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**BOARD OF COMMISSIONERS**  
**REGULAR MEETING**     February 3, 2020

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

**PRESENT:**    Ryan Mayberry, Chairman  
                  Larry Yoder, Vice-Chairman  
                  Dr. Jeff Peal  
                  Marty Pennell  
                  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, February 3, 2020 in Room 103 of the CVCC / Alexander Center in Taylorsville, North Carolina.

**CALL TO ORDER**

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

**INVOCATION & PLEDGE OF ALLEGIANCE**

Vice-Chairman Yoder gave the invocation and Commissioner Reese led the Pledge of Allegiance to the Flag.

**COMMISSIONER'S REPORT**

Vice-Chairman Yoder reported that, while attending a recent TAC Meeting at the WPCOG, he learned that repairs for Liledoun Road were still on schedule for this spring.

Commissioner Peal mentioned attending the January Library Board of Trustees Meeting as well as a recent Bethlehem Business Association Meeting where the group discussed pedestrian/bike paths along Highway 127. He also stated that members of the Veterans Committee were attempting to gather contact information for all veterans in Alexander County.

Commissioner Pennell, who pointed out the many veterans in the audience tonight, thanked them for their attendance and noted that these types of meetings would not be possible if not for their service.

Chairman Mayberry encouraged everyone to get their flu shot if they haven't already done so.

## **ADOPTION OF AGENDA**

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

## **PUBLIC COMMENT**

Craig McLeod discussed several issues along Ridley Ranch Road such as piles of household garbage that are attracting rodents, the blocking of right-of-way with abandoned vehicles and scrap parts, old tires, RV's, and outbuildings, as well as a stream littered with trash and dilapidated housing. He explained that after purchasing 110 acres on Ridley Ranch Road in 2017, he and his wife attempted to get these issues addressed with the help of their attorney; however, no progress has been made as neighbors are confrontational and unwilling to cooperate. After contacting County staff in September 2019 regarding ordinance violations, public health concerns, and lack of access by emergency vehicles, notices were sent to property owners ordering cleanup/removal of violations within 30 days and a second notice allowing an additional 15 was sent. Mr. McLeod stated that to date, no clean-up has occurred and no further action has been taken by the County. In addition, he reported that County staff had suggested he pursue private civil action because the case had "fallen through the cracks" and Alexander County had limited funding to enforce ordinances. Mr. McLeod questioned why he should continue spending his money when the County had a multitude of ordinances to address these types of issues.

After reading a portion of former President George Washington's farewell address related to political prosperity, religion, and morality, Bill Rocap stated that he was very appreciative to see "In God We Trust" on the back of law enforcement vehicles. He felt those words should also be on every school bus to help children learn the principals that America was founded on.

## **PUBLIC HEARING: REZONING CASE 20-1 – MORGAN**

Jon Pilkenton, Director of Planning & Development, presented Rezoning Case 20-1 submitted by Darrell Morgan who requested rezoning of property located at 5195 NC Highway 16 South from RA-20 (Residential-Agricultural) to H-C (Highway Commercial) to allow for automobile sales. The size of the property tract is 1.12 acres. Zoning districts and land uses within 100 feet include RA-20 to the north and west along with H-C to the north, south, and east.

After reviewing staff comments related to the 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, Mr. Pilkenton reported that the rezoning was consistent with the adopted goals and policies of the 2008 Comprehensive Plan which identifies this area as being designated for commercial

use. Long-term patterns also suggest that Highway 16 South will develop into a commercial corridor.

Letters were sent by first class mail to 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*.

In addition to staff's recommendation for approval, the Planning & Zoning Commission held a public hearing on January 2, 2020 to review the request and voted unanimously to recommend approval based on the following:

1. The rezoning request is consistent with the future land use map in the 2008 Comprehensive Plan and its adopted goals and policies.
2. The request will not negatively impact the surrounding properties with regards to commercial development.

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 public interest considering all uses within the requested zoning district, not merely the use that the applicant proposes.

After a motion by Vice-Chairman Yoder, second by Commissioner Pennell, and unanimous vote, Chairman Mayberry called the public hearing to order and requested any comments. There being none, Vice-Chairman Yoder made a motion to close the public hearing. Commissioner Peal seconded the motion, which passed unanimously.

Chairman Mayberry made a motion to approve Rezoning Case 20-1 based on recommendations from staff and the Planning & Zoning Commission that the rezoning request is consistent with the future land use map, adopted goals, and policies in the 2008 Comprehensive Plan and would not negatively affect the surrounding properties in regards to commercial development. Commissioner Reese seconded the motion, which passed unanimously.

## **CENSUS 2020 UPDATE**

Harold Carrillo, U.S. Census Bureau Partnership Specialist, advised that the first census took place in 1790 and had occurred every 10 years since as mandated by the U.S. Constitution. Census results are used to determine the number of seats each state is allotted in the U.S. House of Representatives, redraw boundaries of congressional and state legislative districts, and distribute of more than \$675 billion in federal funds, grants, and support for schools, hospitals, roads, public works, etc. He reported that citizens would be able to do the 2020 census online instead of filling out the paper form.

U.S. Census representatives will attend a job fair on February 20<sup>th</sup> at the CVCC / Alexander Applied Technologies Center. Mr. Carrillo stated that 500 census workers would be needed in the Unifour area alone (paying \$20/hr. for approx. 6 months).

## **RESOLUTION TO PRESERVE & DEFEND THE CONSTITUTIONS OF THE UNITED STATES & NORTH CAROLINA / 2<sup>ND</sup> AMENDMENT SANCTUARY COUNTY PROCLAMATION**

After reading, Chairman Mayberry made a motion to approve a Resolution to Preserve and Defend the Constitutions of the United States and North Carolina. Commissioner Peal seconded the motion, which passed unanimously.

Chairman Mayberry explained that the Board had considered several versions of this resolution but chose this particular one because it excluded the word “sanctuary” to avoid any association with sanctuary cities throughout the country.

Sheriff Chris Bowman also presented a 2<sup>nd</sup> Amendment Sanctuary County Proclamation, but refrained from using “sanctuary” while reading (staff later edited the proclamation to replace Sanctuary County with Protection County).

In an effort to show unity between the Board and law enforcement, Vice-Chairman Yoder made a motion to also approve Sheriff Bowman’s 2<sup>nd</sup> Amendment Protection County Proclamation. Commissioner Reese seconded the motion, which passed unanimously.

Vice-Chairman Yoder asked that both documents be sent to all NC counties as well as representatives in the NC House, Senate, and U.S. Congress. He also encouraged the public to pay attention to bills introduced as things can easily be hidden in the fine print.

Commissioner Reese thanked everyone for attending and showing support. He suggested also making calls and sending emails to our NC and U.S. representatives on this issue.

Commissioner Peal was happy to see the community united and standing against having their rights infringed upon.

Commissioner Pennell was disappointed that governmental entities had to pass resolutions and proclamations to show support for the upholding of constitutional rights. He stated that disarming of law-abiding citizens had never proven beneficial and felt our fore fathers had great insight into the right to bear arms when creating the U.S. Constitution.

Several citizens in the audience asked questions related to red flag laws, disarming of citizens involved in disputes and veterans with PTSD, which Sheriff Bowman answered. Due to several citizens wishing to speak on the subject, Chairman Mayberry suggested Sheriff Bowman hold a town hall type meeting to answer the public’s questions related to current and proposed gun laws.

## **ALEXANDER COUNTY SCHOOLS FACILITY REPAIRS & RENOVATIONS UPDATE**

Dr. Jennifer Hefner, Superintendent, presented the Alexander County Schools Facility Repairs and Renovations Update, noting that as of June 30, 2020, an estimated \$5,253,000 would be available

in half-cent sales tax funds and \$3,858,868 in lottery monies (these funds can only be used for building construction, repairs, and renovations). The estimated costs for all projects totaled \$1,850,372.69 and included the following:

- ACHS - \$456,661 for entryway safety, fencing, modular unit removal, possible metal building with storage and classrooms, new practice field storage building, fieldhouse and ag building roof replacement, field house restroom renovation, baseball field and JV gym lighting, repaving of parking lot, gym HVAC, and CTE renovations at former Sugar Loaf Fire Department.
- Bethlehem Elementary - \$16,023.24 for bus pickup/drop off canopy and replacement of office area carpet with vinyl tile.
- East Alexander Middle - \$99,301.25 for bus parking security gates, fire alarm system, and replacement of foyer carpet and hallway linoleum with vinyl tile.
- Ellendale Elementary - \$20,295.20 for guttering to stop concrete erosion, cafeteria door replacement, BASC awning, and parking lot lighting.
- Hiddenite Elementary - \$125,800 for roof replacement and mobile unit door awnings.
- Stony Point Elementary - \$63,685 for repaving of back parking lot and concrete sidewalk for car riders/BASC.
- Sugar Loaf Elementary - \$34,500 for gym roof replacement and a small storage building. Staff has also met with an architect about the cafeteria/gym (renovation vs. new construction).
- Taylorsville Elementary - \$107,380 for gym roof replacement, cafeteria HVAC, new concrete awning for outside of cafeteria, and new bleacher seats.
- West Alexander Middle - \$12,800 for entry and modular unit canopies.
- Wittenburg Elementary - \$481,147 for roof replacement, parking lot resurfacing, and car rider canopy.
- Student Success Center - \$6,000 for security upgrades (electronic door and cameras).
- Board of Education Building - \$426,780 for building repairs/renovations and repaving of parking lot.

Dr. Hefner reported that the Board of Education approved a 5-Year Facilities Plan in November 2019 that is available for public viewing on the Alexander County Schools website. In addition, she provides a chart of projects (completed, scheduled/in progress, and not yet scheduled) at each monthly Board of Education Meeting.

In response to questions asked by Commissioner Peal regarding the roof at Wittenburg Elementary, Schools Maintenance Director Chris Campbell explained that the roof had been installed correctly according to specs at the time of construction; however, due to the length and slope, it continues to hold water and leak.

The Board thanked Dr. Hefner and the Board of Education for the update.

### **BUDGET ORDINANCE AMENDMENTS #34 - #37 & PROJECT BUDGET ORDINANCE #P-1**

Rick French, County Manager, reviewed the purpose of Budget Amendments #34 - #37 and Project Budget Ordinance #P-1 as follows:

Budget Amendment #34 – To increase the Library budget for donations received and for State grant funding in excess of original estimates.

Budget Amendment #35 – To increase the Garage budget for expected revenue from vehicle repair services in excess of original estimates.

Budget Amendment #36 – To adjust project budget line items for the construction contract amount and to allocate expense line items between NCDEQ loan-funded items and items paid with local County funds.

Budget Amendment #37 – To budget for the local match required for the Paragon Films Building Reuse 2020 Grant Project.

Project Budget Ordinance #P-1 – To budget for the Paragon Films Building Reuse 2020 Grant Project.

Chairman Mayberry made a motion to approve Budget Amendments #34 - #37. Commissioner Pennell seconded the motion, which passed unanimously.

Vice-Chairman Yoder made a motion to approve Project Budget Ordinance #P-1. Chairman Mayberry seconded the motion, which passed unanimously.

### **BOARD APPOINTMENTS & REAPPOINTMENTS**

Rick French, County Manager, requested the following reappointments:

Library Board of Trustees – Reappoint Miranda Burgin for 3 years.

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

Equalization & Review Board – Reappoint Doug Ramsey, David Odom, Linda Barnette, Bobby Norton, and Donovan Douglas for one year.

Commissioner Peal made a motion to approve the reappointments. Vice-Chairman Yoder seconded the motion, which passed unanimously.

## **OTHER BUSINESS**

The following issues were discussed during Other Business:

- A. The Historic Preservation Committee will meet on Tuesday, February 4<sup>th</sup> in the EDC Conference Room.
- B. The monthly water meeting with McGill Associates, Buckeye Bridge, and the City of Hickory is scheduled for Thursday, February 6<sup>th</sup> at the Services Center.
- C. Several commissioners and County staff will participate in a tour of Piedmont Composites on Wednesday, February 5<sup>th</sup> at 11:00 AM.

## **CONSENT AGENDA**

- A. Minutes from the December 16, 2019 Called Meeting and the January 6, 2020 Regular Meeting.
- B. Tax Release Requests (\$5,668.29) and Tax Refunds (\$26,210.37) for December 28, 2019 – January 23, 2020.
- C. Alexander County Hazard Mitigation Plan Resolution of Adoption.

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

## **CLOSED SESSION – N.C.G.S. 143-318.11(a)(4 & 6) ECONOMIC DEVELOPMENT & PERSONNEL**

Chairman Mayberry made a motion to enter into Closed Session at 7:06 PM to discuss economic development and personnel issues pursuant to N.C.G.S. 143-318.11(a)(4 & 6). Vice-Chairman Yoder seconded the motion, which passed unanimously.

## **ADJOURNMENT**

There being no further business, Commissioner Peal made a motion to adjourn at 7:33 PM. Vice-Chairman Yoder 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