

Draft

BOARD OF COMMISSIONERS
REGULAR MEETING December 7, 2020

ALEXANDER COUNTY
STATE OF NORTH CAROLINA

PRESENT: Larry Yoder, Vice-Chairman
 Josh Lail
 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, December 7, 2020 in Room 103 of the CVCC / Alexander Center in Taylorsville, North Carolina.

CALL TO ORDER

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

INVOCATION & PLEDGE OF ALLEGIANCE

Following a moment of silence in memory of the U.S. soldiers killed at Pearl Harbor on December 7, 1941, Vice-Chairman Yoder gave the invocation and Commissioner Peal led the Pledge of Allegiance to the Flag.

COMMISSIONER'S REPORT

Commissioner Reese and Vice-Chairman Yoder attended the grand opening for Shaggy's Good Buys in Bethlehem this past Saturday. Commissioner Reese was happy to see new businesses moving forward in Alexander County. He also mentioned progress made at the intersection of Millersville Road and Highway 16, which was heavily damaged during flooding that occurred on November 12th, and thanked citizens for their patience as repairs are made throughout the county.

Vice-Chairman Yoder reported that NCDOT was providing road condition updates every two weeks and additional repair contracts were scheduled to be approved this week. He pointed out that DOT was responding much faster this time compared to last year when the Herman and Liledoun Road bridges were destroyed.

ADOPTION OF AGENDA

Commissioner Pennell made a motion to adopt the agenda as presented. Commissioner Reese seconded the motion, which passed unanimously.

SWEARING IN CEREMONY FOR ALEXANDER COUNTY COMMISSIONERS

The Honorable Dale Graham, Chief District Court Judge, administered oaths of office to County Commissioners Josh Lail and Jeff Peal.

ELECTION OF CHAIRMAN

Commissioner Reese made a motion to approve the election of Larry Yoder as Chairman for 2021. Commissioner Pennell seconded the motion, which passed unanimously.

ELECTION OF VICE-CHAIRMAN

Commissioner Peal made a motion approve the election of Ronnie Reese as Vice-Chairman for 2021. Commissioner Lail seconded the motion, which passed unanimously.

PUBLIC COMMENT

Grace McLeod informed the Board that information presented at the November Commissioners' Meeting and several statements made by Bill Rogers, Chief Building Inspector, related to conditions along Ridley Ranch Road were incorrect. She pointed out that a porch on the structure at 284 Ridley Ranch Road was new construction that had begun since August 2020, and that a lot of trash/debris still remains that was not shown during the presentation. Ms. McLeod added that she and her husband were constantly reminded by County staff to pull permits, yet other residents along Ridley Ranch Road had not been required to do so, noting that she only wished to be treated fairly.

Jimmy Lambert expressed several concerns with issues involving the Hiddenite Family Campground, which is adjacent to his property. He felt the recent loss of life caused by the severe flooding was senseless and irresponsible of the property owners when considering that 1) the entire camping area of the campground is located in a flood plain and 2) flooding and rescues occurred previously this year. He informed the Board that the easement given across his property to the campground was for camping only, not permanent residents, and he reported 15 permanent residents at the time of the November 12th flood. Other items mentioned included the volume of traffic coming and going from the campground at all hours, the brief visits, and various drug arrests. Mr. Lambert urged the County to do everything in its power to prevent another tragic loss of life by prohibiting any further camping at this location.

Ben A.C. Hines asked the Board to consider recognizing and honoring the Alexander County Board of Elections and staff for seamlessly carrying out the November General Election during unprecedented challenges. Due to anticipated historic levels of mail-in voting, the Board of Elections began meeting weekly and staff members fielded countless calls and questions from the public. He advised that Patrick Wike, Elections Director, organized 3 early voting sites, more than required for counties our size, and staffed them with A/B teams to allow for reduced exposure and easier isolation practices if needed; however, not one site was closed or enforced limited hours due to the pandemic. Mr. Hines felt these efforts contributed to the 82% voter turnout in Alexander County vs. 75% statewide.

PUBLIC HEARING: REZONING CASE 20-5 – COMBS

Seth Harris, Zoning Administrator, presented Rezoning Case 20-5 submitted by Jennifer Combs who requested rezoning of property owned by Essie Isom and located at 6071 NC Highway 16 South from RA-20 (Residential-Agricultural) to H-C (Highway Commercial) to allow for retail use. The size of the property tract is approx. one-half acre and houses a vacant building (former church). Zoning districts and land uses within 100 feet include H-C to the north (Dollar General), RA-20 to the south and east (old Wittenburg School and Wittenburg Fire Department), and N-B to the west.

After reviewing staff comments, Mr. Harris reported that the rezoning was consistent with the adopted goals and policies of the 2008 Comprehensive Plan as well as the future land use map that identifies this intersection as being commercial in nature. 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 public hearing notice was placed in *The Taylorsville Times*.

In addition to staff's recommendation for approval, the Planning & Zoning Commission reviewed the request on November 5, 2020 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.

Mr. Harris 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.

Due to a conflict of interest related to the pending sale of this property, Commissioner Pennell requested recusal from consideration of this rezoning case. Therefore, Commissioner Lail made a motion to allow Commissioner Pennell to abstain from voting on Rezoning Case 20-5. Commissioner Reese seconded the motion, which passed unanimously.

After a motion by Commissioner Reese, second by Commissioner Peal, and a 4/1 vote (one abstention), Vice-Chairman Yoder called the public hearing to order and requested any comments.

There being none, Commissioner Peal made a motion to close the public hearing. Commissioner Reese seconded the motion, which passed 4/1 (one abstention).

Commissioner Reese made a motion to approve Rezoning Case 20-5 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. Commissioner Peal seconded the motion, which passed unanimously 4/1 (one abstention).

PUBLIC HEARING: REZONING CASE 20-4 – BROWN

Seth Harris, Zoning Administrator, presented Rezoning Case 20-4 submitted by Tyler Brown who requested rezoning of 3 tracts located on Ted Bolick Lane from RA-20 (Residential-Agricultural) to H-C (Highway Commercial) to allow for office space and mini-storage. The size of the properties total approx. 2.3 acres, which are currently vacant. Zoning districts and land uses within 100 feet include H-C to the north and RA-20 to the south, east (EMS base), and west.

After reviewing staff comments, Mr. Harris reported that the future land use plan contained within the 2019 Bethlehem Community Plan shows a portion of the subject area as being commercial in nature. 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 public hearing notice was placed in *The Taylorsville Times*. No comments have been received from the public either in favor or opposition to the request.

In addition to staff's recommendation for approval, the Planning & Zoning Commission reviewed the request on November 5, 2020 and voted unanimously to recommend approval based on the following:

1. The rezoning request is consistent with the intent of the Bethlehem Community Plan.

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

Commissioner Lail made a motion to approve Rezoning Case 20-4 based on recommendations from staff and the Planning & Zoning Commission that the rezoning request is consistent with the intent of the Bethlehem Community Plan. Commissioner Peal seconded the motion, which passed unanimously.

PUBLIC HEARING: APPROVAL OF ROAD NAMES

Rick French, County Manager, submitted the following road names for approval, noting that all names met required regulations and had been checked for duplication and sound indexing:

<u>Road No.</u>	<u>Road Name</u>	<u>Location</u>
3853SA	Green Apple Lane	Cross Street / NC Hwy 16
3850PP	Homestead Lane	Cross Street / 9 th Avenue NW

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

Commissioner Peal made a motion to approve the road names as presented. Commissioner Reese seconded the motion, which passed unanimously.

2019-2020 AUDIT REPORT

Ko Tan Cha-Moses with Martin Starnes & Associates gave a slide show presentation for the 2019-2020 Audit Summary, which included the following information:

- General Fund revenues – ad valorem taxes (property and motor vehicle), local option sales taxes, restricted intergovernmental (federal and state grants), sales and services (Health Department, Detention, EMS, License Plate Agency), permits and fees (Inspections and Register of Deeds), and other (donations, private grants, ABC tax, video programming tax).
- General Fund expenditures – general government (2% decrease), public safety (1.6% decrease), environmental protection, economic and physical development, human services (5.7% increase), culture and recreation, education (4.4% increase), and debt service.
- General Fund debt – \$4,411,596 as of 6/30/2020.
- Fund Balance overview – 33.34% (\$19,246,134 total / \$12,586,859 available).
- Solid Waste Fund overview – decrease in revenue was due to convenience center fee waivers (15 weeks due to COVID-19).
- Water Funds overview.

In response to a question by Commissioner Reese, Ms. Cha-Moses discussed compliance findings for the Medicaid program, internal controls, and an expense reporting error at DSS, noting that corrective action plans were collected from management that would be reviewed during the next audit to confirm implementation.

Commissioner Reese made a motion to accept the 2019-2020 Audit Summary as presented. Commissioner Pennell seconded the motion, which passed unanimously.

NOVEMBER 2020 FLOOD REPORT

Doug Gillispie, Public Services Director, provided a photo slide show of damage caused by heavy rain and severe flooding on November 12, 2020 that resulted in multiple swift water rescues and 5 deaths in Alexander County. Beginning at 3:38 AM, emergency crews were dispatched to more than 50 roads in the county, 18 of which remain closed. He reported that 809 calls were taken and processed by 911 Communications, with 188 being true emergency 911 calls. Seven inches of rain fell on most areas of the county between the hours of 4:00 AM and 7:00 AM, with the exception of Hiddenite and parts of Wittenburg that received up to 9 inches.

He reported that 31 individuals were rescued from the Hiddenite Family Campground. A shelter was opened at East Taylorsville Baptist Church and Alexander County Animal Services took in many pets. To date, Samaritan's purse has provided campers to several families at the Fairgrounds and local churches have adopted others. A State of Emergency has been declared and staff continue to pursue all State and possibly Federal funding.

Mr. Gillispie and members of the Board thanked all County staff, State departments and officials, volunteers and churches, and the many rescue organizations (Alexander County based and other municipalities) that assisted.

COVID-19 UPDATE

Leeanne Whisnant, Consolidated Human Services Director, reported that Alexander County's cumulative total for positive COVID-19 cases was now at 1,815 (155+ known quarantined, 19 hospitalized, 18 deaths, and 1,623 recovered). We are one of 20 "red" counties in the state (critical community spread) and will remain there for at least one month. There have been 191 positive cases at the local DOC prison, which contributed to the "red" status; however, Ms. Whisnant pointed out that cases countywide were increasing quickly (136 positives in September, 469 in October, 585 in November). More than 140 citizens were tested last week and so far, 100 of those are positive. Testing continues on Mondays, Wednesday, and Fridays at 10:00 AM.

Staff is gearing up to receive the first round of vaccines, reported to have a 90-95% effective rate. Ms. Whisnant explained the 4 distribution phases developed by the CDC and Federal government, noting that NC anticipates 85,000 doses of the vaccine as early as December 14th. Both the Pfizer and Moderna vaccines require a second dose. Children and pregnant women have not been included in clinical trials. She added that staff was learning a new vaccine management system to keep track of all COVID vaccine-related data.

Several questions were asked related to storage vs. administration temperatures as well as protocols for 1) citizens infected with COVID-19 prior to receiving a second dose of the vaccine, 2) citizens who delay receiving the second dose past suggested timeframe, and 3) if shipments for the second dose are limited or delayed. Ms. Whisnant responded that, although these questions had been asked by many, no answers had yet been provided due to the constantly changing guidance from multiple Federal and State sources.

Doug Gillispie, Public Services Director, advised that PPE remains in good standing and that EMS staff were trained to assist the Health Department with vaccine administration if needed. He is working with NC Emergency Management to ensure an adequate supply of alcohol preps and bandages (needle and syringe will be included with each dose).

BOARD APPOINTMENTS & REAPPOINTMENTS

Rick French, County Manager, presented the following appointment and reappointments:

Local Emergency Planning Committee – reappoint Seth Harris and Patti Foster Nelson for 3 years.

Library Board of Trustees – appoint Bailey Sherrill and Athena Garnto for 3 years.

Commissioner Peal made a motion to approve the appointment and reappointments. Commissioner Reese seconded the motion, which passed unanimously.

BUDGET ORDINANCE AMENDMENTS #32 - #38

Rick French, County Manager, reviewed the purpose of Budget Amendments #32 - #38 as follows:

Budget Amendment #32 – To budget for a contract with the WPCOG for N.C.G.S. 160D Technical Planning Assistance.

Budget Amendment #33 – To increase the DSS budget for COVID Foster Care Stipend funds from the State to disburse \$100 per foster child during the months of April-September 2020.

Budget Amendment #34 – To increase the Sheriff's Office budget to purchase a used vehicle to replace a 2016 Dodge Charger that was wrecked in June 2020 and deemed a total loss.

Budget Amendment #35 – To increase the Sheriff's Office budget to purchase a professional level all-weather drone.

Budget Amendment #36 – To budget for the FY 2021 appropriation to the Alexander County CERT.

Budget Amendment #37 – To budget for a true-up adjustment for FY 2020 tax revenues and disbursements for fire districts.

Budget Amendment #38 – To adjust the multi-year Coronavirus Relief Fund budget for a portion of the 25% municipal allocation being returned from the Town of Taylorsville to the County.

Commissioner Pennell made a motion to approve Budget Amendments #32 - #38. Commissioner Peal seconded the motion, which passed unanimously.

OTHER BUSINESS

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

- A. Notice was given by the NC Department of Commerce that Alexander County will be moved from a Tier 2 to a Tier 1 designation, mainly due to the unemployment rate. Mr. French felt the change, which will take effect on January 1, 2021, could make the County eligible for more grant opportunities.
- B. A dedication ceremony for the Barn Art Project at the Alexander County Services Center is scheduled for tomorrow at 10:00 AM.

CONSENT AGENDA

- A. Tax Release Requests (\$1,091.02) and Tax Refunds (\$59,430.05) for October 24 – November 2, 2020.
- B. Minutes from the November 2, 2020 Regular Meeting.
- C. Unseal January 7, 2013 – December 7, 2015 Closed Session Minutes.
- D. Request from Bethlehem Community Fire and Rescue, Inc. to apply for State swift and surface water rescue certifications.

Commissioner Reese made a motion to approve the Consent Agenda. Commissioner Pennell seconded the motion, which passed unanimously.

CLOSED SESSION – N.C.G.S. 143-318.11(a)(5 & 6) CONTRACTUAL & PERSONNEL

Vice-Chairman Yoder made a motion to enter into Closed Session at 7:35 PM to discuss contractual matters and personnel issues pursuant to N.C.G.S. 143-318.11(a)(5 & 6). Commissioner Peal seconded the motion, which passed unanimously.

ADJOURNMENT

There being no further business, Commissioner Peal made a motion to adjourn at 8:51 PM. Commissioner Lail seconded the motion, which passed unanimously.

Larry G. Yoder, Vice-Chairman

Jamie M. Starnes, Clerk to the Board