

Draft

BOARD OF COMMISSIONERS
REGULAR MEETING January 7, 2013

ALEXANDER COUNTY
STATE OF NORTH CAROLINA

PRESENT: James “Burkie” Jennings, Chairman
 Ryan Mayberry
 Judy M. Moose
 W. Darrell Robertson

ABSENT: Larry Yoder, Vice-Chairman

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

The Alexander County Board of Commissioners held a regular meeting on Monday, January 7, 2013 at the CVCC / Alexander Center in Room 103, Taylorsville, North Carolina.

CALL TO ORDER

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

INVOCATION & PLEDGE OF ALLEGIANCE

Commissioner Robertson gave the invocation and Chairman Jennings led the Pledge of Allegiance to the Flag.

ADOPTION OF AGENDA

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

PUBLIC COMMENT

The following comments were heard:

Justin Deal expressed his concern with the safety of our children attending public schools following the recent tragedy at Sandy Hook Elementary in Newtown, Connecticut and asked what steps were being taken in Alexander County to make schools safer. He was

aware that officers had been placed at every school following the incident; however, he pointed out that the Sheriff did not have the staff to continue to do so. Mr. Deal advised that federal funding was available for School Resource Officers and asked that everyone work together to keep our children safe and have a plan to keep this from happening locally.

Patricia Bebbler Dagenhart spoke on behalf of the Bebbler family requesting the new Sheriff's Office and Detention Center be named after her grandfather, former Sheriff Elisha Bebbler, who was killed in 1959. Ms. Dagenhart, who while attending the grand opening ceremony on November 17, 2012, viewed the plaques in the lobby that included names of various commissioners and staff, none of which mentioned Mr. Bebbler. She asked what the harm would be in honoring a fallen officer in this manner, especially the only County employee killed in the line of duty.

PROPOSAL TO NAME THE NEW SHERIFF'S OFFICE & DETENTION CENTER IN MEMORY OF FORMER SHERIFF THOMAS ELISHA BEBBER, SR.

Michael Harrison, Detention Center Administrator, along with Sheriff Chris Bowman, Chief of Police Tony Jones, NC State Trooper Brian Owensby, and Probation & Parole Manager Scotty Warren presented an official proposal to name the new Sheriff's Office and Law Enforcement Center in memory of former Sheriff Thomas Elisha Bebbler, Sr. Mr. Harrison submitted the following statement:

“Sheriff Elisha Bebbler and his wife, Nell, were adding the finishing touches to their dream house in Taylorsville in 1959. They had just finished paving the carport. Mrs. Bebbler, who was 46 at the time, said that Mr. Bebbler put his initials in the cement, but he never got to live in the house he built.

Elisha Bebbler was 53 years old and serving his third consecutive four-year term as Sheriff of Alexander County when he was shot in the back while answering a call of service to a family with a troubled son. “He didn't really want to run for office that last time,” Mrs. Bebbler stated at the time. “I begged him not to.”

Bebbler had planned to retire from office in order to run his farming operation on a full-time basis. But because he loved Alexander County and its people, Bebbler allowed himself to be virtually drafted into running for re-election before being chosen by the largest majority of voters in Alexander County history.

Elisha Bebbler's popularity was such that when he was assassinated by 38 year old Willard Ellis, emotions in Alexander County ran so high that crowds gathered at the county's jail. Deputy Sheriff Harold Price reported that Ellis had to be moved to Iredell County or he would have been killed. Joe James, now 81 years old, was the young deputy who accompanied Sheriff Bebbler on that fatal call. He is still affected by the tragedy and recalls each moment vividly.

For wives, husbands, sons, daughters, brothers, sisters and friends who must live through the pain of such loss, a law officer's glory can be difficult to bear. They pay the price of their loved ones' calling to serve their community. It is with that service and that loss in mind that we humbly and respectfully propose that the County's new law enforcement center be named in honor of the only member of Alexander County law enforcement to ever give his life in service of our community.

Those who knew, loved and suffered the loss of Sheriff Elisha Bebber are no longer young. They have waited many years for Alexander County to recognize his sacrifice. For some, it did not come soon enough. Let us not fail to act in time to let surviving Bebber family members know that we realize and appreciate our debt to them."

Sheriff Chris Bowman asked the Board to give serious thought to this proposal that would be appreciated by staff and family members.

Chairman Jennings stated that the Board would take the proposal under consideration and make a decision very soon.

Commissioner Robertson suggested photographs of all former sheriffs be placed in the lobby of the new facility along with a special memorial for Elisha Bebber and felt a monument was need on the courthouse lawn. He also mentioned several websites which listed fallen officers, including Mr. Bebber.

PUBLIC HEARING: CONDITIONAL USE PERMIT 13-1 – CHRISTIAN FELLOWSHIP CHURCH

Seth Harris, County Planner, presented Conditional Use Permit 13-1 submitted by Christian Fellowship Church who requested conditional use approval for a private church cemetery at property located on Friendship Church Road. The size of the property is 2.26 acres, zoned RA-20. The current land use is a church sanctuary which is under construction. Mr. Harris stated that zoning within 100 feet of the subject property was RA-20 on all sides. Land uses within 100 feet include a church and parking lot (under construction) to the north, vacant property to the south and east as well as a manufactured home to the east, and agricultural and a single family site built home to the west.

He explained that the subject property had frontage on Friendship Church Road Road and the project site is located at the rear of the property. The applicant plans to maintain an area consisting of approximately .68 acre for the cemetery.

The RA-20 District allows the proposed use with conditional use approval from the Board. The Zoning Ordinance requires that cemeteries be located a minimum of 30 feet from any property line. NC Environmental Health regulations require a 50-foot setback radius from springs and wells as well as a 15-foot setback from any sanitary sewage system. The NC Cemetery Commission recommends a survey description be created.

Letters were sent by first class mail to adjoining property owners, a sign was posted on the property, and a legal advertisement was placed in *The Taylorsville Times* to announce the public hearing. Staff received two calls related to this request, one for information only and another from neighbors Phyllis and Fred Little who were in favor of the conditional use.

Mr. Harris reported that staff recommended approval of the conditional use permit with the following conditions:

1. Maintain existing vegetation for screening.
2. Burial plots shall be set back 50 feet, measured radially, from any spring or well.
3. Burial plots shall be set back 15 feet from any sanitary sewage system.
4. A 30-foot setback shall be maintained from all property lines.

Commissioner Robertson suggested the applicant refer to N.C.G.S. Chapter 65 as well and suggested the location of the septic system and public water be added to the sketch.

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

Commissioner Robertson made a motion to approve Conditional Use Permit 13-1. Commissioner Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

2012 STATE OF THE COUNTY HEALTH REPORT

Leeanne Whisnant, Health Director, provided the 2012 State of the County Health Report which included the following information:

- Services provided by the Health Department.
- Leading causes of death in Alexander County.
- HIV / AIDS and STD cases in Alexander County.
- Community Health Assessment areas of focus – healthy families, mental health / substance abuse, access to health care.

Ms. Whisnant also reported that on December 14, 2012 the Health Department was awarded full accreditation status by the NC Local Health Department Accreditation Board.

“BUY LOCAL – ALEXANDER COUNTY” CAMPAIGN PRESENTATION

Gary Herman, Small Business Development Coordinator, discussed the “Buy Local – Alexander County” Campaign which began in October 2012. He presented a slide show including the following information:

- The purpose of the campaign is to create awareness to support the local economy, increase sales tax revenues, and support business owners.
- Efforts to spread the word include mailings, flyers, content on the EDC website, business listings, advertising, social media, and business spotlight videos.
- Business Spotlight videos have been created for Mays Meats, Peoples Drug Store, and Antiques & Pawn.

Mr. Herman stated that he was the contact for local business owners interested in being featured in a Business Spotlight video.

RESCHEDULING OF THE JANUARY 21ST WORK SESSION

Chairman Jennings requested the work session originally set for January 21, 2013 be rescheduled to January 28, 2013 due to the Martin Luther King Jr. holiday. The meeting and work session will be held at 6:00 PM in the County Administration Building downstairs conference room.

Commissioner Robertson made a motion to reschedule the January 21st meeting to January 28th. Commissioner Moose seconded the motion. The Board voted unanimously in favor of the motion.

SALES TAX REPORT

Rick French, County Manager, advised that a total of \$1,212,109 had been collected for the first 4 months of FY 2012-2013 or 33 ½ % of the amount was budgeted. This includes \$570,841 for Article 39, \$512,740 for Article 40, and \$124,685 for Article 46. This is \$47,601 or 4.09% more than what had been collected this time last year. A total of \$45,442 is for school hold harmless.

BOARD APPOINTMENTS & REAPPOINTMENTS

Rick French, County Manager, requested the following appointments and reappointments:

Planning & Zoning Commission – Appoint Sam Davis for 3 years. Reappoint Coy Reese for 2 years.

Juvenile Crime Prevention Council – Appoint Melissa Ledbetter to replace Joe Rochelle from the Smoky Mountain Center whose terms expires January 2014).

Senior Center Advisory Committee – Appoint Judith Rao to replace Genny Masters whose term expires August 2014.

He also pointed out that there were 5 vacancies on the Library Board as well as 3 on the Joint Nursing & Adult Care Community Advisory Committee.

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

BUDGET ORDINANCE AMENDMENTS #27 - #32

Rick French, County Manager, discussed the purpose of Budget Amendments #27 - #32, as follows:

Budget Amendment #27 – To increase the Insurance and Bonds expense line item in the Governing Body budget for 1) supplemental premium from the 2012 Workers Comp audit and 2) annual payment of unemployment insurance charges. To budget for the countywide ABC election. To increase the Extension service budget for Christmas Parade expenses that were higher than estimated.

Budget Amendment #28 – To reallocate funds budgeted for the JCPC due to a \$2,276 reduction in funding from the NC Department of Public Safety. To increase the Health Department budget for additional Health Promotion Funds for Healthy Communities.

Budget Amendment #29 – To budget for the transition of funds from a DSS checking account to the County's central checking account.

Budget Amendment #30 – To increase the DSS budget for additional funding allocations from the DHHS and award FEMA Phase 30 funds for emergency assistance payment for rent/mortgage/utilities.

Budget Amendment #31 – To budget for payout of accrued vacation and 5% retirement bonuses for 5 employees who participated in the retirement incentive offer.

Budget Amendment #32 – To create a new line item to account for expenses related to white goods activities.

Commissioner Robertson made a motion to approve Budget Amendments #27 - #32. Commissioner Moose seconded the motion. The Board voted unanimously in favor of the motion.

OTHER BUSINESS

Rick French, County Manager, reviewed the following issues during Other Business:

A. The next Golden Leaf Foundation Meeting is set for January 22, 2013 at CVCC.

- B. Architect Mackie Johnson will be meeting with County staff next week to discuss plans for the small Taylor Togs building, possibly for Probation & Parole and Pre-Trial Release, as well as plans for a site on the “barn” property for a small metal building to house the County garage. Other plans to be discussed include Animal Shelter renovations approved in the budget.

Mr. French added that this would eliminate the need to rent space once the Dayton property was demolished.

CONSENT AGENDA

- A. Tax Release Requests (\$3,417.21) and Tax Refunds (\$5,265.64) for November 2012.
- B. Minutes from the December 10, 2012 Commissioners Meeting.

Commissioner Robertson made a motion to approve the Consent Agenda. Commissioner Moose 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 Robertson made a motion to enter into Closed Session at 7:25 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 Robertson made a motion to adjourn at 8:40 PM. Commissioner Moose seconded the motion. The Board voted unanimously in favor of the motion.

James H. Jennings, Chairman

Jamie M. Starnes, Clerk to the Board