All repair work shall be conducted inside the facility in an enclosed structure. No outdoor repair work or associated watercraft storage is allowed.
4. The permit is approved for a watercraft repair and detailing facility with associated marina parking and any variation in the use as specifically stated herein shall require additional review by the Board of Commissioners.

Chairman Yoder called the public hearing to order and requested any public comment.

Public Comment

Commissioner Bolick asked if any type of forklift was going to be used to transport boats from the marina to the boat repair facility. Craig Stafford replied that there would not.

Mr. Stafford also mentioned that he had spoken with the neighbors who were concerned with him planting more trees that would block their view of the lake. He stated that he was open to planting something agreeable by the Board and neighbors.

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

Commissioner Bolick made a motion to approve Conditional Use Permit 10-1 with the conditions specified by the Planning & Development staff as well as planting a low vegetation buffer acceptable to the neighbors. Commissioner Odom seconded the motion. The Board voted unanimously in favor of the motion.

APPROVAL OF ROCKY FACE PART APPLICATION

Mr. Erwin explained that the total cost to develop the 308-acre site was \$955,776 and that the County planned to use the land, donated by Carolina Land & Lakes RC&D, for the 50% match. A recent appraisal valued the property at \$92,000 more than the original value of \$386,000. He advised that proposed improvements included hiking trails and connectors, grading/landscaping, signage, parking, fencing, an informational kiosk, quarry overlook, picnic shelters, an ADA trail, and restrooms.

He noted that plans were to hopefully purchase some surrounding property in the future as a buffer to the park. Later plans also include paving of the parking lots and history kiosks.

Mr. Erwin pointed out that PARTF grant applications were due February 1, 2010. They will have approximately \$8 million to award, 75% of which will hopefully be awarded in May. He reported that points would be received for holding meetings with civic groups and the public.

He presented a 2009-2010 Basic Facts and Assurances Form for consideration by the Board to be sent along with the grant application.

Commissioner Robertson made a motion to approve the PARTF 2009-2010 Basic Facts and Assurances Form as requested. Commissioner Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

2009 E911 COMMUNICATIONS ANNUAL REPORT

Greg Foster, Communications Manager, gave the 2009 Communications Annual Report, which included the following information:

- A total of 186,319 telephone calls were received in 2009, with the most being received in April. This is an 18 ¼ % increase from 2007.
- 42,384 dispatches took place for Sheriff, EMS, Rescue Squad, Police, Fire, and Animal Control. This is an 18 ½ % increase from 2007.
- Fire, Rescue, and EMS calls increased in 2008 but then decreased in 2009. The decrease in EMS calls is due to Catawba County transporting nursing facility residents.
- Sheriff's Department calls increased by 22 ½ % from 2007-2009.
- Alexander County 911 dispatches some type of call every 12 minutes, 24 hours a day, 7 days a week.

The Board thanked Mr. Foster for his report.

REVISION OF FMLA POLICY

Rick French, County Manager, advised that the federal government had amended the Family Medical Leave Act in regards to the military exigency section of the regulation. Sandra Gregory, Human Resources Director, has updated Section 18-18c of the Alexander County Personnel Policy, Article VI – Holidays and Leave. Mr. French briefly reviewed the changes and requested the Board’s approval of the revision.

Commissioner Bolick made a motion to approve the revision as presented. Commissioner Robertson 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 Chris Bowman, Brandon Lowe, and Anita Ledford for 2 years. Reappoint Jennifer Hefner, Carrie Garvey, Vicki Bartholomew, Holly Yongue, Harold Odom, Samantha Feimster, Kevin Beale, Holly Powell, Gail Drum, Kim Cowart, Jerry Ratchford, Matt Cooksey, and Suzanne Rhinehart for 2 years.

Library Board – Reappoint Phyllis Little, Janie McCall, and Carole Rogers for 3 years.

Planning & Zoning Commission – Reappoint Don Harrington for 2 years.

Mr. French reported that replacements were needed for Eric Fritz and Brian Walker on the Planning & Zoning Commission as well as Donald Robertson and Kathleen Gwaltney on the Town Planning Board of Adjustments.

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

BUDGET ORDINANCE AMENDMENTS #24 - #27

Rick French, County Manager, reviewed the purpose of Budget Amendments #24 - #27, which included the following information:

Budget Amendment #24 – To increase the DSS budget due to additional state funding for crisis intervention payments. To increase the Recreation budget for supplemental accident insurance premiums for individual participants. To increase the Governing Body budget for architect fees and other costs to complete the jail construction documents to be ready to go out for bids.

Budget Amendment #25 – To transfer funds between departments for allocations of annual insurance premiums for property and liability and worker’s compensation.

Budget Amendment #26 – To transfer funds between departments for allocations of annual insurance premiums for property and liability and worker’s compensation.

Budget Amendment #27 - To transfer funds between departments for allocations of annual insurance premiums for property and liability and worker’s compensation.

Commissioner Robertson made a motion to approve Budget Amendments #24 - #27. 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. The WPCOG will hold its Annual Meeting on Tuesday, January 26, 2010 at the Crowne Plaza in Hickory at 6:30 PM.
- B. A work session with Representative Ray Warren and Senator Steve Goss has been planned for Thursday, January 28, 2010 at 6:00 PM.
- C. The Chamber of Commerce Annual Meeting is scheduled for Thursday, February 18, 2010.
- D. Elected officials will be mandated to attend state-mandated ethics training. The NCACC plans to offer seminars during their district meetings in April and the School of Government will also offer training at many events.
- E. Commissioner Bolick discussed the recent move for boaters under the age of 26 to be certified. He asked if Alexander County was prepared to provide training either at CVCC or through the Sheriff’s Department. Mr. French replied that he would research this topic.

Commissioner Robertson made a motion to approve the County Manager’s Report. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

CONSENT AGENDA

- A. Minutes from the December 29, 2009 Work Session and the January 4, 2010 Regular Commissioners’ Meeting.

Commissioner Robertson 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 7:07 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 Robertson seconded the motion. The Board voted unanimously in favor of the motion.

APPROVAL OF PRESS RELEASE

At 8:24 PM, the Board reconvened into Open Session to consider a press release related to the Catawba River Interbasin Transfer. Rick French presented a press release explaining the recent agreement reached between the Protect the Catawba Coalition / Catawba Riverkeeper Foundation, Inc. and the cities of Concord and Kannapolis to resolve the appeal of the IBT granted by the state.

Commissioner Robertson made a motion to approve the press release. Commissioner Mayberry 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 8:25 PM. Commissioner Robertson seconded the motion. The Board voted unanimously in favor of the motion.

Larry G. Yoder, Chairman

Jamie M. Starnes, Clerk to the Board