

Draft

BOARD OF COMMISSIONERS
REGULAR MEETING April 25, 2011

ALEXANDER COUNTY
STATE OF NORTH CAROLINA

PRESENT: W. Darrell Robertson, Chairman
 Ryan Mayberry, Vice-Chairman
 Larry Yoder

ABSENT: James "Burkie" Jennings
 Judy M. Moose

STAFF: Rick French, County Manager
 Jamie Starnes, Clerk to the Board

The Alexander County Board of Commissioners held a regular meeting on Monday, April 25, 2011 in the CVCC / Alexander Center Multipurpose Room, Taylorsville, North Carolina. A quorum was present.

CALL TO ORDER

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

INVOCATION & PLEDGE OF ALLEGIANCE

Chief Terry Foxx, Alexander Rescue Squad, gave the invocation and Guy Kerley, Tax Collector, led the Pledge of Allegiance to the Flag.

Chief Foxx stated that the Rescue Squad had served the county for the past 52 years and was certified by the NCAREMS as a heavy and specialized rescue provider. Specialized areas include confined space, high angle, trench, structural collapse, water rescue, agricultural, animal rescue, and wilderness search. The ATV Team provides coverage for local events and the swiftwater & collapse personnel provide regional and statewide assistance. Chief Foxx reported that the Rescue Squad had 40 members (38 senior and 2 junior) with a 2010 budget of \$159,560.

Mr. Kerley reported that the Alexander County Tax Office employed a staff of 8 full-time, one of the smallest in the state based on the number of parcels in the county. As of July 1, 2010 the Tax Office contracted with the Town of Taylorsville and began collecting Town taxes. In August 2010, the County became the new contractor for the NCDMV License Plate Agency. He stated that the LPA staff handles 2,900-3,000 transactions per month. The Board of Equalization and

Review recently heard appeals from property owners. Mr. Kerley noted that there were fewer appeals this year than had been in several years past.

*****SPECIAL ANNOUNCEMENTS*****

Chairman Robertson recognized Jamie Starnes, Clerk to the Board, who received her NC Certified County Clerk designation from the School of Government at the University of NC at Chapel Hill. At the moment, 51 clerks and deputy clerks representing 46 counties and 2 councils of government have qualified for the program.

Judy Caywood announced the Bethlehem Community Development Association sponsored 2nd Annual Bethlehem Day Festival and Classic Car and Truck Show to be held on Saturday, June 4, 2011 from 9:00 AM until 4:00 PM in the Lowes Food Parking Lot.

COMMISSIONER'S REPORT

Commissioner Yoder commended those who participated in the Wizard of Oz production that took place last weekend.

Commissioner Mayberry wished his grandfather, Bill Mayberry who turns 105 on April 29th, a happy birthday.

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: REZONING CASE 11-1 = BRAD WIKE & ERIC BOLIEK

Seth Harris, County Planner, reviewed Rezoning Case 11-1 originally heard at the April 11, 2010 Commissioners' Meeting, noting that the case was tabled until more information could be gathered regarding the date of existing structures on the subject property.

He explained that the building permit for the initial structure was obtained in March 2000 with a proposed use listed as "antique truck storage." A work order form dated May 18, 2000 stated that the structure was "to be used as a residential accessory building" and "do not operate as a business."

The second building permit was issued on January 22, 2003 with a description of work listed as "new 30x60 metal building for storage" while the zoning permit had a similar listing of "storage building." Mr. Harris advised that this was an allowable use in the RA-20 zoning district. Comments at the bottom of the zoning permit state "Building for residential purposes only. No

sales, service, or warehousing operations may exist in this building (including automobile sales or repair). Any other use of this building other than residential use will result in the zoning permit being voided and penalties assessed.” He also added that a certified letter, received by Bradley Wike, stated similar limitations placed on the proposed building.

The third building permit was issued on March 5, 2007 and a listed use on the zoning permit was “antique truck shed building” which is an allowable use in the RA-20 zoning district.

Commissioner Yoder asked if there was currently a septic system on the property. Mr. Harris replied that there was not.

Public Comment

Bradley Wike, property owner, informed the Board that he was waiting for the Board’s decision on the rezoning before investing in a septic system. He added that Mr. Boliek’s tire store had been in business for 10 years at a location 800 feet from his property. He offered Mr. Boliek use of an empty building where he would have more room and better access for customers. Mr. Wike also noted that Mr. Boliek planned to be in business for a long time and that there had been no complaints from any neighbors.

Commissioner Mayberry explained that rezoning the property to H-C would create a situation where more intrusive uses could be placed there if the tire store left or Mr. Wike sold the property. He asked if a conditional use could be granted for the tire store under the RA-20 zoning district. Mr. Harris replied that this type of operation was currently not allowed under RA-20 zoning; however, he explained that a text amendment to the Zoning Ordinance could be drafted which would allow the use and then the conditional use on this particular case would come to the Board for final approval.

Several members of the Board agreed that a conditional use for a tire store would allow Mr. Boliek to continue his operation and also protect the neighborhood.

There being no other comments made, Commissioner Yoder made a motion to close the public hearing. Commissioner Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

Chairman Robertson made a motion 1) instructing staff to draft a text amendment to the Zoning Ordinance that would allow a tire store as a conditional use in the RA-20 zoning district, 2) allowing the fee paid by Mr. Wike and Mr. Boliek to carry over to the conditional use permit once the amendment is approved, 3) allow the tire store to remain in business while the process is taking place. Commissioner Yoder seconded the motion. The Board voted unanimously in favor of the motion.

NC GOVERNOR’S HIGHWAY SAFETY PROGRAM TRAFFIC GRANT

Rick French, County Manager, reported that the Sheriff’s Department was interested in applying for another NC Governor’s Highway Safety Program Traffic Grant which, if awarded, would be

used for an additional officer and equipment. The County is in the third year of a current traffic grant which will be a 50/50 match (15/85% 1st year, 30/70% 2nd year). He noted that the cost for the 15% match the first year would be \$16,266.

Mr. French suggested this item be referred to the Finance Committee that would meet later in the week.

Chairman Robertson made a motion to allow the Finance Committee to review this request before final consideration by the Board. Commissioner Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

BUDGET ORDINANCE AMENDMENT #44

Rick French, County Manager, advised that Budget Amendment #44 was to increase the Health Department budget for additional state funds for food and lodging as well as for additional DWI funds for enhancement and to increase the Extension Service budget for donations from outside sponsors received during the 2009-2010 and 2010-2011 budget years.

Commissioner Mayberry made a motion to approve Budget Amendment #44. Commissioner Yoder 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. Bids for the Dusty Ridge Park parking lot and road paving will be opened on April 27, 2011.
- B. Staff received a letter from the NC Department of Crime Control & Public Safety stating that Alexander County's Pre-Trial Release Program would not be funded during the 2011 grant cycle. A letter has been sent to Executive Director Gwendolyn Burrell requesting reconsideration.
- C. Sales tax revenues are down 7 ½ percent less than this time last year.
- D. Ben Hines, Register of Deeds, would like the use of the ACHS Auditorium on November 11, 2011 for a Veteran's Day event and has requested a fee waiver from the school system.

Commissioner Yoder made a motion to approve the County Manager's Report. Commissioner Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

CONSENT AGENDA

- A. Minutes from the April 11, 2011 Regular Commissioners' Meeting.
- B. Volunteer Fire Department Contract.

Commissioner Yoder made a motion to approve the Consent Agenda. Commissioner Mayberry 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 6:52 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 7:16 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