

Draft

**BOARD OF COMMISSIONERS**  
**REGULAR MEETING**      August 1, 2016

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

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

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

The Alexander County Board of Commissioners held a regular meeting on Monday, August 1, 2016 at the CVCC / Alexander Center in Room 103, Taylorsville, North Carolina.

**CALL TO ORDER**

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

**INVOCATION & PLEDGE OF ALLEGIANCE**

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

**\*\*\*SPECIAL RECOGNITION\*\*\***

The Board recognized Sheriff Chris Bowman and Police Chief Dennis James along with members of the Alexander County Sheriff's Office and Detention Center, Town of Taylorsville Police Department, Probation & Parole, and the NC Highway Patrol in appreciation of their dedication to keeping Alexander County safe.

Sheriff Bowman and Chief Deputy Tod Jones thanked the Board and the citizens who have shown their support for law enforcement recently. Chief James did the same and touched on the excellent working relationship between departments.

Sheriff Bowman also urged the public to attend the 4<sup>th</sup> Annual National Night Out on Tuesday, August 2, 2016 at the Taylorsville Lions Club Fairgrounds between 5:00-9:00 PM.

## **COMMISSIONER'S REPORT**

Commissioner Lail mentioned the Early College Program beginning this year that will allow more than 50 rising 9<sup>th</sup> graders the opportunity to take college classes while attending ACHS with the goal of graduating 4 years later with both a high school diploma and an Associate's Degree.

Chairman Mayberry stated that there was no truth to the rumors and personal attacks being spread against him, Vice-Chairman Campbell, and Commissioner Lail by the opposing parties to the Alcohol Referendum.

## **ADOPTION OF AGENDA**

Commissioner Yoder made a motion to adopt the agenda as presented. Vice-Chairman Campbell seconded the motion, which passed unanimously.

## **PUBLIC COMMENT**

The following comments were heard:

Bud Caywood promoted the Bethlehem Library Exhibiting Artists Series, sponsored by the Bethlehem Community Development Association and the Bethlehem Friends of the Library, which began in August 2010 and has sponsored more than 100 local and regional artists. He announced that the Brushy Mountain Film Users Group Exhibit would begin this Thursday, August 4<sup>th</sup> with an opening reception at 5:30 PM and Gallery Talk beginning at 6:00 PM. Although spots are booked through 2017, a few are still available for 2018. Anyone interested in exhibiting should contact him at [caywoodstudio@charter.net](mailto:caywoodstudio@charter.net).

Donna Reid, Co-Chairman for Bethlehem Day scheduled for September 17, 2016, discussed the Bethlehem Baker Challenge that would feature both individual and church competitions with monetary prizes for 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> place winners. The entry fee is \$10 and applications are available at [www.bethlehemcda.org](http://www.bethlehemcda.org). All recipes entered will be compiled to create a cookbook that will be sold at the 8<sup>th</sup> Annual Bethlehem Day in 2017.

Faye Burner pointed out that a speaker at the July 18<sup>th</sup> Commissioners' Meeting had given misinformation by stating that 1) every dollar raised in tax revenue from alcohol sales would be offset with \$21.43 in public services and 2) it was 5.59 miles from the Taylorsville Savings Bank Branch in Bethlehem to the Taylorsville ABC store. In researching the source of the statistic, she found ties to the Alcohol and Drug Council of NC from 2002 but after calling the organization was informed that the statistic was not currently issued by the NC Alcohol and Drug Council. She added that the accuracy of the 2002 statistic was unknown and outdated at best. Ms. Burner also reported that, after

personally traveling from Taylorsville Savings in Bethlehem along Rink Dam Road to Highway 16 South, her odometer read a distance of 8.5 miles along with another 6.1 miles to the Taylorsville ABC store for a total of 14.6 miles. She urged both opponents and proponents of the alcohol referendum to be careful in their speech and literature and felt all were entitled to their opinion but not entitled to make up their own facts.

Vice-Chairman Campbell advised that the speaker in question had retracted his comments related to the distance between the bank and ABC store in the form of an email.

## **PUBLIC HEARING: REZONING CASE 16-4 – TABERNACLE BAPTIST CHURCH**

Jon Pilkenton, Director of Planning & Development, presented Rezoning Case 16-4 submitted by Tabernacle Baptist Church who requested rezoning of property located at 7703 Highway 90 East from L-I (Light Industrial) to H-C (Highway Commercial) to allow for a church and cemetery. The size of the property tract is approximately 18 acres and the current land use is vacant but was formerly a propane filling station. Zoning within 100 feet of the property is RA-20 on all sides as well as L-I to the north and H-C to the west. Land uses within 100 feet include residential on all sides along with vacant property to the east.

He reviewed staff comments related to size of the tract, compatibility of the disputed zoning action with an existing comprehensive plan, benefits and detriments resulting from the zoning action for the petitioning property owner / neighbors / and surrounding community, and the relationship between the uses envisioned under the new zoning and the current uses of adjacent land. He advised that the rezoning was inconsistent with the 2008 Comprehensive Plan which identified this area as being designated for industrial use, noting that changing the zoning of this property could have economic impacts given there is a limited amount of industrial zoning in the county; however, staff feels that rezoning this parcel to H-C would be less of an impact for any future development versus rezoning the property to a residential district.

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*.

Mr. Pilkenton informed the Board that, in addition to staff's recommendation of approval, the Planning & Zoning Commission held a public hearing on July 14, 2016 to review the request and voted unanimously to recommend approval based on the following:

- While the proposed rezoning is not consistent with the 2008 Comprehensive Plan, rezoning the property to Highway Commercial would not be a negative impact to any future development of the property.

He 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 Mayberry called the public hearing to order and requested any comments.

Public Comment

Larry Riddle stated that there were at least 116 churches in Alexander County that owned more than 773 acres of tax-exempt land, noting that the County lost property taxes in these type situations. He suggested land trades to prevent the loss of revenue.

There being no further comments, Commissioner Reese made a motion to close the public hearing. Vice-Chairman Campbell seconded the motion, which passed unanimously.

Vice-Chairman Campbell made a motion to approve Rezoning Case 16-4 because, while not consistent with the 2008 Comprehensive Plan, rezoning the property to H-C would not be a negative impact to any future development of the property. Commissioner Reese seconded the motion, which passed unanimously.

**PUBLIC HEARING: TRANSFER OF PROPERTY TO ALEXANDER RAILROAD CO.**

David Icenhour, Economic Development Director, requested a transfer of approximately 450 linear feet of rail line consisting of .68 acres to the Alexander Railroad Company pursuant to N.C.G.S. 158-7.1 for the purpose of aiding and encouraging job growth via continued operations and future expansions of the Alexander Industrial Park. He explained that Alexander Railroad deeded the property to the County several years ago due to ownership stipulations for a grant for Paragon Films. Now that all cycles of the grant are completed, Alexander County no longer needs to own this property.

The County will receive future property tax revenues generated by the property and Alexander Railroad Company will assume responsibility for all costs associated with maintenance and repair of the rail line. Mr. Icenhour added that immediate maintenance costs were estimated to be well in excess of the property value due to age of the line.

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

Commissioner Yoder made a motion to approve the transfer of property to Alexander Railroad Company as requested. Commissioner Lail seconded the motion, which passed unanimously.

**UPDATE ON ALEXANDER RAILROAD SHELL BUILDING**

David Icenhour, Economic Development Director, presented photos of the newly completed shell building located in the Alexander Industrial Park, noting that the 50,000 square foot structure, which is expandable to 125,000 square feet, features 26-foot ceilings and 40x50 bay spacing and is rail and natural gas served.

He reported that the shell building was the first Certified Industrial Building in NC, having completed the NC Department of Commerce Certified Industrial Building Program. Alexander Railroad has a contract with the Stump Corporation to market the site.

## **PUBLIC HEARING: APPROVAL OF ROAD NAMES**

Rick French, County Manager, submitted the following road names for approval:

<u>Road No.</u>	<u>Road Name</u>	<u>Location</u>
3727MM	Deer Valley Drive	Off Blankenship Road
3841JJ	Jolly Lane	Off Little River Church Road

All names have met required regulations and have been checked for duplication and sound indexing.

Chairman Mayberry called the public hearing to order and requested any comments. There being none, he then made a motion to close the public hearing. Commissioner Reese seconded the motion, which passed unanimously.

Chairman Mayberry made a motion to approve the road names as presented. Vice-Chairman Campbell seconded the motion, which passed unanimously.

## **BROADBAND COMMITTEE UPDATE**

Chairman Mayberry stated that a Broadband Committee would be appointed at the September 12, 2016 Commissioners' Meeting and he urged anyone with experience in this field to contact the Clerk to the Board with interest in serving. He explained that the Broadband Committee would work with representatives from the NC Department of Information Technology as well as private businesses and engineers to begin the process of developing a broadband engineering plan for Alexander County, noting that the Board would vote later in the meeting to apply for a grant for the broadband study.

## **LEGISLATIVE GOALS UPDATE**

Chairman Mayberry suggested this item be placed on the September 12, 2016 agenda for discussion since the deadline to submit goals to the NCACC was September 23<sup>rd</sup>.

## **SPECIAL ANNOUNCEMENT FOR PURCHASE OF COMMUNITY ONE BANK PROPERTY**

Chairman Mayberry announced that Alexander County would finalize the purchase of the former Community One Bank property in downtown Taylorsville on August 10<sup>th</sup>. Plans for this facility

are to house the Tax Office, Register of Deeds, NC License Plate Agency, Inspections, Environmental Health, Planning & Zoning, and Engineering. The property was purchased for \$350,000 and will be paid with the proceeds from the Home Health Agency sale that occurred in 2015. He added that after the move, there would be no County departments located in the former Wittenburg School on Highway 16 South giving the Board of Education the opportunity to sell the property to aid in needed revenue for schools.

Vice-Chairman Campbell mentioned that having these departments centrally located would provide better service to the citizens and that staff could possibly be cross trained between departments for better efficiency. This will also eliminate some leases currently being paid by the County.

### **ROCKY FACE PARK PHASE 2 BIDDING & PART F GRANT EXTENSION**

Rick French, County Manager, reported that a bid opening was held for the Rocky Face Park Phase 2 Project on July 14, 2016; however, only one bid was received from Wilkie Construction and it was significantly higher than the amount budgeted for the project. The project engineer, McGill Associates, negotiated with the bidder but was unsuccessful in reducing the bid to a range within the budgeted funds. Therefore, Mr. French recommended the Board reject the bid and re-advertise. Staff plans to work with McGill regarding ways to reduce the cost of the project.

In addition, he informed the Board that staff has requested a one-year grant extension from the NC Parks & Recreation Trust Fund.

Chairman Mayberry made a motion to reject the bid submitted by Wilkie Construction for the Rocky Face Park Phase 2 Project. Vice-Chairman Campbell seconded the motion, which passed unanimously.

### **ARC GRANT APPLICATION FOR INDUSTRIAL PARK PUMP STATION**

Rick French, County Manager, requested approval of a grant application with the NC Appalachian Regional Commission for the Alexander Industrial Park Pump Station Replacement Project. The total project amount will be \$596,697 and the amount of the grant requested is \$298,349.

Commissioner Yoder made a motion to approve the ARC grant application for the Industrial Park Pump Station Project. Commissioner Reese seconded the motion, which passed unanimously.

### **ARC GRANT APPLICATION FOR BROADBAND STUDY**

Rick French, County Manager, requested approval of a grant application with the NC Appalachian Regional Commission for the Alexander County Broadband Study. The total project amount will be \$20,000 and the amount of the grant requested is \$10,000.

Commissioner Lail made a motion to approve the ARC grant application for the broadband study. Vice-Chairman Campbell seconded the motion, which passed unanimously.

## **BOARD APPOINTMENTS & REAPPOINTMENTS**

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

Senior Center Advisory Committee – Appoint Betty Morrison, Pat Wilkinson, Rosa Daniels, Jo Blasius, and Gary Utz and reappoint Geraldine Perry and Paulette Huffman, all for 3 years.

Library Board of Trustees – Appoint Mike Harrison to fill an unexpired term that will expire in January 2018.

Commissioner Yoder made a motion to approve the appointments and reappointments as presented. Vice-Chairman Campbell seconded the motion, which passed unanimously.

## **BUDGET ORDINANCE AMENDMENTS #1 - #3**

Rick French, County Manager, reviewed the purpose of Budget Amendments #1 - #3 as follows:

Budget Amendment #1 – To increase the Economic Development budget for the second annual payment to assist the Town of Taylorsville with the debt service for the Millersville Area Sewer Project. To adjust the JCPC budget to match the 2016-2017 funding approved by the NC Department of Public Safety.

Budget Amendment #2 – To increase the DSS expense budget for 3 positions that were accidentally omitted from the FY 2017 budget request worksheets. To decrease the DSS revenue budget to adjust the revenue amount for State Aid that was estimated at a higher amount than what was adopted in the budget.

Budget Amendment #3 – To budget for the purchase of the former Community One Bank property in downtown Taylorsville.

After several questions and extended discussion by the Board regarding Budget Amendment #2, Commissioner Yoder made a motion to consider each budget amendment separately. Vice-Chairman Campbell seconded the motion, which passed unanimously.

Chairman Mayberry made a motion to approve Budget Amendment #1. Vice-Chairman Campbell seconded the motion, which passed unanimously.

Chairman Mayberry made a motion to approve Budget Amendment #3. Commissioner Reese seconded the motion, which passed unanimously.

Commissioner Lail made a motion to table Budget Amendment #2 until the September 12, 2016 Commissioners' Meeting. Vice-Chairman Campbell seconded the motion, which passed unanimously.

## **OTHER BUSINESS**

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

- A. The NCACC Annual Conference is being held on August 11-14, 2016 in Winston-Salem. Commissioner Yoder and County Manager Rick French will be attending.
- B. A work session will need to be scheduled in late September or early October to discuss several projects.
- C. The Vertical Mile Challenge is catching on in Alexander County. To date, over 300 citizens are participating.

## **CONSENT AGENDA**

- A. Tax Release Requests (\$607.15) and Tax Refunds (\$807.76) for July 9-22, 2016.
- B. Minutes from the July 18, 2016 Regular Meeting.
- C. Alexander County Library Board of Trustees Bylaws.

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

## **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 Mayberry made a motion to enter into Closed Session at 7:37 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 Lail seconded the motion, which passed unanimously.

## **ADJOURNMENT**



There being no further business, Chairman Mayberry made a motion to adjourn at 8:37 PM. Commissioner Lail seconded the motion, which passed unanimously.

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Ryan N. Mayberry, Chairman

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Jamie M. Starnes, Clerk to the Board