

Draft

**BOARD OF COMMISSIONERS**  
**REGULAR MEETING** August 3, 2015

**ALEXANDER COUNTY**  
**STATE OF NORTH CAROLINA**

**PRESENT:** Larry Yoder, Chairman  
Ryan Mayberry, Vice-Chairman  
Milton H. Campbell  
Josh Lail  
Ronnie Reese

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

The Alexander County Board of Commissioners held a regular meeting on Monday, August 3, 2015 at the CVCC / Alexander Center in Room 103, Taylorsville, North Carolina.

**CALL TO ORDER**

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

**INVOCATION & PLEDGE OF ALLEGIANCE**

Chairman Yoder gave the invocation and Commissioner Campbell led the Pledge of Allegiance to the Flag.

**COMMISSIONER'S REPORT**

Commissioner Lail conveyed his appreciation and gratitude to all emergency agencies, businesses, and volunteers who gave of their time and efforts on July 18<sup>th</sup> at the Bethlehem Baptist Church fire. The sanctuary was a total loss; however, Commissioner Lail was pleased that much of the remaining structures were salvageable.

Chairman Yoder also thanked the 8 Alexander County fire departments as well as the departments from Catawba and Caldwell County that assisted.

**ADOPTION OF AGENDA**

Chairman Yoder requested that Agenda Item #5 (Presentation from Brushy Mountain Golf Club) be heard as Agenda Item #1 and made a motion to adopt the agenda as amended. Vice-Chairman Mayberry seconded the motion, which passed unanimously.

## **PRESENTATION FROM BRUSHY MOUNTAIN GOLF CLUB**

Joe Ferguson, BMGC Head Golf Professional, began by discussing the golf course, which is available to the public and can be utilized for school team clinics and fundraiser tournaments. Stay and play packages are also available. Five membership types are offered ranging from an \$85 family to a \$10 social and all include perks and discounts. He reported that the sport of golf had decreased by 37% nationwide in the past 5 years and felt more members would be needed moving forward if this trend continued.

The new clubhouse, featuring McLindon's Restaurant, opened July 1, 2014 and can be reserved for weddings, receptions, rehearsal dinners, reunions, business meetings, birthday and holiday parties, etc. with a maximum capacity of 550 if utilizing the deck. He mentioned several crowd drawing events including the Big Band Summer Series with the Ya Ya's, the Friends and Family Cookout held the last Sunday of each month, and live music on Thursday, Friday, and Saturday nights. BMGC has also partnered with the Comedy Zone and will be featuring its third comedian this month.

Mr. Ferguson stated that the lodges opened right after Thanksgiving 2014 with 10 rooms (1 ADA accessible). This past June was the best month with 35% occupancy and the lodges were completely booked this past weekend due to the local rodeo with visitors from Tennessee, Kentucky, and New Mexico. In summary, he stressed that citizens did not have to be a BMGC member to eat at McLindon's, play golf, or stay at the lodges.

The Board thanked BMGC and owner Baxter Hayes for the investment into the community.

## **PUBLIC COMMENT**

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

## **PUBLIC HEARING: REZONING CASE 15-2 – HIDDENITE CONFERENCE CENTER**

Jon Pilkenton, County Planner, presented Rezoning Case 15-2 submitted by Hiddenite Conference Center, LLC who requested rezoning of property located at 414, 370, and 344 Hiddenite Church Road from RA-20 (Residential-Agricultural) to H-C (Highway Commercial) to allow for a congregate living facility. The size of the property tracts is approximately 1.4 acres and the current land use is a conference center. Zoning and land uses within 100 feet of the property is RA-20 to the north, south, and west along with H-C to the east.

The applicant plans to add 12 additional rooms to the home located at 370 Hiddenite Church Road, converting it to a congregate living facility. Parking will be provided at the location as well as surrounding property. The applicant is requesting the 3 parcels be rezoned to make them consistent with the surrounding property in which they currently own and will allow them to do any expansions permitted by right in the H-C district.

Mr. Pilkenton advised that the 2008 Comprehensive Plan identified this area as future commercial development and noted that rezoning these parcels would make the zoning consistent with adjoining parcels currently owned by the Hiddenite Conference Center, LLC.

Letters were sent by first class mail to the property owners within 100 feet of the parcel boundary, a sign was posted on the property, and a notice was placed in *The Taylorsville Times*. Staff received several calls from neighbors requesting information and/or ensuring their property wasn't being rezoned.

He informed the Board that Planning & Development staff recommended approval of the request due to the following:

- The proposed rezoning is consistent with the future land use patterns in the County's 2008 Comprehensive Plan.
- The request will not negatively impact surrounding properties and will provide the potential for future commercial growth.

The Planning & Zoning Commission held a public hearing on July 30, 2015 to review the request and voted unanimously to recommend approval based on staff recommendations.

Mr. Pilkenton advised that based on the information provided, the Board must determine whether the rezoning request meets the guidelines set forth and is reasonable in regards to the public interest considering all uses within the requested zoning district, not merely the use of which the applicant proposes.

Chairman Yoder called the public hearing to order and requested any comments. There being none, Vice-Chairman Mayberry made a motion to close the public hearing. Commissioner Lail seconded the motion, which passed unanimously.

Commissioner Campbell made a motion to approve Rezoning Case 15-2 due to the proposed rezoning being consistent with future land use patterns in the 2008 Comprehensive Plan and because the request will not negatively impact surrounding property and will provide the potential for future commercial growth. Commissioner Reese seconded the motion, which passed unanimously.

## **ECONOMIC DEVELOPMENT PRESENTATION**

David Icenhour, Economic Development Director, after giving a brief history of the Alexander Industrial Park, announced that the Alexander County Economic Development Corporation had entered into an agreement with the Alexander Railroad Company to construct a 50,000 square foot shell building in the Industrial Park. The building, which will be rail-served, will be expandable to 125,000 square feet and will feature 26 foot ceilings. He explained that the shell building will be financed and owned by Alexander Railroad and that the EDC will provide supplemental non-construction carrying costs such as permits, ongoing utility costs, etc., also serving as the primary marketing agency.

Ben Zachary, President and General Manager of Alexander Railroad, thanked the Board for their support as well as Mr. Icenhour for his guidance and assistance. He also introduced two members of his Board of Directors attending tonight, Thomas Warlick and James Abernathy as well as James' son Adrian.

The Board thanked the Alexander Railroad Company for their investment. Vice-Chairman Mayberry specifically commended Mr. Icenhour for his efforts.

## **PRESENTATION FROM BRUSHY MOUNTAIN MOTOR SPORTS PARK**

Richard Mull, BMMS Owner, stated that Brushy Mountain Motor Sports Park, which opened in 2002, was the largest OHV park in NC with 85 miles of combined trails for ATVs, dirt bikes, and side by sides. He felt the park promoted tourism and increased sales tax revenue for the county through purchases of fuel, food, etc. by riders. BMMS has been cited as the top OHV park in the southeast by *ATV Rider* and *Dirt Rider Magazines*.

He reported that 229,552 ATVs were sold in the United States in 2014 with the majority of ATV ownership being in the southeast. NC has been named as the 3<sup>rd</sup> largest state in ATV ownership in the past. Mr. Mull also provided a study of the economic impact of the Hatfield-McCoy Trail System in West Virginia, noting the benefit that ATV ownership and OHV parks could have in NC whose laws currently discourage such.

Tyler Mull, BMMS General Manager, discussed the park's policies on alcohol, behavior, and minors (requires birth certificate, copies of parents' licenses and signatures) and advised that future plans included developing the remaining 400 acres of the 1736-acre park within the next two years as well as possible purchase of additional property. A motocross track was recently constructed and the next woods race is scheduled for October 4<sup>th</sup>. He mentioned several Red Bull Hard Enduro Champions and Grand National Cross Country finishers that had visited the park as well as riders from Canada, South America, and Mexico.

Both spoke regarding lack of lodging in the area for riders but noted that camping was available on-site with shower/restroom facilities.

Commissioner Campbell added that BMMS Park enforced a noise policy and had extremely well-marked trails.

The Board thanked BMMS Park for their investment into the community.

## **NEW CONVENIENCE SITE PRICING INFORMATION**

Josh Mitchell, Public Works Director, discussed the fee increase at the convenience sites that took effect Saturday, August 1<sup>st</sup>, noting that the new charge was \$1 per 30-gallon bag. He added that disposal of recyclables was still free and that the more citizens recycled, the less they would pay.

He explained that the fees at convenience site fees had not increased in 10 years and that the increase was necessary to cover the total cost of operations. The Solid Waste fund is considered an enterprise fund which is intended to operate from revenue generated. Alexander County's fees for 30-gallon bags are still lower than most:

Alamance - 60 cents	Randolph - \$1.50
Buncombe - \$2.00	Union - \$1.25
Catawba - \$1.75	Wilkes - 65 cents
Craven - \$2.50	

He also noted that some counties charged a yearly fee on property tax bills instead of utilizing the "pay as you throw" program.

Chairman Yoder asked how much could be recycled from a normal bag of household trash to which Mr. Mitchell replied up to 70%, also noting that all recyclable material, with the exception of cardboard, could now be placed into one container at the convenience sites so sorting is no longer necessary.

Chairman Yoder as well as Vice-Chairman Mayberry conveyed their appreciation to Mr. Mitchell and his staff.

## **HUMAN SERVICES CONSOLIDATION DISCUSSION**

Rick French, County Manager, informed the Board that in 2012, the NC General Assembly enacted legislation that provided counties new options for how they organize and govern some human services agencies. All counties are now allowed, but not required, to create consolidated human services agencies that are either governed by an appointed board or by the board of county commissioners. Counties are also allowed to keep separate public health and social services departments but abolish their appointed governing boards. He reported that there were several options including consolidating boards, abolishing boards and commissioners assuming responsibilities, hiring a consolidated human services director, etc.

Currently 29 counties have made or are considering making changes. County staff and the County Attorney have consulted with the NC School of Government and are assessing the situation. A recommendation will be discussed with the Board in the coming months.

## **SALES TAX REPORT**

Rick French, County Manager, reported that \$3,529,829.33 had been collected so far in sales tax revenue for the 2014-2015 budget year. This is 97.91% of the \$3,605,000 budgeted and a 6.09% increase from this time last year.

## **DESIGNATION OF VOTING DELEGATE FOR NCACC ANNUAL CONFERENCE**

Commissioner Lail made a motion to designate Rick French, County Manager, to serve as Voting Delegate at the NCACC Annual Conference scheduled for August 20-23, 2015 in Pitt County. Vice-Chairman Mayberry seconded the motion, which passed unanimously

## **BOARD APPOINTMENTS & REAPPOINTMENTS**

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

Animal Control Advisory Board – Appoint John Milholland, Mike Deal, Garrett Davis, Leeanne Whisnant, and Dr. Hannah Shaffer and reappoint Tod Jones and Dottie Ferguson, all for 2 years.

WPCOG Region E Aging Committee – Appoint Paulette Huffman for 2 years.

Code Enforcement Officers – Appoint Jon Pilkenton and Seth Harris.

Commissioner Lail made a motion to approve the appointments and reappointments as presented. Commissioner Campbell seconded the motion, which passed unanimously.

## **BUDGET ORDINANCE AMENDMENT #4**

Rick French, County Manager, stated that Budget Amendment #4 was to increase the Information Technology budget by \$3,300 for the estimated cost of 3 laptop computers for the Governing Body department, to decrease the Debt Service expense budget by the amount estimated for the first year debt payment on a proposed \$437,000 loan to purchase vehicles (County will not be borrowing money to purchase said vehicles), and to decrease the Debt Proceeds revenue budget for the proposed \$437,000 loan for the purchase of vehicles (appropriated fund balance will be used to balance the budget after reducing the debt service expense and debt proceeds revenue).

Vice-Chairman Mayberry made a motion to approve Budget Amendment #4. Commissioner Reese seconded the motion, which passed unanimously.

## **OTHER BUSINESS**

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

- A. Staff received notice from the EDA that specifications for the Applied Technologies building have been approved and the project can begin. Advertising should begin within the next few weeks.
- B. A SWOT (strengths, weaknesses, opportunities, and threats) meeting is scheduled for Monday, August 17<sup>th</sup> at the Senior Center. Commissioners Milton Campbell and Ronnie Reese will be moderating the meeting. The public is invited to attend at 6:30 PM.
- C. The State budget process is stalled as the Senate and House are far apart on many issues, including the distribution of sales taxes for counties. Not having an approved State budget negatively affects both counties and school systems.

## **CONSENT AGENDA**

- A. Minutes from the July 13, 2015 Regular Meeting.
- B. Tax Release Requests (\$327.43) and Tax Refunds (\$1,168.29) for July 6-24, 2015.
- C. Resolution in conjunction with the Greater Hickory MPO Amended Memorandum of Understanding for Alexander, Burke, Caldwell, and Catawba Counties approved with the July 13, 2015 Consent Agenda.
- D. Request from Public Works / Facilities Department to surplus 1993 F350 service truck, VIN #1FDKF37H4PNB23815.

Commissioner Reese made a motion to approve the Consent Agenda. Vice-Chairman Mayberry seconded the motion, which passed unanimously.

## **CLOSED SESSION – N.C.G.S. 143-318.11(a)(1, 3, 4, 5, & 6) TO PREVENT THE DISCLOSURE OF CONFIDENTIAL INFORMATION, ATTORNEY/CLIENT PRIVILEGE, ECONOMIC DEVELOPMENT, CONTRACTUAL, & PERSONNEL**

Chairman Yoder made a motion to enter into Closed Session at 7:18 PM to prevent the disclosure of confidential information, for the purpose of attorney/client privilege, and to discuss economic development, contractual matters, and personnel issues pursuant to N.C.G.S. 143-318.11(a)(1, 3, 4, 5, & 6). Vice-Chairman Mayberry seconded the motion, which passed unanimously.

## **ADJOURNMENT**

There being no further business, Chairman Yoder made a motion to adjourn at 8:38 PM. Vice-Chairman Mayberry seconded the motion, which passed unanimously.

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Larry G. Yoder, Chairman

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Jamie M. Starnes, Clerk to the Board